CITY COUNCIL

Tuesday, July 14, 2026 | 7:00 PM
Council Chamber- City Hall
900 Church Street
Lynchburg, VA 24504

AGENDA

I. Invocation *Vice Mayor Diemer*

II. Recognitions

II.1. Pretrial, Probation, and Parole Supervision Week Proclamation

II.2. Recognizing Retired Fire Chief Jonathan Wright's Years of Service

II.3. Recognizing Retired Chief Financial Officer Donna Witt's Years of Service

III. Consent Agenda

III.4. Consideration of adopting Ordinance #O-26-069 amending and appropriating $36,383,600 to the Water Capital Projects Fund and $1,300,000 to the Stormwater Capital Projects Fund.

III.5. Consideration of approving the minutes from the April 14, 2026, City Council meeting.

III.6. Consideration of approving the minutes from the April 23, 2026, special called City Council meeting.

III.7. Consideration of approving the minutes from the April 28, 2026, City Council meeting.

III.8. Consideration of approving the minutes from the May 12, 2026, City Council meeting.

III.9. Consideration of approving the minutes from the May 26, 2026, City Council meeting.

III.10. Consideration of approving the minutes from the June 9, 2026, City Council meeting.

IV. Public Hearing

IV.11. Consideration of adopting Ordinance #O-26-071 changing the zoning of a certain area located at 1612 Concord Turnpike.

IV.12. Consideration of adopting Ordinance #O-26-072 amending and reenacting the Lynchburg City Code under its Zoning Ordinance to regulate Data Centers in the City.

IV.13. Consideration of adopting Ordinance #O-26-073 amending and reenacting Lynchburg City Code Section 16.1-18 for Erosion & Stormwater Management Fees.

IV.14. ~~Consideration of adopting Ordinance #O-26-___ authorizing condemning portions of and interests in 1508 Florida Avenue for a public transportation improvement project known as the Florida Avenue Pedestrian Improvements.~~

V. Public Comment

V.15. Hear from a group representative regarding "tenant concerns". (Consuela Mosley) (Tenants)

V.16. Hear from a group representative regarding "automatic license plate readers". (Nathan Hendrix) (Blue Ridge Chapter of the VA PBA)

V.17. Hear from a group representative regarding "situational awareness". (Mitxh Richards) (For The Lov3 Of The City)

VI. General Business

VI.18. Consideration of adopting Ordinance #O-26-074 authorizing amendments to the Hill City Howlers Franchise Agreement.

VI.19. Consideration of adopting Resolution #R-26-075 approving the City Council's regular meetings for CY 2027.

VI.20. Second Reading: Consideration of adopting Ordinance #O-26-070 amending the FY 2027 General Fund budget and appropriating $310,800 to fund a detailed staffing assessment, a full-time civilian human resources leadership position, and a full-time sworn position to coordinate department-wide training in the Fire Department.

VII. Closed Session

VII.21. Consideration of a closed session to review and/or evaluate the performance of the City’s Clerk of Council, City Attorney, and City Manager pursuant to Section 2.2-3711(A)(1) of the Code of Virginia, 1950, as amended.

AGENDA ITEM SUMMARY

MEETING DATE	PRESENTED BY
July 14, 2026	Timothy Mitchell, Director of Water Resources

AGENDA ITEM # III.4

Consideration of adopting Ordinance #O-26-069 amending and appropriating $36,383,600 to the Water Capital Projects Fund and $1,300,000 to the Stormwater Capital Projects Fund.

RECOMMENDATION

Following a public hearing adopt Ordinance #O-26-___ to amend and appropriate $36,383,600 to the Water Capital Projects Fund and $1,300,000 to the Stormwater Capital Projects Fund to address capital needs in said funds. The Water Capital Projects Fund appropriation includes $31,383,600 in supplemental general obligation public improvement bonds and $5,000,000 from the Virginia Resources Authority. The Stormwater Capital Projects Fund includes $1,300,000 in supplemental general obligation public improvement bonds.

SUMMARY

On May 12, 2026, City Council voted not to approve proposed Water and Stormwater rate increases, resulting in unbalanced FY 2027 Budgets for the Water Operating Fund and Stormwater Operating Fund. Budget balancing efforts were presented during the May 26, 2026 work session meeting listing twenty-three (23) Water capital projects and fifteen (15) Stormwater capital projects that would be deferred one year. Also presented was the Virginia Department of Health (VDH) (Virginia Resources Authority - Drinking Water State Revolving Fund) loan funding package of $15,000,000 for Lead Service Line Investigation and Replacement, $5,000,000 more than the loan application, thus not included in the proposed FY 2027 Water Capital Improvement Program. The $15,000,000 VDH funding package includes $7,500,000 loan and $7,500,000 principal forgiveness.

On May 26, 2026, the ordinance to adopt the FY 2027 Capital Improvement Program Budget with deferred Water and Stormwater projects was approved by City Council. Also on May 26, 2026, City Council requested a public hearing to revisit the FY 2027 proposed Water and Stormwater rates.

On June 9, 2026, the ordinances to adopt the original proposed FY 2027 Water and Stormwater rate increases and FY 2027 Water and Stormwater Operating Budgets were approved by City Council. This adoption allows funding for the deferred Water Capital and Stormwater Capital Projects that were not included in the adopted FY 2027 Capital Improvement Program Budget.

PRIOR ACTION(S)

May 12, 2026: City Council Meeting, FY 2027 Budget - First Reading

May 26, 2026: City Council Work Session, Business Item Briefing
City Council Meeting, Adoption of FY 2027 Water and Stormwater CIP

June 9, 2026: City Council Meeting, Adoption of the Water and Stormwater Rate Increases

June 23, 2026: Finance Committee

FISCAL IMPACT

As described in the attached Ordinance.

CONTACT(S)

Timothy Mitchell, Director of Water Resources

ATTACHMENT(S)

1. #O-26-069
2. LWR Water and Stormwater CIP presentation
3. Ordinance to Amend FY 2027 Water and Stormwater CIP Amendments

REVIEWED BY

Date:

_____

Alicia Finney-Andrews, Clerk of Council

ORDINANCE: **#O-26-069**

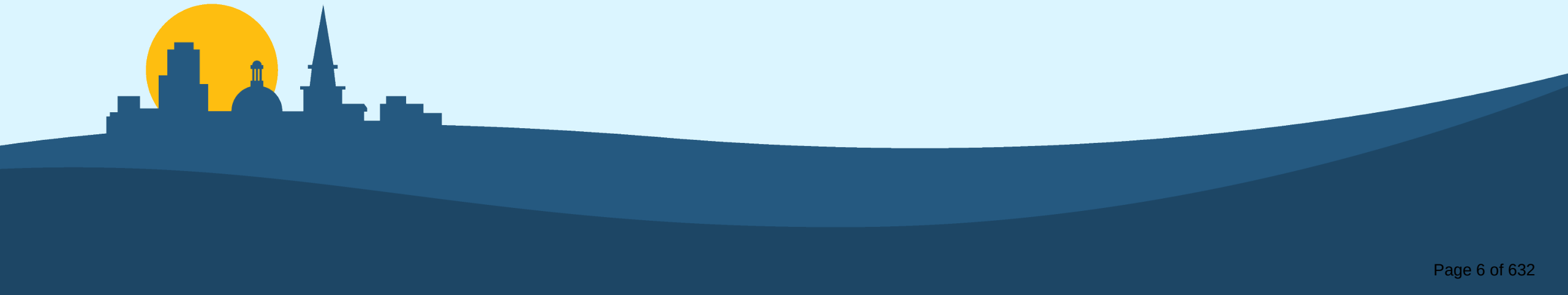
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG that the FY 2027 Adopted Budget is hereby amended and $36,383,600 is appropriated to the Water Capital Projects Fund and $1,300,000 to the Stormwater Capital Projects Fund to address capital needs in said funds. The Water Capital Projects Fund appropriation includes $31,383,600 in supplemental general obligation public improvement bonds and $5,000,000 from the Virginia Resources Authority. The Stormwater Capital Projects Fund includes $1,300,000 in supplemental general obligation public improvement bonds.

Introduced: June 23, 2026 Adopted: July 14, 2026

Certified: Alicia Finney-Andrews
Clerk of Council

WATER RESOURCES STORMWATER & WATER AMENDED FY 2027 CIP

June 23, 2026



FY 2027 CIP ADJUSTMENTS

Water CIP Adjustments

- **Adopted:** $12,985,400
- **Amended:** $49,369,000
- **Adjustment:** $36,383,600

Stormwater CIP Adjustments

- **Adopted:** $100,000
- **Amended:** $1,400,000
- **Adjustment:** $1,300,000

THE CITY OF LYNCHBURG

STORMWATER FUND – CAPITAL BUDGET ADJUSTMENTS

The following projects, previously deferred from FY 2027 CIP, are included in the amended FY 2027 CIP:

- Chesterfield Dr Stormwater Improvements
- Heath Ave (1109) Stormwater Improvements
- Fenwick Dr Stormwater
- 17th St Outfall Replacement
- 12th St & Campbell Ave Utility Improvements
- Wards Road Storm Culverts (HFH Lakeside Culvert)
- Pine Dr. (520) Stormwater Improvements
- Seabury, Atherholt, Tate Springs Outfalls
- Moseley, Landover Outfalls
- Miller Park Area
- Roberts/Durham Small Main
- Daniels Hill
- Fort Hill Water Line
- Storm Pipe & Manhole Rehabilitation
- Hydro St and Old Trents Ferry Road

WATER FUND – CAPITAL BUDGET ADJUSTMENTS

The following projects, previously deferred or removed from FY 2027 CIP, are included in the amended FY 2027 CIP:

- Abert Water Treatment Plant, Pump Station
- Water Tank Rehabilitation (College Hill Tank)
- Carroll Ave. Pump Station Improvements
- Maple Hills Water Line Improvements
- Golf Park CSO
- 12th St & Campbell Ave Utility Improvements
- 13th St CSO Separation P1
- 13th St Water Improvements P2
- Glenn & High St. Small Mains
- Loraine & Dudley St. Small Mains
- Greenway Pl & Crenshaw Ct Small Mains
- Court Street Utility Improvements, Downtown Phase V
- Oak Lane Water Line Replacement
- 11th & Taylor Sewer Replacement
- Wadsworth Street
- Killarney & Regent Small Mains
- CSO 14 Water improvements
- Haden Small Main
- Roberts/Durham Small Main
- Sandusky Area Small Mains
- Fort Avenue Water Line
- Breezewood Drive Water Line (Betterments)
- Pedlar Raw Water Line Lining

ORDINANCE: **#O-26-____**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG that the FY 2027 Adopted Budget is hereby amended and $36,383,600 is appropriated to the Water Capital Projects Fund and $1,300,000 to the Stormwater Capital Projects Fund to address capital needs in said funds. The Water Capital Projects Fund appropriation includes $31,383,600 in supplemental general obligation public improvement bonds and $5,000,000 from the Virginia Resources Authority. The Stormwater Capital Projects Fund includes $1,300,000 in supplemental general obligation public improvement bonds.

Introduced: Adopted:

Certified: _____
Clerk of Council

// A joint meeting of the Council of the City of Lynchburg and the Greater Lynchburg Transit Company Board of Directors was held on the 14th day of April, 2026 at 2:00 p.m. in the IT Conference Room, 3550 Young Place, Larry Taylor, President, presiding. The following Members were present:

Present: Larry Taylor, Curt Diemer, Stephanie Reed, Chris Faraldi, Sterling A. Wilder, Martin Misjuns, Jacqueline Timmer 7

Absent: 0

The following GLTC Board of Directors was present:

Present: Cameron Howe, Tabatha Sprouse, Valerie Holmes, Benjamin Blanks, Christopher Hackman, Merecedes Braun 6

Absent: Gary Dupriest, Brian Landergan, Andre Miller 3

// Councilmember Faraldi led the invocation, followed by the Pledge of Allegiance.

// Council held a joint meeting with GLTC regarding the GLTC FY27 Overview and Budget. Chief Financial Officer Donna Witt and GLTC General Manager Josh Moore provided opening remarks.

Vice Mayor Diemer said he would prefer for department leadership to provide regular presentations to Council to facilitate communication.

Councilmember Timmer requested that the email sent by the GLTC Board be included in the minutes. She expressed concern about communication during the budget process and Council’s ability to evaluate funding priorities before the proposed budget is presented.

Councilmember Wilder expressed support for the contingency reserve fund for GLTC and highlighted the importance of transportation. He looked forward to the study on routes, funding, and measures to support GLTC. He asked if the Finance Department worked with GLTC regarding funding on a consistent basis.

Mr. Moore said that they had good communication with the City regarding funding. He said it was GLTC's practice to minimize the local match as much as possible, which meant maximizing state, federal, and other funding sources. He said that previously, when they had Liberty Service, the additional ridership and metrics helped draw down additional state and federal funding. He said they only now were

experiencing the impacts, because they were able to use CARES Act and ARPA funds to offset the initial costs.

Mr. Moore noted that when compared to their peers, GLTC was aggressive in terms of controlling its costs, which scored well in funding programs. These scores had resulted in some increases in state funding, but the impacts from those funds had a two-year lag.

Mr. Moore mentioned the TRIP Grant, which was a multiyear discretionary funding grant. He noted it was not originally included in the budget request because they were uncertain if GLTC would receive it. He said the funds would replace the existing demonstration grant for the microtransit service.

Mr. Moore said that the recent increase in fuel prices and wages, as well as an average 30% increase in health insurance costs over the prior two years, had a substantial impact on GLTC's budget, particularly in terms of overhead costs. He said these pressures affected service and increased expenses for training and attracting new CDL operators.

Councilmember Wilder asked if an additional City liaison on the GLTC Board would be helpful.

Mr. Moore said that the GLTC Board was appointed by the City, and City staff and board members remained very involved.

Councilmember Misjuns expressed concerns about ridership impacts on funding formulas for infrastructure projects. He asked if decreases in ridership would affect funding for projects such as the Route 501/221 intersection improvements.

Mr. Moore said it was a possibility, but he did not have the exact scoring metrics for SMART Scale. He noted that each year the City applied for SMART Scale funding, GLTC provided letters of support, service metrics, and other information to support the application process.

Councilmember Misjuns said he was concerned about potential impacts to SMART Scale projects, and he requested more information about the potential impacts to funding if ridership or service were reduced.

Councilmember Timmer asked for more information about the health insurance cost increases and whether the City could include GLTC in the City's coverage. She said she was also seeking clarification about the contingency fund and how the funds could be used.

Mr. Moore said that two years ago, they saw an unprecedented 36% increase in health insurance costs, where previously, they had only seen single-digit increases. He continued that last year, there was a 24% increase in costs, and this year, they anticipated a 30% increase. He said they had discussed possibly joining the City's health insurance plan; however, the stop loss cost was too high. He said they were in the process of forming a statewide transit-specific health insurance pool to control costs.

Councilmember Timmer asked for clarification regarding how the GLTC contingency fund could be applied in terms of the MOU.

Ms. Witt explained that the MOU was similar to an agreement with schools, where any excess fund balance at the end of the year returned to the City and became City funds. However, the GLTC MOU also outlined two reserve provisions: a minimum of $500,000 to cover potential deficits, and a 30-90 day cash loan to help with short-term financial needs, which GLTC has generally been able to repay.

Mr. Moore mentioned that a separate capital fund had also caused confusion, as they initially thought the fund was the same as the reserve fund.

Ms. Witt explained how the capital fund worked. She said they used pay-as-you-go money to match the federal and state funding for buses, and that the money stayed in the capital fund for future use. However, due to the COVID pandemic and other factors, they had used City funds to pay for the local match as needed for buses. She said that the fund was separate and unrelated to the MOU.

GLTC Vice President Tab Sprouse noted that inflation had significantly impacted all parties since 2012. She suggested re-examining the MOU with a current inflationary perspective.

Councilmember Reed discussed the need to improve communication between the City and GLTC, emphasizing the importance of the partnership for citizens. She said that a City representative on the Board could help facilitate that communication.

GLTC President Cameron Howe said that in her time on the board, there had been four different representatives from the City Manager's Office. She expressed concern about the turnover, since it was difficult to develop relationships and institutional knowledge.

Councilmember Timmer emphasized the need for improved communication between department heads and Council during the budget process. She expressed concern that Council needed clearer

information about departmental needs in order to evaluate funding priorities. She said she wanted to protect the Route 501/221 corridor.

Councilmember Faraldi said he was struggling to understand the objective of the meeting. He said that he did not see the point in making comments on how a budget process should or should not work, and comments about lack of access to information discredited all the materials provided to Council. He said this was not an appropriate venue to address process concerns. He asked if the GLTC budget had decreased over time.

Mr. Moore said that in terms of total dollars, the budget had increased due to inflationary pressures.

Mayor Taylor clarified that the department heads did not have communication issues. He said that pitting them against each other was not constructive.

Councilmember Misjuns asked how increased on-campus enrollment at Liberty University would impact transit services. He asked about the impacts of fuel prices, which had risen significantly. He also requested information about the multimodal plan and what had changed in the CIP from the previous year.

Mr. Moore replied that in terms of the CIP, the budget amounts reflected delays in vehicle deliveries, which had lead times of 18 to 24 months.

Ms. Howe suggested holding regular joint meetings to ensure alignment and support between the two bodies, similar to the School Board annual meetings.

Mr. Moore provided a presentation to Council regarding the FY27 GLTC budget and financial needs.

Councilmember Faraldi expressed concern with dedicating funds to services that only represented 15% of the total, and he could not support the request.

Mr. Moore noted that Councilmember Faraldi brought up a common conversation of ridership versus coverage and where to prioritize within that scale. He said the Board was seeking guidance from Council on where they should prioritize funds.

Councilmember Misjuns asked if the Board had considered increasing Flex routes since they had a lower cost and did not require CDL operators.

Mr. Moore said the Board had plans to increase microtransit offerings, but they had to consider the scalability issues since microtransit vans had a lower capacity. He said the intent was to use Flex routes to extend service to low-demand areas.

Councilmember Misjuns asked if replacing existing routes with Flex service would be able to close the funding gap once the grant expired.

Mr. Moore said that they had reduced fixed route buses and used the savings to fund the initial Flex route program. He said this would change the capital requirements, as smaller vans wore out faster, and would also impact route operations and metrics. He acknowledged that some customers were unhappy with the uncertainty of the Flex service schedule, but noted that they had been working with large employers to provide flexibility. He emphasized that the Flex service would not be eliminated entirely if they did not receive the grant, as they would make changes to other routes to maintain some level of service.

Ms. Sprouse emphasized the need for collaboration with the City's goal for multimodal transit, considering factors such as ridership, coverage, and accessibility to serve the community effectively.

Councilmember Timmer asked about the possibility of revisiting the MOU to utilize a fund within GLTC to address cash flow concerns.

Ms. Howe emphasized the importance of the transit system in achieving the City's goals, including economic development, workforce participation, and quality of life. She highlighted the need for access and usability in investments, and she discussed the role of first-mile and last-mile solutions. She also addressed the GLTC reserves, which were used for capital expenses and unforeseen cash flow shortfalls. She expressed concern about reducing the reserves to $100,000, which was about 3.5 days of operating expenses. She said this could leave GLTC without funds to offset costs in the event of an unexpected expense.

City Manager Wynter Benda shared his experience from Hampton Roads, where he was part of Hampton Roads Transit, which included ferries, buses, a light rail, and other transportation components.

He acknowledged that the MOU and resource sharing could have benefits, particularly in avoiding unintended consequences and ensuring federal funding. He suggested that partnerships and collaboration between the City and GLTC could lead to a better understanding of growth and its impact.

// The meeting adjourned at 3:48 p.m.

// A joint meeting of the Council of the City of Lynchburg and the School Board was held on the 14th day of April, 2026 at 4:00 p.m. in the IT Conference Room, 3550 Young Place, Larry Taylor, President, presiding. The following Members were present:

Present: Larry Taylor, Curt Diemer, Stephanie Reed, Chris Faraldi, Sterling A. Wilder, Martin Misjuns, Jacqueline Timmer 7

Absent: 0

The following School Board members were present:

Present: Atul Gupta, Daryl Conner, Nigel Alleyne, Jibri Poe, Myke Barron, Letitia Lowery, Farid Jalil 7

Absent: Brenda Farmer, Christian DePaul 2

Council held a joint meeting with the School Board regarding the LCS FY27 Budget. Mayor Taylor welcomed the School Board and provided opening remarks. Superintendent Dr. Kristy Somerville-Midgette provided a presentation to Council on the LCS FY27 budget.

Councilmember Reed expressed concern about the literacy crisis in Lynchburg. She asked about the plans to address this crisis. She emphasized the importance of addressing the reading crisis in grades Kindergarten through third and expressed her desire to see a clear plan in place to tackle the issue, with a goal of every child reading by the third grade. She also highlighted the need for a comprehensive approach that addressed the issues in higher grades.

Deputy Superintendent Dr. Jennifer Davis discussed the adopted literacy plan for K-5 grade levels. She said that they had also established literacy and math programs at the Pre-K level. She said they had reading specialists at the middle schools, and they were increasing the amount of professional development. She said they had gone a long time, since before the COVID pandemic, without a centralized literacy program. She noted the importance of a unified and consistent program.

Councilmember Wilder asked how much they anticipated VRS savings to be.

Dr. Somerville-Midgette said VRS savings were expected to be about $1.7 million, but they were uncertain about the broader budget impact.

Councilmember Wilder asked about the achievement gap.

Dr. Somerville-Midgette emphasized that the literacy crisis was a significant issue, and that the state's decision to implement the Virginia Literacy Act was a step in the right direction. She noted that the teaching of reading and the Science of Reading had not been uniformly implemented in the past, so it would take time to address the issue. She stressed that it was not just a short-term solution that could be achieved in nine months.

Councilmember Wilder emphasized the need to explore ways to utilize community resources and grants to effectively support the school system. He said that community partners had to come to the table to drive change.

Dr. Somerville-Midgette said that they had to develop structured plans to facilitate community involvement. She said that on June 30, they intended to release information regarding community partnership opportunities and perform a needs assessment for each school. She said they also needed to have partnership meetings on a regular basis to meet the needs of each school, family, and student.

Board member Letitia Lowery said that one area of need could be addressed by allowing parents to participate in parent-teacher conferences via Zoom if they were unable to take off work. She said that this would require businesses to allow employees to take the time.

Councilmember Misjuns noted a significant investment in special education and alternative education. He asked if this was to create better learning environments for students who required extra support and if it was in response to addressing behavioral issues.

Dr. Somerville-Midgette acknowledged that the special education program was creating a better learning environment for students with disabilities and providing better support. She mentioned that the program had several compliance issues in the past, which can be found through public records, and emphasized the need for additional support to ensure compliance. She said that they also had to address

safety and provide alternative classroom settings for students with behavioral issues, anxiety, or with other challenges.

Mayor Taylor asked about the effectiveness of the no-cellphone policy.

Dr. Somerville-Midgette said that the effectiveness of the policy depended on its enforcement, and that setting up a system at the beginning was crucial for its success.

Mayor Taylor asked about vape policies.

Dr. Somerville-Midgette said that students caught with vapes were brought before the disciplinary committee. She said that they had installed signage and conducted a PSA campaign about vapes. She said the accessibility of vapes and the proliferation of convenience stores selling vapes was contributing to the problem.

Board member Myke Barron said they saw vape issues before the disciplinary committee every week. He said that conflicts between students often stemmed from cellphone usage, either during or outside of school. He said that they should take initiatives to work with families and educate parents about cellphone usage. He said they also had to work to hold vape shops accountable.

Councilmember Faraldi said that these conversations should happen quarterly, as there were too many facets and topics to cover in a single, annual conversation. He said that the Lifelong Learning Committee was established, but it still had not met regularly. He emphasized the importance of building cohesion and empowering the Superintendent to address the multiple issues in LCS. He asked if the City Manager's proposed budget worked for the School Board.

Dr. Somerville-Midgette said it did not. She said they requested $4.5 million because it was needed. She said they would adjust where needed, and they may receive additional funds from VRS savings.

Councilmember Misjuns said that personnel issues should not be under the purview of a joint body. He said they needed to address vape sales to minors. He suggested reviewing whether the achievement gap was related to absent fathers. He also asked the Superintendent to focus on and prioritize teacher retention.

Dr. Somerville-Midgette discussed the importance of salary and professional development opportunities, as well as safe learning environments, in terms of teacher retention.

Councilmember Misjuns requested information about what budget requests could be potentially supported by one-time funds.

Dr. Somerville-Midgette said she would follow up with that information later in the week.

Councilmember Faraldi said that LCS should be adopting step pay increases, similar to what the City did with public safety. He said that a school funding formula would also help address the funding needs.

Board member Farid Jalil outlined the millions of dollars in deferred maintenance and the multimillion-dollar funding gap. He said that while involving the community was important, the community could not compensate teachers, pay for insurance costs, or education specialists. He said that Council had to meet the need and fill the $4.5 million request.

Councilmember Reed asked if there were plans to close schools.

School Board Vice Chair Daryl Conner said that there were no plans to close schools. However, they may reconsider the decision to close schools in the future as part of long-term planning.

Board member Jibri Poe emphasized the importance of collaboration to address the needs of the City. He said that if LCS was successful, it would benefit economic development. He said they needed to bring back public recreation spaces so students did not have to rely on travel sports. He also highlighted the need to address family, social, and economic issues to improve the schools. He said he agreed with Councilmember Faraldi's suggestion to meet more frequently.

Vice Chair Conner said a priority of the discipline committee was to make the schools a safe place for students and teachers. He noted the committee was handling up to 20 cases per week. He suggested working with the police department regarding vape usage. He said they needed the space and staff to address these issues.

Board member Barron noted that one of the reasons they were having more disciplinary hearings was because they were holding more students accountable. He emphasized that the students were not "bad kids," but rather intelligent students facing challenging situations. He highlighted the need for

destigmatizing alternative education. He also stressed the importance of addressing the opportunity gap, which was a community effort to ensure equal access to opportunities for all students, including transportation, education, and training for families.

Mayor Taylor suggested that they establish a plan to provide vocational education for every student. He said that children needed something to look forward to every day, and they needed spaces where they can express themselves. He said there were community partners who were looking to help.

Board member Nigel Alleyne said that behind the scenes, a lot of work was being done, particularly by the disciplinary committee, to address issues within LCS. He encouraged them to focus on the positive aspects of the school system. He said that Council should fulfill the funding request so they can continue the work that was being done. He also suggested exploring collaborative opportunities, such as partnering with churches to provide after-school programs and emphasized the importance of parental involvement in education.

Councilmember Timmer emphasized the need for accountability. She said she supported using one-time funds to help close the budget gap.

Vice Mayor Diemer said he wanted to see LCS focus on truancy and attendance. He said they should also focus on homework, because from his understanding, students could turn in homework late without consequences, but there should be consequences. He supported partnering with churches to provide student support.

Councilmember Misjuns said that Lynchburg had a relatively low public school participation rate when compared to neighboring jurisdictions. He said that they should work to bring students back to public schools. He noted the City's large number of home-school students and discussed ways to bring these students back to LCS. He said that increased enrollment would result in increased funding, which could help fill budget gaps.

// The meeting adjourned at 5:42 p.m.

// A regular meeting of the Council of the City of Lynchburg was held on the 14th day of April, 2026 at 7:00 p.m. in the Council Chamber, City Hall, Larry Taylor, President, presiding. The following Members were present:

Present: Larry Taylor, Curt Diemer, Stephanie Reed, Chris Faraldi, Sterling A. Wilder, Martin Misjuns, Jacqueline Timmer 7

Absent: 0

// Vice Mayor Diemer led the invocation followed by the Pledge of Allegiance.

// In the matter of Recognitions, Agenda Item #2, Clerk of Council Alicia Finney-Andrews read the proclamation into the record. Mayor Taylor presented the proclamation recognizing Public Safety Telecommunicators Week.

Chief of Police Kennith Edwards accepted the proclamation.

// In the matter of Recognitions, Agenda Item #3, Clerk of Council Alicia Finney-Andrews read the proclamation into the record. Mayor Taylor presented the proclamation recognizing the Library's 60th Anniversary.

Director of Libraries Beverly Blair, and President of Friends of the Library Meagen Fallen accepted the proclamation.

// In the matter of the Consent Agenda, Agenda Item #4, copies of the minutes of the January 13, 2026 City Council meeting were previously furnished to Council.

At the request of Councilmember Timmer, the minutes were deferred to the next meeting.

// In the matter of the Consent Agenda, Agenda Item #5, copies of the minutes of the January 29, 2026 City Council meeting were previously furnished to Council.

At the request of Councilmember Timmer, the minutes were deferred to the next meeting.

// In the matter of the Consent Agenda, Agenda Item #6, copies of the minutes of the February 10, 2026 City Council meeting were previously furnished to Council.

At the request of Councilmember Timmer, the minutes were deferred to the next meeting.

// In the matter of the Consent Agenda, Agenda Item #7, copies of the minutes of the February 12, 2026 City Council meeting were previously furnished to Council.

At the request of Councilmember Timmer, the minutes were deferred to the next meeting.

// In the matter of the Consent Agenda, Agenda Item #8, copies of the minutes of the February 23, 2026 City Council meeting were previously furnished to Council.

At the request of Councilmember Timmer, the minutes were deferred to the next meeting.

// In the matter of the Consent Agenda, Agenda Item #9, copies of the minutes of the February 24, 2026 City Council meeting were previously furnished to Council.

At the request of Councilmember Timmer, the minutes were deferred to the next meeting.

// In the matter of the Consent Agenda, Agenda Item #10, Council considered adopting Ordinance #O-26-021 authorizing the sale and disposal of 147 Mill Ridge Road. Vice Mayor Diemer motioned, seconded by Councilmember Wilder, to adopt Ordinance #O-26-021.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Misjuns, Timmer, Wilder 7

Noes: 0

// In the matter of the Consent Agenda, Agenda Item #11, Council considered adopting Resolution #R-26-022 reallocating funds to Lynchburg City Schools. Vice Mayor Diemer motioned, seconded by Councilmember Wilder, to adopt Resolution #R-26-022.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Misjuns, Timmer, Wilder 7

Noes: 0

// In the matter of the Consent Agenda, Agenda Item #12, Council considered adopting Resolution #R-26-026 authorizing the issuance cost for the General Obligation Public Improvement Bond issue 2026. Vice Mayor Diemer motioned, seconded by Councilmember Wilder, to adopt Resolution #R-26-026.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Misjuns, Timmer, Wilder 7

Noes: 0

// In the matter of Planning, Agenda Item #13, Council conducted a public hearing in consideration of adopting Resolution #R-26-027 amending the Future Land Use Map and adopting Ordinance #O-26-028 changing the zoning of a certain area located at 609 Dunbar Drive & 612 12th Street. City Planner Rachel Frischeisen provided a summary of the request. 609 Dunbar, LLC is petitioning to amend the Future Land Use Map (FLUM) from Neighborhood Commercial to Downtown and to rezone approximately twenty-one

hundredths (0.21) of an acre located at 609 Dunbar Drive and 612 12th Street from B-5, General Business District to B-4, Urban Commercial District to allow two (2) existing warehouses to be redeveloped into approximately twenty-eight (28) apartment units.

The subject properties are currently zoned B-5, General Business District. The City's Comprehensive Plan 2013-2030 Future Land Use Map (FLUM) recommends Neighborhood Commercial uses for the properties. The petition proposes to amend this to Downtown. The proposed FLUM amendment to Downtown aligns with the requested B-4, Urban Commercial District. Multi-household structures (apartments) are a permitted use in the B-4, Urban Commercial District. Approval of the petitions would allow for redevelopment of historic structures.

Casey Servis, architect for the project and representing the petitioner, provided a presentation to Council.

There was no one wishing to speak, either in person or by voicemail so the public hearing was closed, and the matter rested with Council.

Councilmember Misjuns motioned, seconded by Councilmember Reed, to approve the petition.

Councilmember Reed said she was glad the history of the buildings would be preserved.

Councilmember Wilder said he was glad to see the property redeveloped.

Councilmember Faraldi asked if the petitioner had considered a conditional use permit rather than change the zoning.

Mr. Servis said that after consulting City staff, they recommended the B4 zoning. He said that B4 provided more flexibility.

Councilmember Faraldi said he supported the project, but he did not agree with the zoning mechanism. He said that B4 zoning would allow many other uses down the line. He reiterated his opposition to using business zoning for residential use and suggested incorporating this into the comprehensive plan.

Councilmember Faraldi requested to divide the question.

Councilmember Misjuns amended his motion to adopt Resolution #R-26-027; Councilmember Reed seconded the motion.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Misjuns, Timmer, Wilder, Faraldi	7
Noes:	0

Councilmember Misjuns motioned, seconded by Mayor Taylor, to adopt Ordinance #O-26-028.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Misjuns, Timmer, Wilder	6
Noes: Faraldi	1

// In the matter of Planning, Agenda Item #14, Council conducted a public hearing in consideration of adopting Resolution #R-26-029 approving a Conditional Use Permit to allow the use of an existing residential dwelling as a group home for up to eight (8) individuals at 271 Riverside Drive. City Planner Rachel Frischeisen provided a summary of the request. The Miller Home for Girls is petitioning for a CUP to allow the use of an existing residential dwelling as a group home for up to eight (8) individuals in an R-2, Low-Medium Density Residential District at 271 Riverside Drive.

The property is zoned R-2, Low-Medium Density Residential District. In this district, large group homes are permitted upon approval of a CUP by Council. The Comprehensive Plan 2013- 2030 Future Land Use Map (FLUM) recommends Low Density Residential use for the subject property. The use of the existing structure as a large group home should have limited impact on the surrounding area.

The Miller Home is currently using the property as proposed by the CUP. In September 2025, Miller Home staff consulted with the Zoning Division and were advised that the subject property was appropriate for use as a group home for up to eight (8) children. Based on that information, Miller Home proceeded with relocation to this facility and completed all required Department of Social Services approvals. Upon further review of City Code and State Code, staff determined that a Conditional Use Permit is required for a group home that serves more than four (4) children at the Riverside Drive location. On January 12, 2026, the Miller Home was notified that a CUP was needed and subsequently submitted this petition.

Since the Business Item Briefing on March 10, 2026, condition #3 has been revised in order to maintain enforceability.

Mayor Taylor opened the public hearing for comments from the public.

Brian Tiller, President of the Miller Home Board of Directors and speaking in favor, requested that Council approve the CUP.

Morgan Ryan, Executive Director of the Miller Home and speaking in favor, stated that since the Planning Commission meeting, they had addressed parking concerns, and reduced the number of interns. She said they had provided contact information to neighboring residents in case there were concerns.

Justine Ayers, speaking in favor, said she moved into the Miller Home at 12 years old and moved out when she was 19. She emphasized that Miller Home was a place that restored and supported young women, and limiting its capacity would restrict opportunities for those in need.

Ron Blackwood, former president of the Miller Home and speaking in favor, requested Council to approve the CUP so the Miller Home could continue its mission.

Kimberly Dyke-Harsley, speaking in favor, said that the program was good and served as a foundation for people who needed it.

Carla Hamilton, speaking in opposition, expressed concerns about more businesses being established in the neighborhood, which was historically not multi-use. She expressed concerns about the impacts on parking and the privacy of the neighborhood.

Carolyn Wicks, speaking in opposition, shared concerns about the placement of the use and requested Council deny the CUP request. She said the neighborhood was residential and private, and it did not provide the connected and walkable environment that would better benefit the Miller Home residents.

There was no one else wishing to speak, either in person or by voicemail so the public hearing was closed, and the matter rested with Council.

Councilmember Reed motioned, seconded by Councilmember Faraldi, to adopt Resolution #R-26-029.

Councilmember Reed acknowledged the concerns of residents, but she noted the concessions the Miller Home had made to be able to use the property. She expressed support for the Miller Home's mission.

Councilmember Timmer said she lived in the neighborhood, and she initially did not support the petition due to concerns about the institutional presence in the neighborhood. However, she believed the proposed use was the best use of the property. She said that the conditional use permit was also narrowly tailored to childcare in some capacity to limit any future uses. She said she would support the petition.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Wilder, Misjuns, Timmer, Faraldi	7
Noes:	0

// In the matter of Public Comment, Agenda Item #15, Citizen Peter Cefaratti was not present.

// In the matter of Public Comment, Agenda Item #16, Citizen Kathleen Bush, representing Auxiliary Firefighter Wives, addressed Council regarding offering support to firefighters and leadership. She expressed concerns about her husband's experience serving as the Deputy Chief of Operations in the Fire Department. She said he was placed on administrative leave without a clear understanding of the reason.

// In the matter of Public Comment, Agenda Item #17, Citizen Greg Berry, representing Lynchburg Guardians, addressed Council regarding being sorry. He said that as a victim of many abuses, he was not a victim or a survivor, but he was an overcomer. He expressed concerns about how Vice Mayor Diemer was victimized over his comments about redistricting.

// In the matter of Public Comment, Agenda Item #18, Citizen Virginia Haske, representing Lexington Drive Families, addressed Council regarding E.C. Glass and the School Board. She expressed concerns about the lack of transparency regarding Dr. Dani Rule's resignation.

// In the matter of Public Comment, Agenda Item #19, Citizen Jeff Rosner addressed Council regarding misinformation about the proposed constitutional amendment. He emphasized the need for accurate information about the proposed constitutional amendment, citing examples of misinformation spread by

groups such as Democracy and Justice PAC, Justice for Democracy PAC, former Governor Youngkin, and other local political leaders.

// In the matter of Public Comment, Agenda Item #20, Citizen Susan Stengel addressed Council regarding why she was afraid to attend City Council meetings. She said she was afraid due to public outbursts and members of the public and Council carrying firearms to meetings. She asked Council to stop the threatening language.

// In the matter of Public Comment, Agenda Item #21, Citizen Brooke Carson, representing Lynchburg Education Association, addressed Council regarding collective bargaining. She expressed support for collective bargaining, noting that LCS employees were underpaid and unable to justify staying with the district. She said that high turnover negatively impacted students. She urged Council to support collective bargaining.

// In the matter of Public Comment, Agenda Item #22, Citizen Gary Taylor, representing Citizens for a Better Lynchburg, addressed Council regarding local and regional law enforcement. He expressed concerns about local participation in the 287(g) immigration enforcement program. He said that this would lead to deadly results, as people would stop feeling safe around law enforcement.

// In the matter of Public Comment, Agenda Item #23, Citizen Kay Vaughan, representing Keep Dr. Rule at E.C. Glass, addressed Council regarding the resignation of Dr. Dani Rule. She read a letter from Patty Worsham in support of Dr. Rule. She said that Dr. Rule's resignation would be a loss for the City.

// Councilmember Misjuns motioned, seconded by Vice Mayor Diemer, to add a closed session item to the April 28 work session to receive an update from the City Manager regarding Deputy Fire Chief of Operations Marques Bush.

City Attorney Matthew Freedman said that there was no exception in the Freedom of Information Act for Council to receive an update on personnel who did not directly report to Council in a closed session. He said he could probably find an exception that would allow him to provide legal advice on the matter.

Councilmember Misjuns said he wanted the City Manager to provide the update in a way consistent with the Freedom of Information Act.

Mr. Freedman said that it would not be able to be an update from the City Manager.

Councilmember Misjuns amended his motion to include language approved by the City Attorney.

Councilmember Reed said that there were emails where the situation was explained to Council, so the closed session was unnecessary.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Wilder, Misjuns, Timmer 5

Noes: Reed, Faraldi 2

// In the matter of Planning, Agenda Item #24, Council was briefed on a rezoning of the 1516 Florida Avenue - Jubilee STEM Center Addition. The item would appear before Council for action on April 28. City Planner Rachel Frischeisen provided a summary of the request. Jubilee Family Development Center, Inc. is petitioning to rezone approximately two and two hundredths (2.02) acres located at 1516 Florida Avenue from B-5C, General Business District (Conditional) and R-4, High Density Residential District to amend existing proffers and allow for the expansion of the Center.

The property is split-zoned. The front portion of the property is zoned B-5C, General Business District (Conditional) and the rear portion is zoned R-4, High Density Residential District. The topography at the rear of the property is very steep, making its development unlikely; however, there is a flat and gently sloping area which the petitioner proposes to rezone to B-5C, General Business District (Conditional). The voluntarily submitted proffers limit uses of the site to those in the City's Zoning Ordinance with a Land-Based Classification Standards (LBCS) category of "Education, Public Administration, Health Care, and Other Institutions", with the exclusion of "Hospital and Columbarium" uses. The property is recommended for Neighborhood Commercial uses on the City's Future Land Use Map (FLUM).

Councilmember Wilder disclosed that he was an employee of the Jubilee Family Development Center and would therefore be abstaining from the vote.

// In the matter of Community Development, Agenda Item #25, Council considered FY 2027 Community Development Advisory Committee recommendations for Community Development Block Grant and HOME Program Entitlement funds. The item will appear before Council for action on April 28. Grants

Manager Melva Walker provided a summary of the request. The Community Development Advisory Committee (CDAC) met on March 23, 2026, and reviewed the applications that were submitted. The attached worksheets provide the project requests and CDAC recommendations.

// In the matter of Region 2000 Services Authority, Agenda Item #26, Council considered adopting Resolution #R-26-030 approving a Settlement Agreement and Release between the City of Lynchburg and Campbell County, Virginia. Deputy City Manager Greg Patrick reviewed the settlement proposal related to the Region 2000 Services Authority and the expansion of the Rustburg Landfill.

Councilmember Misjuns motioned, seconded by Councilmember Timmer, to adopt Resolution #R-26-030.

Councilmember Misjuns noted that this was a regional issue, not just a City issue. He expressed support for continuing to waive trash collection fees.

Councilmember Timmer expressed appreciation to the regional partners and City staff.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Wilder, Misjuns, Timmer 6

Noes: Faraldi 1

// In the matter of Council, Agenda Item #27, Council considered adopting Resolution #R-26-031 supporting the independent governance and traditions of the Virginia Military Institute (VMI). Vice Mayor Diemer motioned, seconded by Councilmember Timmer, to adopt Resolution #R-26-031.

Vice Mayor Diemer said he was encouraged by the fact that the aggressive versions of legislation in the General Assembly impacting VMI had been scaled back. He emphasized the importance of VMI's independent governance structure.

Councilmember Timmer said that this served as an opportunity to uphold federalist principles.

Councilmember Wilder said he did not support the motion because they should remain focused on local issues.

City Attorney Matthew Freedman noted a typographical error in the resolving clause and asked if there was any objection from Council in removing it.

Mayor Taylor noted there was no objection.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Misjuns, Timmer, Faraldi 6

Noes: Wilder 1

// On the motion of Vice Mayor Diemer, seconded by Councilmember Timmer, Council, by the following recorded vote, elected to hold a closed session to consult with legal counsel representing the City in connection with actual or probable litigation affecting the City, where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the City; the subject of the closed meeting being connected to actual or probable litigation connected to (i) pending issues concerning a development in the City and (ii) a pending City law-enforcement lawsuit pursuant to § 2.2-3711(A)(7) of the Code of Virginia, 1950, as amended; and to discuss appointments for vacancies to the following Boards and Commissions: Planning Commission and Blue Ridge Regional Jail Authority, pursuant to Section 2.2-3711(A.)(1) of the Code of Virginia, 1950, as amended.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Misjuns, and Timmer 7

Noes: 0

// The meeting was reopened to the public.

// Councilmember Misjuns made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2 3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The motion was seconded by Councilmember Wilder, and Council, by the following recorded vote, adopted the motion:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Misjuns, Timmer 7

Noes: 0

// On motion of Councilmember Misjuns, seconded by Vice Mayor Diemer, Council by the following recorded vote appointed Police Chief Ken Edwards to the Blue Ridge Regional Jail Authority:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Misjuns, Timmer 7

Noes: 0

// On motion of Councilmember Misjuns, seconded by Vice Mayor Diemer, Council by the following recorded vote appointed Erik Amy to the Planning Commission for a term ending December 31, 2026:

Ayes: Taylor, Diemer, Faraldi, Misjuns, Timmer 5

Noes: Wilder, Reed 2

// The meeting was adjourned at 9:50 p.m.

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Clerk of Council

// A special meeting of the Council of the City of Lynchburg was held on the 23rd day of April, 2026 at 6:00 p.m. in the Council Chamber, City Hall, Larry Taylor, President, presiding. The following Members were present:

Present: Larry Taylor, Curt Diemer, Stephanie Reed, Chris Faraldi, Sterling A. Wilder, Martin Misjuns, Jacqueline Timmer 7

Absent: 0

// Councilmember Reed led the invocation, followed by the Pledge of Allegiance.

// Clerk of Council Alicia L. Finney-Andrews reviewed the process for the public hearings and noted that the Water & Stormwater rates public hearing had been advertised to begin at 6:00 p.m., and the FY 2027 Proposed Budget public hearing had been advertised to begin at 6:15 p.m. She stated that if the Water & Stormwater rates public hearing concluded before 6:15 p.m., Council would recess until the advertised start time for the FY 2027 Proposed Budget public hearing.

// In the matter of the Budget, Agenda Item #1, Council conducted a public hearing regarding proposed Water & Stormwater rates.

The Mayor opened the floor for comments from the public.

Peter Cefaratti stated that he hoped the City would receive more stormwater during the year because rain was needed.

There was no one else wishing to speak, and there were no voicemails, so the public hearing was closed and the matter rested with Council.

// Council recessed at 6:04 p.m. and reconvened at 6:15 p.m.

// In the matter of the Budget, Agenda Item #2, Council conducted a public hearing regarding the FY 2027 Proposed Budget. The hearing was opened for comments from the public.

Jay White, Executive Director of the Southern Memorial Association, spoke in support of Old City Cemetery and highlighted its economic impact. He requested that the City fund the association's FY 2027 budget request.

Michael Bremer, Ward 4, highlighted the need for increased funding for the school division. He advocated for a two-cent increase in the Real Estate Tax rate to provide the necessary funding and restore balance between public safety and public education.

Brynn Thabet, representing the Red Cross Blue Ridge Chapter, addressed Council regarding the chapter's budget request of $8,927 to support a gap in Lynchburg's emergency blood supply for patients with sickle cell disease.

Michelle Dowdy, Executive Director of the American Red Cross Blue Ridge Chapter, spoke in support of the chapter's budget request for blood and sickle cell initiatives.

Peter Cefaratti questioned whether the meeting had been adequately advertised due to low attendance. He emphasized the importance of a return on investment with regard to budget requests and said programs should be regularly reviewed and replaced if they failed to deliver adequate returns. He also questioned the use of reserve funds to address budget increases and requested that Council consider equalizing the real estate tax rate due to increased assessments and rising electricity costs.

Molly McLennan highlighted the importance of alternative education and said the community benefits when children receive the support they need. She urged Council to support the schools, particularly alternative education.

Deborah Trefzger, Ward 2, expressed her desire to keep taxes low in the City and advocated for measurable outcomes in public schools.

There was no one else wishing to speak, and there were no voicemails, so the public hearing was closed.

// The meeting was adjourned at 6:32 p.m.

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Clerk of Council

// A regular meeting of the Council of the City of Lynchburg was held on the 28th day of April, 2026 at 4:00 p.m. in the 2nd Floor Training Room, City Hall, Larry Taylor, President, presiding. The following Members were present:

Present: Larry Taylor, Curt Diemer, Stephanie Reed, Chris Faraldi, Sterling A. Wilder, Martin Misjuns, Jacqueline Timmer 7

Absent: 0

// In the matter of Work Session Agenda Overview, City Manager Wynter Benda reviewed the agenda.

Councilmember Timmer requested to defer Agenda Item #7, *Councilmember Timmer: Storm Fern After Action Report*, and Agenda Item #8, *Councilmember Misjuns: AR Legislation*, to a future meeting since this was Council's only scheduled budget work session.

Mayor Taylor noted consensus from Council to defer the items.

// In the matter of Planning, Agenda Item #1, Council was briefed regarding the 205 Graves Mill Road - Rezoning - Office Use. The item will appear before Council for action on May 12, 2026. City Planner Rachel Frischeisen briefed Council. Belvac Production Machinery, Inc. is petitioning to rezone approximately twenty-nine hundredths (0.29) of an acre located at 205 Graves Mill Road from I-2, Light Industrial District to B-3, Community Business District to allow an existing building to be used as a stand-alone office facility.

The City's Comprehensive Plan 2013-2030 Future Land Use Map (FLUM) recommends an Employment 1 use for the property. These areas are intended for large and small-scale office, research and development, and light manufacturing uses. Restaurant, small scale retail, hotel, and business service uses that support the office/industrial uses can be constructed in Employment 1 areas.

The property is currently zoned I-2, Light Industrial District. In this district, office uses must be related to an industrial use taking place on the site. The petitioner would like to lease the building to another commercial user. Approval of the proposed rezoning would allow the building to be used as an office facility that is not associated with an industrial use.

// In the matter of Planning, Agenda Item #2, Council was briefed regarding the 3839 Murray Place & 3436 Odd Fellows Road - Conditional Use Permit - LU Housing. The item will appear before Council for

action on May 12, 2026. City Planner Rachel Frischeisen briefed Council. Liberty University, Inc. is petitioning for a CUP to allow two (2) new Resident Director dwellings and the continued use of the former hotel structure as dormitory housing in a B-5, General Business District at 3839 Murray Place and 3436 Odd Fellows Road.

The City's Comprehensive Plan 2013-2030 Future Land Use Map (FLUM) recommends Mixed Use for this portion of the subject properties. The portion of the properties where the dwellings and dormitory housing will be located is zoned B-5, General Business District. In this district, schools, colleges, and dormitory housing are permitted upon approval of a CUP by Council.

The construction of two (2) new Resident Director dwellings and the continued use of the former hotel structure as dormitory housing should have limited impact on the surrounding area.

Councilmember Faraldi asked whether the petitioner had addressed stormwater runoff near the creek on the property. Ms. Frischeisen said the proposal did not include work in the creek or floodplain area, no trees were proposed for removal, and the project would likely fall below the threshold for required stormwater management facilities.

// In the matter of the Budget, Agenda Item #3, Council held a work session regarding the FY27 Budget. Chief Financial Officer Donna Witt provided a presentation reviewing the FY 27 budget.

Councilmember Misjuns asked what CIP items were currently being funded with pay-go that could be funded with one-time funds.

Ms. Witt said that there was an HVAC upgrade for City Hall that could potentially be bond funded.

Councilmember Misjuns asked about the $1.4 million allocation for library furniture.

Ms. Witt said that the library renovations may not require the entire allocation.

Kent White, Assistant City Manager, said that the line-item was not for traditional furniture items. He said it included technology upgrades, wiring, and equipment for the building, such as projectors and networking systems. He said that staff could provide an itemized list of the expenses to Council.

Councilmember Misjuns said he believed special education and alternative education services should be prioritized over the library furniture, fixtures, and equipment line item.

Councilmember Timmer suggested delaying the Miller Park playground project and reallocating the funds to LCS. She said that they should support the new superintendent as much as possible to improve the transition period. She said that with the addition of the Pay-Go funds, Council could fund the $1.2 million associated with alternative and special education programs and nutrition programs. She said that the $1.7 million in debt service reserves could cover the CIP expenses, and they could address ancillary Pay-Go elements in the following years.

Councilmember Faraldi questioned why they would need to shift other things to make up for $1.6 million if they already had that amount available.

Greg Patrick, Deputy City Manager, explained that there was $1.6 million in one-time funding currently allocated to schools, and there was an additional $1 million in requests that could be considered one-time. This left the City $1 million short in funding for schools. He said they could allocate the available funds to LCS, or they could identify an additional $1 million to reallocate to cover the entire request from schools of about $2.6 million.

Councilmember Faraldi said that he would prefer to keep the current $1.6 million allocation and have LCS prioritize the funds where needed.

Vice Mayor Diemer said he agreed that they needed to prioritize the special education program.

Councilmember Timmer acknowledged the desire for prioritizing spending, but emphasized that shifting funds from one area to another would not increase costs, as it was all part of the same budget. She suggested adjusting the budget to prioritize the school system, potentially by reducing or shifting funds from other areas, such as library furniture or wiring, to cover the VRS gap in the schools. She said they could reduce some Pay-Go expenses to cover the VRS gap, and the $1.7 million in debt service reserves would cover capital expenses.

Councilmember Reed asked Ms. Witt to clarify the VRS aspect.

Ms. Witt said she did not understand what the VRS gap was.

Councilmember Timmer said that projected VRS savings were $1.7 million, which left a $900,000 gap between the School Board's budget request and the City's proposed budget. She said that if they factored in the VRS savings, they may not have to remove Pay-Go line items. However, if they did not

factor in the request, they could transfer the library furniture line item to LCS to cover the entire request while leaving some margin in the library component.

Councilmember Reed asked if the library could be completed without the furniture line item funds.

Mr. White said the library could not be completed without the line item. He clarified that the line item included furniture, fixtures, and equipment.

Councilmember Reed said that regardless of how the funds were categorized, it was necessary for the completion of the project. She said that taking money away from the library would prevent the project from being completed as approved and ultimately hinder the utilization of the library. She said that supporting schools included supporting the library. She supported offering the option to the School Board to choose between the two categories.

Councilmember Wilder said he did not support reallocating funds from the library project.

Mr. Patrick clarified that if they assumed $1.5 in VRS savings, then the total funding gap between the School Board's request and the City Manager's proposed budget was $931,015. He said they also had to remove the nutrition upgrades line item, which was part of the operating request, so the total gap was $731,015.

Councilmember Timmer believed they could find the $731,015 by reallocating various Pay-Go items.

Councilmember Misjuns questioned the cost of the library furniture, fixtures, and equipment line item, which he calculated to be about $40 per square foot. He suggested considering reducing the cost to the equivalent of $20 per square foot. He also suggested reducing the property toolkit allocation. He asked why the Miller Park playground project was $350,000 when the Kiwanis Club playground was $180,000.

Mr. Patrick explained that the Kiwanis Club did not fund the entire playground, which included site improvements funded by the City. He said that if they included the City-funded improvements, the total cost was over $300,000.

Councilmember Misjuns said the public library furniture, fixtures, and equipment allocation, downtown development/property toolkit allocation, and Miller Park playground replacement allocation

were Pay-Go items that stood out to him for further review. He emphasized the need to prioritize available one-time funds and suggested that Pay-Go funds could be used to address needs in the School Board's request.

Councilmember Reed discussed removing trash and DMV taxes and fees to provide tax relief to City residents.

Ms. Witt explained that the motor vehicle license fee generated $1,550,000. She said that to replace the revenue, staff recommended using $650,000 identified as additional state revenues. She said they would also recommend reducing the transfer from the general fund for fire vehicles and rather use a line of credit to purchase the vehicles. She said those changes would restore the $1,550,000. She said that for trash fees, the revenue was $2,480,000. She said staff recommended using the debt service reserve to cover the lost revenue as a one-time cost of $1.7 million, and then they would look to CIP Pay-Go project reductions to cover the remainder.

Councilmember Misjuns suggested eliminating the general wage increase for non-sworn personnel and asked how much savings they would generate. He also requested to make the DMV license fee waiver permanent by eliminating the wage increase for non-sworn personnel. Councilmember Misjuns asked how much recurring capacity would be added by eliminating the general wage increase for non-sworn personnel while leaving the public safety pay progression plan in place. He said he would like to add that as a recurring funding option to make the motor vehicle license fee waiver permanent.

Ms. Witt said that eliminating the general wage increase for non-sworn personnel would realize about $1.4 million in savings.

Councilmember Wilder said he did not support removing the general wage increase.

Councilmember Faraldi said he did not believe it was wise to reduce the general wage increase. He suggested that they should look to tax out-of-town visitors, such as through increased hotel taxes. He noted that Campbell County recently increased the hotel percentage fee above the City's rate. He said that 1% on the hotel tax was $508,000, and a $1 increase in the nightly bed fee was $430,000. He said they should explore all options at their disposal.

Councilmember Misjuns questioned the lack of transparency regarding structural pay increases that occurred in previous fiscal years, specifically FY24, FY25, and FY26. He asked for the total dollar amount of those increases not part of the general wage increase to understand their impact on operating needs.

// In the matter of Museum, Agenda Item #4, Council held a work session regarding a report on graves at the end of Smyth Street (Lynchburg Union Cemetery). Museum Director Thomas Delaney provided a presentation regarding research on the Lynchburg Union Cemetery and several abandoned grave sites in a wooded lot near the end of Smyth Street in the Dearington neighborhood.

Councilmember Faraldi suggested that they should at least be aware of the available options to address the cemetery.

Councilmember Timmer asked if there had been any outreach to the property owners, who may not know the graves existed.

Mr. Delaney said that they had mailing addresses from the Assessor's Office, so they could reach out to the property owners.

Councilmember Reed suggested exploring potential funding opportunities with African American historical societies that may offer grants to support preservation efforts.

// In the matter of Council, Agenda Item #5, Council held a work session regarding removing "Family Planning Services" Exemption from the Abortion Zoning Ordinance. Councilmember Faraldi introduced the item.

Councilmember Misjuns asked if the ordinance would have to be reviewed by the Planning Commission if they removed the language.

City Attorney Matthew Freedman said that it would have to be reviewed by the Planning Commission. He suggested that if Council wanted to remove the language, staff could draft language for an upcoming work session for Council to review.

Councilmember Timmer and Vice Mayor Diemer expressed opposition to removing the language.

Councilmember Faraldi said he would address his second item.

Councilmember Misjuns called a point of order. He said that Council could only address one matter at a time.

Mayor Taylor ruled in favor of the point of order.

Councilmember Faraldi said that at the next meeting, he wanted Council to vote on whether the Planning Commission should review removing the exemption language from the ordinance.

Mr. Freedman said he would draft the resolution for the next meeting.

Councilmember Misjuns said that the City's ordinances included definitions for family planning services by way of the American Planning Association's land-based classification standards. He also expressed concerns about the legislative history due to Councilmember Faraldi's social media posts targeting specific entities.

Councilmember Timmer said that striking the exemption would alter the rational basis and weaken the legal defensibility of the ordinance. She said she did not support removing the exemption.

// In the matter of Council, Agenda Item #6, Council held a work session regarding removing Attorney-Client Privilege from an email correspondence. Councilmember Faraldi introduced the item. He asked Council to release attorney-client privilege on the email with the subject, "re: exemption", dated April 28, 2026 at 1:34 p.m. He said it directly related to the previous item removing the exemption language from the ordinance. He said that only the contents from "Under B" through the parenthesis of "federal, state, etc." needed to be released.

Councilmember Timmer said she did not have an issue with releasing the email.

Councilmember Misjuns suggested amending the request to release attorney-client privilege on every piece of communication between the City Attorney, Council, and the City Manager since January 1, 2023.

Councilmember Faraldi said the amendment was not friendly.

// In the matter of Roll Call,

Councilmember Faraldi commended the Registrar's Office for handling the recent referendum efficiently. He commemorated the Heritage High School band for winning a recent competition. He requested to schedule a work session to discuss the City's ordinance regulating co-habitation of unrelated

persons. He expressed concerns about by-right development in the City and requested that Council find ways to have more oversight.

Councilmember Reed reminded everyone to be safe while riding motorcycles. She also announced a new program at the Texas Inn, where residents can donate technology to benefit veterans. She thanked Liberty University for participating in LU Serve Day, where thousands of students helped with various community projects. She announced the launch of a reading academy by the Boys and Girls Club of Greater Lynchburg, seeking reading specialists to help improve literacy among local children.

Councilmember Wilder commended the City for opening the amphitheater. He requested information clarifying the chair policy to provide citizens.

Councilmember Timmer suggested reducing the speed on Lakeside Drive, which may involve collaboration with Bedford County. She also requested information about the timing for the new traffic signal implementation. She requested to have a work session to discuss ending the youth curfew ordinance. She requested a discussion on revising the zoning regulations to address the distinction between long-term and short-term rental properties. Furthermore, she requested that the recovery home versus group home conversation be addressed. She said that the Blue Ridge Regional Jail's new policies had reduced accessibility for outside groups to provide services and education to inmates, and she suggested exploring alternative approaches to improve access. Additionally, she mentioned a follow-up conversation regarding vape shop zoning compliance, particularly with regards to signage and nighttime lighting.

Councilmember Misjuns thanked Tim Mitchell for opening the Blackwater Creek connection. He also thanked Mr. Mitchell for refunding a citizen for an overcharge on a water bill. He noted that in a recent presentation to credit rating agencies in New York, it was stated that Liberty University's 2031 enrollment projection was 30,000. He questioned the specific risks this unverified information created for the City, including potential SEC enforcement exposure, rating agency actions, market reactions, bondholder claims, and increased future borrowing costs. He requested a written response from staff addressing these concerns.

Vice Mayor Diemer requested an update on the streetlight report from Appalachian Power. He asked for an explanation as to why the report was delayed. He said the report should provide an actionable timeline to fix outages and track outages moving forward. He said he had received media inquiries about Liberty University's projected enrollment, which was shared with credit rating agencies. He requested clarification on the enrollment projections and for any necessary corrections to be issued. He said Thomas Road Baptist Church was offering full scholarships to local kids for summer camp, and encouraged the community to help spread the word to reach those who needed it most.

// On the motion of Councilmember Misjuns, seconded by Councilmember Timmer, Council, by the following recorded vote, elected to hold a closed session pursuant to § 2.2-3711(A)(7) of the Code of Virginia, 1950, as amended, to consult with the City Attorney regarding specific legal matters requiring the provision of legal advice; the subject of the closed meeting being specific to a personnel matter involving a City employee.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Misjuns, Timmer, Wilder, and Faraldi	7
Noes:	0

// The meeting was reopened to the public.

// Councilmember Wilder made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2 3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The motion was seconded by Mayor Taylor.

Councilmember Misjuns stated that he was voting in opposition to the closed session certification because he did not believe the City Manager had provided responsive answers during the closed session, and because he disagreed with assumptions made by the City Attorney during the discussion.

With no further discussion, the following vote was recorded:

Ayes: Taylor, Reed, Wilder	3
Noes: Diemer, Misjuns, Timmer	3
Absent: Faraldi	1

// The meeting was recessed at 6:25 p.m.

// A regular meeting of the Council of the City of Lynchburg was held on the 28th day of April, 2026 at 7:00 p.m. in the Council Chamber, City Hall, Larry Taylor, President, presiding. The following Members were present:

Present: Larry Taylor, Curt Diemer, Stephanie Reed, Chris Faraldi, Sterling A. Wilder, Martin Misjuns, Jacqueline Timmer	7
Absent:	0

// Councilmember Wilder led the invocation, followed by the Pledge of Allegiance.

// In the matter of Recognitions, Agenda Item #1, Mayor Taylor presented Robert Bailey with a key to the City in honor of his years of service.

Mr. Bailey accepted the proclamation. He provided remarks commending City staff.

// In the matter of Recognitions, Agenda Item #2, Clerk of Council Alicia Finney-Andrews read the proclamation recognizing Economic Development and Travel and Tourism Week. Mayor Taylor presented the proclamation to Director of Economic Development and Tourism Marjette Upshur and Assistant Director of Tourism Andrew Marks.

Ms. Upshur accepted the proclamation. She thanked the City and its citizens for their support.

// In the matter of the Consent Agenda, Agenda Item #3, copies of the minutes of the January 13, 2026 City Council meeting were previously furnished to Council, and on the motion of Councilmember Timmer,

seconded by Councilmember Wilder, Council, by the following recorded vote, approved the minutes as presented:

Ayes: Taylor, Diemer, Reed, Misjuns, Timmer, Wilder, Faraldi 7

Noes: 0

// In the matter of the Consent Agenda, Agenda Item #4, copies of the minutes of the January 29, 2026 City Council meeting were previously furnished to Council, and on the motion of Councilmember Timmer, seconded by Councilmember Wilder, Council, by the following recorded vote, approved the minutes as presented:

Ayes: Taylor, Diemer, Reed, Misjuns, Timmer, Wilder, Faraldi 7

Noes: 0

// In the matter of the Consent Agenda, Agenda Item #5, copies of the minutes of the February 10, 2026 City Council meeting were previously furnished to Council.

The minutes for February 10, 2026 were deferred to the next meeting at the request of Councilmember Faraldi.

// In the matter of the Consent Agenda, Agenda Item #6, copies of the minutes of the February 12, 2026 City Council meeting were previously furnished to Council.

The minutes for February 12, 2026 were deferred to the next meeting at the request of Councilmember Timmer.

// In the matter of the Consent Agenda, Agenda Item #7, copies of the minutes of the February 23, 2026 City Council meeting were previously furnished to Council, and on the motion of Councilmember Timmer, seconded by Councilmember Wilder, Council, by the following recorded vote, approved the minutes as presented:

Ayes: Taylor, Diemer, Reed, Misjuns, Timmer, Wilder, Faraldi 7

Noes: 0

// In the matter of the Consent Agenda, Agenda Item #8, copies of the minutes of the February 24, 2026 City Council meeting were previously furnished to Council.

The minutes for February 24, 2026 were deferred to the next meeting at the request of Councilmember Timmer.

// In the matter of Planning, Agenda Item #9, Council conducted a public hearing in consideration of adopting Ordinance #O-26-033 changing the zoning of a certain area located at 1516 Florida Avenue. Councilmember Wilder recused himself from participation in the public hearing and related actions and negotiations due to a conflict of interest. He said he was the full-time, paid executive director of the Jubilee Family Development Center, Incorporated.

City Planner Rachel Frischeisen provided a summary of the request. Jubilee Family Development Center, Inc. is petitioning to rezone approximately two and two hundredths (2.02) acres located at 1516 Florida Avenue from B-5C, General Business District (Conditional) and R-4, High Density Residential District to amend existing proffers and allow for the expansion of the Center.

The property is split-zoned. The front portion of the property is zoned B-5C, General Business District (Conditional) and the rear portion is zoned R-4, High Density Residential District. The topography at the rear of the property is very steep, making its development unlikely; however, there is a flat and gently sloping area which the petitioner proposes to rezone to B-5C, General Business District (Conditional). The voluntarily submitted proffers limit uses of the site to those in the City's Zoning Ordinance with a Land-Based Classification Standards (LBCS) category of "Education, Public Administration, Health Care, and Other Institutions", with the exclusion of "Hospital and Columbarium" uses. The property is recommended for Neighborhood Commercial uses on the City's Future Land Use Map (FLUM).

Russell Orrison, representing the petitioner, said he was available for any questions.

Citizen Beth White, Ward 3, read a letter from Leland Melvin in support of the petition.

Citizen Tance Lawhorn, speaking in favor, said she had been affiliated with the Jubilee Center for over 20 years, and she had watched it grow into a critical community resource. She highlighted the benefits of the rezoning for the Jubilee Family Development Center.

Citizen Beth White, speaking in favor, emphasized the importance of STEM education and finding ways to make students enthusiastic about learning.

Citizen Kimberly Dyke-Harsley, speaking in favor, highlighted how her family had benefited from the Jubilee Center and how other families should have the same opportunity.

There was no one else wishing to speak, either in person or by voicemail so the public hearing was closed, and the matter rested with Council.

Councilmember Reed motioned, seconded by Councilmember Timmer, to adopt Ordinance #O-26-033.

Councilmember Reed expressed her enthusiasm for the petition, highlighting the importance of community partnerships in serving the City's children. She emphasized the need for collective action and community support to make a difference in children's lives.

Councilmember Timmer said she supported the expansion of STEM programs, and she supported the Jubilee Center's community outreach efforts.

Councilmember Faraldi expressed his gratitude for the Jubilee Center.

Vice Mayor Diemer expressed support for the petition.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Misjuns, Timmer	6
Noes:	0
Abstain: Wilder	1

// In the matter of Community Development, Agenda Item #10, Council conducted a public hearing in consideration of adopting Resolution #R-26-034 approving the allocation of FY 2027 CDBG and HOME Program entitlement and reprogrammed funds. Grants Manager Melva Walker provided a summary of the request. The U.S. Department of Housing and Urban Development (HUD) funds the CDBG and HOME Programs. The City has available the following entitlement and reprogrammed funds to use for eligible CDBG and HOME activities during FY 2027 (PY 2026).

CDBG AVAILABLE FUNDING/SOURCE AMOUNT

HUD Entitlement Allocation: $769,831.00

Reprogrammed Funds: $8,458.58

Total CDBG Funding Available: $778,316.58

HOME AVAILABLE FUNDING AMOUNT

HUD Entitlement Allocation $324,752.94

Total HOME Funding Available $324,752.94

The public was notified of the public hearing through a public notice advertisement published in The News and Advance on April 24, 2026, and through various sources of social media. The Community Development Advisory Committee (CDAC) met on March 23, 2026, and reviewed the applications that were submitted. Attachment C provides the CDAC recommendations for funding amounts and a brief description of the projects.

All CDBG and HOME Program entitlement and reprogrammed funds will be expended in accordance with the primary objectives of these programs. The City estimates that over 70 percent of the CDBG FY 2027 funding will benefit low-to-moderate income persons according to HUD regulations. All applications submitted for funding consideration are available for review in the Grants Administration Office, Second Floor, City Hall.

At the conclusion of the public hearing, the City Council will review the recommendations of the CDAC and approve the funding allocations to be included in the FY 2027 CDBG and HOME Fund Budgets and PY 2026 CDBG and HOME Program Annual Action Plan.

There was no one wishing to speak, either in person or by voicemail so the public hearing was closed, and the matter rested with Council.

Councilmember Wilder motioned, seconded by Councilmember Timmer, to adopt Resolution #R-26-034.

Councilmember Wilder commended the CDBG funding for its positive impact on the community, highlighting the various organizations it supported. He thanked City staff for administering the program, which helped people out of poverty and become first-time homeowners.

Councilmember Timmer said the funds helped fill a number of gaps in the City.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Misjuns, Timmer 7

Noes: 0

// In the matter of Public Comment, Agenda Item #11, Citizen Fable Forest, representing Central Virginia Young Democrats, addressed Council regarding councilmember conduct. She addressed the behavior of Vice Mayor Diemer and Councilmember Misjuns at the March 10 meeting. She requested that Council be more respectful to citizens in the future.

// In the matter of City Attorney, Agenda Item #12, Council considered adopting Resolution #R-26-035 approving the City's participation in the settlement of opioid-related claims against the "Six Remnant Defendants". The item was previously discussed by the Finance Committee.

A new national opioid settlement has been reached with six (6) regional distributors/dispenser defendants (the “Remnant Defendants Settlement”): Associated Pharmacies, Inc. (and American Associated Pharmacies); J M Smith Corporation; Louisiana Wholesale Drug Company, Inc.; Morris and Dickson Co., L.L.C.; North Carolina Mutual Wholesale Drug Company, Inc.; and United Natural Foods, Inc. (including its subsidiaries SuperValu and Advantage Logistics) (each individually, a “Remnant Defendant,” and, collectively, the “Six Remnant Defendants”). The Remnant Defendants Settlement will cause the Six Remnant Defendants to pay a combined $97,625,000 for purposes of abating the opioid epidemic, and such funds are to be used as provided in the Remnant Defendants Settlement Agreement. The City Council will need to decide if they desire the City to participate in the settlement.

While not part of the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding, the amount of funds the City could receive under this settlement agreement is $20,286.62.

As Chair of the Finance Committee, Councilmember Reed brought the committee's recommendation for approval forward as a motion. No second was required.

Councilmember Wilder said the funds were important to continue addressing drug abuse and the opioid crisis in the community.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Misjuns, Timmer	7
Noes:	0

// In the matter of Economic Development Authority, Agenda Item #13, Council considered adopting Resolution #R-26-036 approving the issuance of up to $365,000,000 in Economic Development Authority revenue bonds for Centra Health, Inc. for improvements to Lynchburg General Hospital. The item was previously discussed by the Finance Committee. Director of Economic Development and Tourism Marjette Upshur provided a summary of the request.

- Construction of a new six-story medical facility to expand patient capacity
- Replacement and expansion of the emergency department
- Expansion of perioperative services, labor and delivery, and mother-baby units
- Development of additional medical-surgical units and support space
- Construction of a new main entrance to Lynchburg General Hospital
- Development of additional surface parking and access improvements
- Construction of utility infrastructure, including a central utility plant and geothermal system
- Renovations and equipment for existing medical facilities
- Refinancing of certain previously issued bonds related to Centra facilities

The Economic Development Authority (EDA), in accordance with Federal and State law, serves as a conduit for the bonds and assumes no financial responsibility or costs. The EDA has conducted the requisite public hearing and adopted a resolution recommending that City Council authorize the bonds.

As Chair of the Finance Committee, Councilmember Reed brought the committee's recommendation for approval forward as a motion. No second was required.

Councilmember Misjuns noted he frequently received feedback about Centra, and he asked if the City had any leverage in approving the bond issuance. He said he frequently received feedback about the lack of competition.

Councilmember Faraldi said he did not fully understand the question and asked Councilmember Misjuns to clarify what he meant.

Councilmember Misjuns said he was simply throwing out a question, as he represented the citizens and was aware that citizens often brought up the concern. He asked whether the City was

lobbying against other entities trying to obtain a certificate of need. He said that competition always made things better.

Ms. Upshur said she was not aware of anything like that.

City Attorney Matthew Freedman said staff had not yet had to address that question and would first need to understand what was meant by leverage. He said the place for any leverage may have been at the EDA level, and if a majority of Council wanted staff to examine whether conditions could be placed on the approval, staff could look into it, though the answer may be that they could not.

Hank Creasy, Chief Legal Officer and Senior Vice President of Centra Health, discussed the expansion of Lynchburg General Hospital, which was being enabled through bonds. He clarified that the question of competition was taken seriously by Centra, and that Centra was partnering with Lifepoint Health on two new hospitals. He said the bond issuance would allow Centra to complete a 266,000-square-foot tower addition to Lynchburg General Hospital, including a new emergency department, operating rooms, mother-baby units, additional beds, and administrative space.

Councilmember Misjuns said Mr. Creasy answered his question and that the information was helpful for the public to hear.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Misjuns, Timmer 7

Noes: 0

// In the matter of Economic Development Authority, Agenda Item #14, Council considered adopting Resolution #R-26-037 approving the issuance of up to $25,000,000 in Economic Development Authority revenue bonds for Virginia Episcopal School. The item was previously discussed by the Finance Committee. Director of Economic Development and Tourism Marjette Upshur provided a summary of the request.

- Renovation of Pendleton Hall (approximately 10,877 square feet), a historic dormitory
- Improvements to Pope Stadium and Moore Fields, including turf conversion and lighting upgrades
- Replacement of two grass athletic fields with turf fields and track resurfacing
- Additional campus facility improvements and deferred maintenance

The Economic Development Authority (EDA), in accordance with Federal and State law, serves as a conduit for the bonds and assumes no financial responsibility or costs. The EDA has conducted the requisite public hearing and adopted a resolution recommending that City Council authorize the bonds.

As Chair of the Finance Committee, Councilmember Reed brought the committee's recommendation for approval forward as a motion. No second was required.

Garth Ainslie, the current headmaster, said he was stepping down in June, and Henry Clarke would take his place. He acknowledged the competition in the boarding school space. He highlighted the school's achievements, including graduating its 110th class, bringing families from around the world to Lynchburg, and investing in student housing and athletic fields.

Henry Clarke, incoming headmaster, noted that approximately $15 million of the bond proceeds would be used to restore a 110-year-old dormitory.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Misjuns, Timmer 7

Noes: 0

// The meeting adjourned at 8:05 p.m.

_____

Clerk of Council

// A regular meeting of the Council of the City of Lynchburg was held on the 12th day of May 2026 at 4:00 p.m. in the 2nd Floor Training Room, City Hall, Larry Taylor, President, presiding. The following Members were present:

Present: Larry Taylor, Curt Diemer, Stephanie Reed, Chris Faraldi, Sterling A. Wilder, Martin Misjuns, Jacqueline Timmer 7

Absent: 0

// In the matter of Community Development, Agenda Item #1, Council was briefed regarding the CDBG and HOME Program Draft Annual Action Plan. The item will appear before Council for action on May 26, 2026. Grants Manager Melva Walker briefed Council. The Department of Housing and Urban Development (HUD) requires local governments, which receive Federal Community Planning and Development (CPD) formula block grant funds, to prepare an Annual Action Plan as a component of the approved 2025-2029 Five-Year Consolidated Plan. The Plan outlines the City's needs, goals, and objectives for community development (both housing and non-housing areas). The Plan has been prepared and consists of the required components, including the CDBG and HOME projects that will be implemented during the upcoming program year to address the identified needs and objectives.

// In the matter of Boards and Commissions, Agenda Item #2, Council was briefed regarding the 2026 School Board Appointment Process. Clerk of Council Alicia Finney-Andrews briefed Council on the matter.

Outlined below is the 2026 proposed schedule:

- May 26, 2026 - Conduct a public hearing to receive citizen input regarding potential candidates
- June 9, 2026 - Continuation of a public hearing to receive citizen input regarding potential candidates. At the close of the public hearing and while remaining in open session, Council will review and discuss applications filed with the Clerk of Council to determine those individuals to interview.
- June 15 - 19, 2026 - Hold a slate of special meetings for the purpose of conducting interviews with candidates. These will be live-streamed as well as open to the public.

- June 23, 2026 - City Council will discuss candidates during General Business and appoint three members to the School Board for new terms commencing July 1, 2026 and expiring June 30, 2029.

Vice Mayor Diemer asked what had changed from the year before.

Ms. Finney-Andrews explained that last year, there was an additional general business item the meeting after the second public hearing for Council to make candidate selections. He noted that last year, Council made candidate selections at the close of the second public hearing, and the General Business item was not needed, so it was removed this year.

// In the matter of the Police Department, Agenda Item #3, Council held a work session regarding the Flock Technology Overview. Chief of Police Kennith Edwards, along with Captain Joel Hinckley, Flock representative Kerry McCormick, and Carl Bach, Public Affairs Manager of Flock, provided a presentation on LPD's use of Flock technology.

Councilmember Misjuns asked how HOAs handled Flock cameras.

Mr. McCormick said that HOAs would purchase equipment to use, and they could also partner with local law enforcement agencies to receive alerts and provide information to the agency. She clarified that the HOA would not have access to law enforcement databases or information.

Councilmember Misjuns noted the use of Flock to address targeted retail theft. He asked if they utilized other technology within Flock beyond vehicle identification.

Mr. McCormick said that Flock used license plate reader cameras at the entrances and exits of parking lots. She said that if a business reported a retail theft to the police, they could flag the vehicle and track it at other locations for repeated thefts.

Councilmember Misjuns asked if they had received any false positive alerts.

Chief Edwards said he was not aware of any false positive alerts.

Councilmember Misjuns stated that the vote on January 13 scheduling the work session item specified that the topic should cover the City of Staunton's termination of its Flock Safety contract and Flock Safety data security issues. He said the presentation did not cover the City of Staunton's contract termination. He asked if Flock performed third-party penetration testing of its equipment and software. He

expressed concerns about outside sources penetrating the system and accessing the data. He asked how Flock addressed vulnerabilities.

Mr. McCormick replied that Flock encouraged people to read the Flock blog to address any security concerns. He said that any issues brought up about the system had been communicated to customers, acknowledged in blog posts, and rectified. He noted that Flock's internal systems and data had never been breached.

Councilmember Timmer asked where Flock hosted its data.

Mr. McCormick said that Flock stored customer data on AWS GovCloud.

Councilmember Timmer requested a follow-up presentation about Flock's customer data storage. She requested more information about the use of open-source and proprietary software, and what checks were in place regarding the proprietary software.

Mr. McCormick said that Flock utilized its own proprietary software.

Councilmember Timmer requested more information about Flock's origin and affiliated companies.

Mr. McCormick reviewed the founding of Flock in Atlanta, Georgia. He said the original founders still owned the company, and the company was not publicly traded. He said she was not aware of any subsidiary companies.

Councilmember Timmer asked for information about how many of the gunshot detections received an officer response prior to a report. She asked what the target number of cameras was and at what point Flock's presence would be deemed sufficient. She asked for more information about a strategic plan around the usage of Flock technology and whether the goal was to have cameras at every intersection.

Chief Edwards suggested conducting a study on the need. He said he did not see needing cameras at every intersection, but he did see a need for more than the current number of 15. He noted that CID had requested around 100 to 150 fixed-location cameras.

Councilmember Faraldi asked if Flock captured, stored, and processed images of vehicles if there was no license plate. He asked if Flock would be able to query information about vehicles with a specific make or model, even if there was no license plate.

Mr. McCormick explained that the Flock cameras photographed the backs of vehicles, so the gathered information included license plate information in addition to other defining features, such as make, model, and color. He said Flock databases could be queried with a vehicle make and model.

Councilmember Faraldi expressed concerns about how the Flock system had been implemented and used. He noted concerns about using Flock data to retroactively create cases and issue charges. He said that if a case was created about him, they would have data on him for the past 21 days, which may be unrelated to the case.

Vice Mayor Diemer asked if the federal or state government had subpoenaed the City's Flock data.

Chief Edwards said that they voluntarily reported Flock data to the state.

Vice Mayor Diemer expressed concerns about the categorization of data and the lack of transparency in the process, citing reports of generic and vague descriptions being used to justify searches. He said he believed the location of Flock cameras should be public information and available through FOIA requests. He requested information about false positive alerts related to gunshots and license plates along with the overall accuracy rate. He requested another presentation regarding Flock. He asked what percentage of City employees with access to Flock data were sworn officers.

Chief Edwards said he would have to follow up with that information.

Vice Mayor Diemer expressed concerns about non-sworn personnel monitoring the systems. He suggested including a requirement in the policy that only sworn officers be able to access and monitor the system.

Councilmember Misjuns asked if there had been any instances where federal authorities had taken data from Flock systems involuntarily.

Mr. McCormick said there had not been any instances of backdoor access to Flock systems.

Councilmember Misjuns requested that Council grant approval prior to expanding Flock capabilities, if they may occur.

// In the matter of Parks and Recreation, Agenda Item #4, Council held a work session regarding Summer Youth Activities. Director of Parks and Recreation Wyatt Woody provided a presentation to Council highlighting some of the offerings to help our City's youth have fun and stay cool while school is out.

Councilmember Faraldi requested that Council investigate and consider adult sports opportunities.

Councilmember Reed requested that the Council consider incorporating open gym opportunities for City-owned properties.

Councilmember Misjuns suggested that the City consider sponsorship opportunities for the activity guides mailed to citizens, as it could help offset the cost of the mailers.

// In the matter of City Council, Agenda Item #5, Council held a work session regarding Review of Liberty University Enrollment Projection Used in Recent Bond Rating Presentations. Councilmember Misjuns provided a presentation to Council. He stated that the proposed resolution would direct staff to issue a public clarification on the enrollment projection and notify rating agencies with a report to Council within 30 days. He said that it would direct engagement with independent, outside securities counsel, separate from transaction counsel, to review the matter and recommend enhancements to disclosure policies, accompanied by a report to Council within 60 days. He said it would also direct a review and update of the disclosure policies and procedures, including vetting processes for information shared with rating agencies, and training for relevant personnel. He said it would finally affirm that the City would not indemnify or advance funds for fines or penalties arising from willful, reckless, or negligent violations of securities laws by individuals.

City Attorney Matthew Freedman suggested that Council consider inviting representatives from Liberty University to discuss the facts.

Councilmember Reed suggested a closed session to discuss the matter.

Councilmember Timmer said she did not believe the matter warranted a closed session and should rather be handled in a public meeting.

City Manager Wynter Benda said it would be helpful to have a closed session to receive a presentation to clarify the situation. He said this would be helpful for those who were not present a couple of years ago.

Vice Mayor Diemer said he was opposed to a closed session to discuss the matter.

Councilmember Misjuns said that his expectation was that the matter would appear on the May 26 agenda for action. He said he was open to a closed session.

// In the matter of Roll Call, Councilmember Faraldi requested to add an item to the agenda for the next meeting considering an ordinance preventing conflicts when sitting councilmembers have personal, legal, or financial claim against the City. He said that the ordinance should require disclosure, mandatory recusal, protection of legal strategy, and a ban on voluntary settlement or non-salary compensation from the City during a member's term.

Councilmember Reed noted that it was Police Week, and she recognized LPD officers. She congratulated the recent college graduates. She said she had received citizen requests to reinstall a fence around the Miller Park horseshoe pit. She noted that players were concerned about horseshoes hitting bystanders or rolling down the hill.

Councilmember Wilder said that the International Festival was held at the Riverfront Park, and he commended City staff for the successful event. He expressed appreciation for the police department's memorial program, honoring the service and sacrifice of the officers.

Councilmember Timmer thanked staff for facilitating conversations with the Blue Ridge Regional Jail Authority about programming. She proposed declaring June as Responsible Fatherhood Month, highlighting the importance of fatherhood in a child's life. She distributed a resolution and requested that Council discuss the matter at the next work session. She proposed a separate resolution regarding the Liberty University enrollment figures used in a City presentation to bond rating agencies. She said the ordinance included direction to provide written communication to the rating agencies retracting the provided enrollment and population growth projections along with providing Liberty University's verified statement. She said it also included a provision regarding a voluntary event notice filed on the municipal securities rulemaking board's EMMA System. She said the third component was a provision for

supplemental disclosure to bondholders of the series 2026 issuance. She said there was a fourth provision related to independent outside counsel, separate of the City Attorney, to conduct a factual investigation into the source of the projection, verification procedures, and any needed improvements to City disclosure policies. She said that the fifth component included engagement with bond counsel to review whether an amendment to the series 2026 offering documents was required. She said the sixth component was an immediate litigation hold and preservation of all related documents, emails, text messages, notes, and communications.

Councilmember Misjuns announced that cheerleader registration for Lynchburg United opened on June 1. He said that summer swim season was about to get started, but it had been a cold spring, so the water would be cold.

Vice Mayor Diemer recognized the upcoming Liberty University graduation.

City Attorney Matthew Freedman noted that Councilmember Timmer's proposed resolution was similar to Councilmember Misjuns' proposed resolution. He asked if Councilmember Misjuns objected to carrying over his matter to the work session.

Councilmember Misjuns objected to carrying the matter over to the work session. He stated that he wanted his item presented at the May 26 meeting for action.

Mayor Taylor recognized Municipal Clerks Week and Clerk of Council Alicia Finney-Andrews. He expressed his appreciation for Ms. Finney-Andrews' work.

// The meeting recessed at 6:33 p.m.

// A regular meeting of the Council of the City of Lynchburg was held on the 12th day of May, 2026 at 7:00 p.m. in the Council Chamber, City Hall, Larry Taylor, President, presiding. The following Members were present:

Present: Larry Taylor, Curt Diemer, Stephanie Reed, Chris Faraldi, Sterling A. Wilder, Martin Misjuns, Jacqueline Timmer 7

Absent: 0

// Councilmember Faraldi led the invocation, followed by the Pledge of Allegiance.

// In the matter of Recognitions, Agenda Item #1, Council recognized the Treatment Court Month Proclamation. Clerk of Council Alicia Finney-Andrews read the proclamation recognizing Treatment Court Month. Mayor Taylor presented the proclamation.

Program Director Taylor Jones accepted the proclamation and thanked Council for recognizing Treatment Court Month.

// In the matter of Planning, Agenda Item #2, Council conducted a public hearing in consideration of adopting Ordinance #O-26-038 changing the zoning of a certain area located at 205 Graves Mill Road. City Planner Rachel Frischeisen provided a summary of the request. Belvac Production Machinery, Inc. is petitioning to rezone approximately twenty-nine hundredths (0.29) of an acre located at 205 Graves Mill Road from I-2, Light Industrial District to B-3, Community Business District to allow an existing building to be used as a stand-alone office facility.

The City's Comprehensive Plan 2013-2030 Future Land Use Map (FLUM) recommends an Employment 1 use for the property. These areas are intended for large and small-scale office, research and development, and light manufacturing uses. Restaurant, small scale retail, hotel, and business service uses that support the office/industrial uses can be constructed in Employment 1 areas.

The property is currently zoned I-2, Light Industrial District. In this district, office uses must be related to an industrial use taking place on the site. The petitioner would like to lease the building to another commercial user. Approval of the proposed rezoning would allow the building to be used as an office facility that is not associated with an industrial use.

There was no one wishing to speak, either in person or by voicemail so the public hearing was closed and the matter rested with Council.

Councilmember Faraldi motioned, seconded by Councilmember Timmer, to adopt Ordinance #O-26-038.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Misjuns, Timmer	7
Noes:	0

// In the matter of Planning, Agenda Item #3, Council conducted a public hearing in consideration of adopting Resolution #R-26-039 approving a Conditional Use Permit allowing Liberty University housing at 3839 Murray Place & 3436 Odd Fellows Road. City Planner Rachel Frischeisen provided a summary of the request. Liberty University, Inc. is petitioning for a CUP to allow two (2) new Resident Director dwellings and the continued use of the former hotel structure as dormitory housing in a B-5, General Business District at 3839 Murray Place and 3436 Odd Fellows Road. The City's Comprehensive Plan 2013-2030 Future Land Use Map (FLUM) recommends Mixed Use for this portion of the subject properties. The portion of the properties where the dwellings and dormitory housing will be located is zoned B-5, General Business District. In this district, schools, colleges, and dormitory housing are permitted upon approval of a CUP by Council.

The construction of two (2) new Resident Director dwellings and the continued use of the former hotel structure as dormitory housing should have limited impact on the surrounding area.

The Planning Commission discussed potential future usage of the modular units. Condition #2 limits the uses of the units to be ancillary to the primary use of the dorm facility and was added after a follow-up discussion with the City Attorney’s office.

Daniel Deter, Senior Vice President of Facilities, Planning and Management for Liberty University and representing the petitioner, noted that he was available to answer any questions from Council.

There was no one wishing to speak, either in person or by voicemail so the public hearing was closed and the matter rested with Council.

Councilmember Faraldi motioned, seconded by Councilmember Reed, to adopt Resolution #R-26-039.

Vice Mayor Diemer said the project was a good use of the building.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Misjuns, Timmer	7
Noes:	0

// In the matter of Budget, Agenda Item #4, Council conducted a public hearing in consideration of introducing Ordinance #O-26-040 approving the FY 2026 Third Quarter Adjustments. Chief Financial

Officer Donna Witt provided a summary of the request. The General, City/Federal/State Aid, Forfeited Assets, Sewer, Airport, Risk Management, Fleet Services, Medical Insurance, City Capital Projects, Schools Capital Projects, Sewer Capital Projects, Stormwater Capital Projects, and Airport Capital/Grant Projects Funds are amended to reflect the FY 2026 Third Quarter Adjustments.

There was no one wishing to speak, either in person or by voicemail so the public hearing was closed and the matter rested with Council.

Councilmember Reed motioned, seconded by Councilmember Wilder, to approve Ordinance #O-26-040.

Vice Mayor Diemer asked whether the use of reserve funds for third-quarter adjustments was sustainable. Chief Financial Officer Witt said the Reserve for Contingencies is replenished in the budget and is generally used during third-quarter adjustments when additional expenses need to be paid.

Councilmember Misjuns asked for clarification about the transfer to the medical insurance fund.

Ms. Witt explained that the funds were not projected to be spent, but rather were being set aside for future use, specifically in case of a bad claims year when additional funds may be needed. She said they would need authorization from Council to draw funds from the reserve.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Wilder, Timmer	5
Noes: Faraldi, Misjuns	2

// In the matter of Economic Development, Agenda Item #5, Council conducted a public hearing in consideration of introducing Ordinance #O-26-041 authorizing the sale and disposal of 805 Court Street. Director of Economic Development and Tourism Marjette Upshur provided a summary of the request. The City of Lynchburg owns the property at 805 Court Street, consisting of approximately 0.6 acres and improved by a 21,868-square-foot structure constructed in 1900 as First Presbyterian Church. The City acquired the property in 1995 for $500,000, and it served as headquarters for the Lynchburg Police Department from 1997 until 2025. The property is zoned B-1 (Limited Business), located within the local, state, and national historic district, and is currently assessed at approximately $1.3 million.

In 2024, the Office of Economic Development commissioned a comprehensive Facilities Condition Assessment to evaluate the structure's condition and long-term viability. The assessment concluded that more than $9 million in capital investment would be required to stabilize and rehabilitate the building to ensure continued occupancy. Given the extent of mechanical, structural, and historic restoration needs, continued public ownership would require substantial capital investment without a defined long-term municipal use for the facility.

Following the issuance of a Request for Proposals, the City received one qualified proposal from FYG Properties, LLC to redevelop the property into a Class A office building utilizing historic tax credits. The proposed agreement provides for a purchase price of $500,000, including a $400,000 rehabilitation credit applied at closing to address documented deferred maintenance, structural rehabilitation needs, and the challenges associated with repurposing the historic structure for modern office use. The purchaser anticipates investing more than $9.5 million in private capital and projects that occupancy will create approximately 80 technology-sector jobs. The transaction transfers substantial responsibility for rehabilitation to the private sector, preserves a significant historic downtown asset, and returns the property to productive, tax-generating use.

There was no one wishing to speak, either in person or by voicemail so the public hearing was closed and the matter rested with Council.

Councilmember Timmer motioned, seconded by Vice Mayor Diemer, to approve Ordinance #O-26-041.

Councilmember Timmer noted that the item was previously presented to the PDC, however, they did not make a recommendation due to the scheduled public hearing coming before the full Council. She expressed excitement for the project.

Vice Mayor Diemer thanked the developer for maintaining and restoring the building.

Councilmember Wilder thanked the developer for investing in the community.

Councilmember Reed said she supported finding ways to reuse historical buildings.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Misjuns, Timmer 7

Noes: 0

// In the matter of Item Not on the Agenda, Clerk of Council Alicia Finney-Andrews noted consensus from Council to add Dontay Woodberry and Mitxh Richards to the end of the public comment section.

// In the matter of Public Comment, Agenda Item #6, Citizen Robert Flood, representing Rescuers of the Youth Hoop City, addressed Council regarding opening the gyms this summer and update on methane gas level in Dearington Precinct, Ward 2. He recounted the successful midnight basketball program and suggested tabling at future events to perform community outreach. He requested Council hold a meeting regarding the methane gas in Dearington, and he requested a precinct be built in Ward II.

// In the matter of Public Comment, Agenda Item #7, Citizen Greg Berry, representing Lynchburg Guardians, addressed Council regarding concerns with Council's ability to work together and seek God's direction in handling the City's business. He stated that he had attempted to resign as Mayor Taylor's campaign treasurer but had not received a response. He publicly stated that he was no longer serving in that role and returned related materials to Mayor Taylor. Mr. Berry also urged Council to oppose any changes to the recently adopted abortion clinic zoning ordinance.

Councilmember Faraldi raised a point of order, stating that portions of Mr. Berry's comments were out of order, false, and should be removed from the record.

Vice Mayor Diemer raised a point of order, stating that Councilmember Faraldi's comments were out of order because Council should not respond to public comment speakers.

Councilmember Faraldi stated that he was addressing the Mayor, not the speaker, and asked Mayor Taylor whether he was acting in any capacity as Mayor Taylor's campaign treasurer. Mayor Taylor stated that Councilmember Faraldi was not acting as his campaign treasurer.

// In the matter of Public Comment, Agenda Item #8, Citizen Dontay Woodberry addressed Council regarding a matter. He expressed concern that Council's dismissive attitude towards Black residents could lead to a negative response from constituents. He felt that his voice was being diminished, and he encouraged Council to stand against evil.

// In the matter of Public Comment, Agenda Item #9, Citizen Mitxh Richards, representing For The Lov3 Of The City, addressed Council regarding a matter. He discussed the importance of representation and listening to everyone's voice.

// In the matter of Economic Development, Agenda Item #10, Council considered adopting Ordinance #O-26-042 ratifying the sale and disposal of 1505 & 1517 Jackson Street. The item was previously discussed by PDC. Under the Virginia Constitution Article VII, Sec. 9 and Sec. 15.2-2100(A) of the Virginia Code, a three-fourths majority vote is required to approve a municipality's sale of property that is a “public place.” On January 13, 2026, the Lynchburg City Council, by a 7-0 (Aye-No Vote), approved the introduction of Ordinance #O-26-001. On January 29, 2026, the adoption of the same Ordinance was part of the Consent Agenda, and the Consent Agenda was adopted by a simple majority vote (4-2-1 Aye-No-Absent Vote). While it is possible that 1505 & 1517 Jackson Street may not be a "public place" and is not subject to the three-fourths majority vote requirement, there are two VA Attorney General’s Opinions from 2001 and a 1974 Virginia Supreme Court case that could be cited to argue otherwise.

Based on the foregoing, in order to ensure the sale is not subject to later challenge and does not create a title defect for future buyers, City staff recommends City Council ratify the previous adoption of the Ordinance.

Councilmember Timmer explained that the item was unanimously recommended by PDC; however, there was a split vote when the item appeared on the consent agenda and it required a 3/4 majority vote from Council to be approved. She made the motion to approve the item; it did not require a second.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Misjuns, Timmer	7
Noes:	0

// In the matter of Transportation, Agenda Item #11, Council considered adopting Resolution #R-26-043 endorsing the proposed VDOT SMARTSCALE applications for FY2028. The item was previously discussed by PDC. City Engineer Lee Newland provided the presentation. Staff presented three projects recommended for support to apply for SMARTSCALE funds. These are Wards Road Displaced Left,

Campbell Avenue/Florida Avenue Roundabout and 460 Ramps, and Campbell Avenue Sidewalk Improvements. The three projects total $115, 0530,418.

Councilmember Timmer stated that the item passed PDC unanimously and brought that forward as a motion; no second was required.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Misjuns, Timmer 7

Noes: 0

// In the matter of First Reading on the adoption of the FY 2027 Budget, Agenda Item #10a, Council considered adopting an ordinance to increase the Water and Stormwater Rates.

Councilmember Wilder motioned, seconded by Councilmember Faraldi, to adopt the ordinance to increase the Water and Stormwater Rates.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Reed, Wilder 3

Noes: Diemer, Faraldi, Misjuns, Timmer 4

// In the matter of First Reading on the adoption of the FY 2027 Budget, Agenda Item #10b, Council considered introducing Ordinance #O-26-044 appropriating the FY 2027 General Fund Operating Budget (excluding Discretionary External Service Providers and Schools Operating Budget).

Councilmember Faraldi motioned, seconded by Councilmember Reed, to approve Ordinance #O-26-044.

Councilmember Timmer motioned to amend to include the proposal introduced at the work session. She proposed moving $1.2 million of one-time funding into the school budget to cover items related to special education, alternate education, and nutrition. She said she was open to suggestions as to which funds to reallocate.

Councilmember Faraldi called a point of order. He said the proposal was not properly presented at a work session for review, so it was not properly before Council for action.

Vice Mayor Diemer seconded the motion to amend.

Mayor Taylor ruled that the motion to amend was out of order because the proposal was not previously presented at a work session.

Councilmember Timmer appealed the Mayor's ruling.

Mayor Taylor permitted discussion on the appeal.

Councilmember Timmer reiterated that Council had the right to amend the budget and propose substitute motions. She expressed concern about the lack of opportunities to debate the budget, and she disagreed with the ruling on the point of order.

Councilmember Misjuns stated that the rules of procedure determined that a motion to amend did not require the person who made the motion to approve the amendment. He said that since Councilmember Faraldi did not approve of the amendment, he used a point of order to prevent its consideration without citing a relevant section of the rules of procedure.

Mayor Taylor withdrew his ruling on the point of order. He called the question on Councilmember Timmer's motion to amend.

Councilmember Timmer proposed pulling funding from the library renovation project, the Miller Park playground, and the property toolkit to cover the $1.2 million reallocation to the School Operating Budget.

Councilmember Misjuns disclosed that his wife was a teacher in Lynchburg City Schools, and he was a member of a group affected by the transaction, called Spouses of Teachers Employed By Lynchburg City Schools. He declared that he was able to participate in the transaction impartially.

Councilmember Reed stated that she supported the schools, but she did not support reallocating funds from the library, the Miller Park playground, or the property toolkit. She said that these items benefited all the children in the City, and they were necessary resources.

Councilmember Faraldi said he did not know the impact of reallocating the funds, and he did not support the amendment. He said that the amendment was out of order because it would impact school funding, and the agenda item explicitly excluded the School's Operating Budget.

Mayor Taylor called the question on the motion to amend.

With no further discussion from the Council, the following vote was recorded on the motion to amend:

Ayes: Diemer, Misjuns, Timmer 3

Noes: Taylor, Reed, Faraldi, Wilder 4

Councilmember Misjuns said he believed the budget process was insufficient. He criticized the lack of transparency and the fact that decisions were made without adequate discussion or voting. He did not support the budget as presented.

Vice Mayor Diemer expressed concerns about the lack of debate on the budget. He believed that other councilmembers were rubber-stamping the City Manager's budget, and he did not think this was right.

Councilmember Misjuns made a motion to amend, allocating $1.2 million of one-time funding to support a one-time reduction in the vehicle personal property tax.

The motion failed for lack of a second.

// Council recessed at 8:35 p.m. and reconvened at 8:44 p.m.

Councilmember Timmer discussed concerns regarding inconsistencies in Council's Rules of Procedure, in the budget processes, and in information transparency. She stated that she will not be voting for the budget.

Mayor Taylor called the question on the original motion.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Reed, Faraldi, Wilder 4

Noes: Diemer, Misjuns, Timmer 3

// In the matter of First Reading on the adoption of the FY 2027 Budget, Agenda Item #10c, Council considered introducing Ordinance #O-26-045 appropriating the FY 2027 Discretionary External Service Providers Budget. Councilmember Misjuns requested to split the question.

Councilmember Faraldi motioned, seconded by Councilmember Wilder, to approve the item as a whole.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Misjuns, Timmer 7

Noes: 0

// In the matter of First Reading on the adoption of the FY 2027 Budget, Agenda Item #10d, Council considered introducing an ordinance appropriating the FY 2027 Operating Fund Budgets for all other funds. Councilmember Misjuns noted that since the stormwater and water rates were not approved, the budget was no longer balanced.

Councilmember Misjuns motioned, seconded by Councilmember Faraldi, to table the matter.

Clerk of Council Alicia Finney-Andrews clarified whether the tabling was to a date specific.

Councilmember Misjuns stated that the motion was to table the matter.

Councilmember Faraldi withdrew his second.

Vice Mayor Diemer seconded the motion.

Councilmember Misjuns said they needed to find a way to not raise stormwater and water rates on citizens.

Deputy City Manager Greg Patrick clarified that the ordinance included ten funds other than the General Fund, and that Council could approve the remaining funds while tabling the Water Fund and Stormwater Fund for further review. Councilmember Misjuns amended his motion to table only the Water and Stormwater funds.

Vice Mayor Diemer seconded the amended motion to table the Water and Stormwater funds.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Misjuns, Timmer 6

Noes: Wilder 1

Councilmember Timmer motioned, seconded by Councilmember Faraldi, to approve Ordinance #O-26-046a, approving all other funds.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Reed, Faraldi, Wilder, Timmer 5

Noes: Diemer, Misjuns 2

// In the matter of First Reading on the adoption of the FY 2027 Budget, Agenda Item #10e, Council considered introducing Ordinance #O-26-047 appropriating the FY 2027 Schools Operating Budget by major classification.

Councilmember Faraldi motioned, seconded by Vice Mayor Diemer, to introduce Ordinance #O-26-047.

Vice Mayor Diemer said he wanted to support the School Board's request.

Councilmember Misjuns disclosed that his wife was a teacher in Lynchburg City Schools, and he was a member of a group affected by the transaction, called Spouses of Teachers Employed By Lynchburg City Schools. He declared that he was able to participate in the transaction impartially and without bias. He did not support the motion because the budget was $1.2 million lower than the School Board's request. He said they should give the superintendent a chance to get it right. He expressed concerns about the information technology, security access, A/V equipment, furniture and fixtures, and miscellaneous expenditures line items of the library renovation project, totaling $1.4 million. He said he had never received a list of items that the City was required to fund, either through federal, state, or local ordinance. He said that funding schools should be a priority.

Councilmember Timmer said she would support the motion, as this served as an opportunity to support the new superintendent.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Timmer 6

Noes: Misjuns 1

// In the matter of First Reading on the adoption of the FY 2027 Budget, Agenda Item #10f, Council considered introducing Ordinance #O-26-048 adopting the FY 2027 - 2031 Capital Improvement Program and appropriating the FY 2027 Capital Budget.

Councilmember Misjuns motioned, seconded by Vice Mayor Diemer, to approve the School CIP and fire department station renovations.

Councilmember Faraldi made a substitute motion, seconded by Councilmember Reed, to adopt the FY 2027 - 2031 Capital Improvement Program and appropriating the FY 2027 Capital Budget.

Councilmember Faraldi said he would save his statements for the second reading.

Councilmember Misjuns said he could not support specific items in the CIP, such as the A/V equipment line item for the library. He would not support adopting the CIP.

With no further discussion from the Council, the following vote was recorded on the substitute motion:

Ayes: Taylor, Reed, Faraldi, Wilder 4

Noes: Diemer, Misjuns, Timmer 3

The substitute motion became the main motion on the floor.

With no further discussion from the Council, the following vote was recorded on approving Ordinance #O-26-048:

Ayes: Taylor, Reed, Faraldi, Wilder, Timmer 5

Noes: Diemer, Misjuns 2

// In the matter of First Reading on the adoption of the FY 2027 Budget, Agenda Item #10g, Council considered introducing Ordinance #O-26-049 appropriating $50,000 of the FY 2027 Reserve for Contingencies for use by the City Manager.

Councilmember Wilder motioned, seconded by Councilmember Faraldi, to approve Ordinance #O-26-049.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Reed, Faraldi, Wilder, Timmer 5

Noes: Diemer, Misjuns 2

// In the matter of First Reading on the adoption of the FY 2027 Budget, Agenda Item #10h, Council considered adopting Ordinance #O-26-050 setting the Personal Property Tax Relief Rate at 31.50% for January 1, 2026 through December 31, 2026. This Ordinance shall apply retroactively as of January 1, 2026.

Councilmember Faraldi motioned, seconded by Councilmember Wilder, to adopt Ordinance #O-26-050.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Misjuns, Timmer 7

Noes: 0

City Attorney Matthew Freedman noted a scrivener's error in the ordinance, stating that "Resolution" should be corrected to "Ordinance" in the retroactivity clause. There was no objection from Council.

// In the matter of First Reading on the adoption of the FY 2027 Budget, Agenda Item #10i, Council considered adopting Ordinance #O-26-051 prohibiting charging certain trash collection fees in the City for FY 2027.

Councilmember Faraldi motioned, seconded by Councilmember Wilder, to adopt Ordinance #O-26-051.

Councilmember Faraldi expressed his gratitude for working together to avoid a $10 trash fee for the next year, which would have added $120 to residents' annual bills. He credited staff's efforts in adjusting spending to cover the cost, and commended City Manager Wynter Benda's proposal to cut spending in a different way to keep taxes low.

Councilmember Wilder said he originally was not supportive of the measure, as he was concerned about the impact to City revenues. However, they had found a compromise, and he supported the motion.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Misjuns, Timmer 7

Noes: 0

// In the matter of First Reading on the adoption of the FY 2027 Budget, Agenda Item #10j, Council considered adopting Ordinance #O-26-052 prohibiting charging motor vehicle license fees in the City for FY 2027.

Vice Mayor Diemer motioned, seconded by Councilmember Misjuns, to adopt Ordinance #O-26-052.

Vice Mayor Diemer said the ordinance would prevent the City from charging motor vehicle license fees for FY 2027.

Councilmember Misjuns said he supported the motion, but they had to do more to reduce the burden on citizens.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Misjuns, Timmer 7

Noes: 0

// In the matter of Council, Agenda Item #13, Council considered adopting a resolution directing the Planning Commission to review and recommend whether to remove the "family planning services" exemption from the definition of "Abortion Clinic" under the City's Zoning Ordinance.

Councilmember Faraldi motioned, seconded by Councilmember Reed, to adopt the resolution.

Councilmember Faraldi asked Community Development Director Tom Martin for clarification about the definition of family planning services in the ordinance.

Community Development Director Tom Martin explained that the ordinance did not contain a definition, so they relied on the Merriam-Webster's 11th Edition definition of family planning, which was, "planning to determine the number and spacing of one's children through birth control". He clarified that according to this definition; an abortion clinic was not family planning.

Councilmember Faraldi asked if a family planning service would be able to open in the City if they did not perform abortions.

Mr. Martin said that they would be able to open if they did not perform abortions as defined in the ordinance.

Councilmember Faraldi also noted that patients could be transported across City lines to perform the abortion. He said that this was why removing the exemption was important.

Councilmember Reed asked if locations which prescribed abortion pills would be permitted under the ordinance.

City Attorney Matthew Freedman explained that the issue was the lack of a definition for family planning services in the ordinance, making it unclear what constituted a family planning service. He said that ambiguity affected the regulation of services that may be offered by family planning clinics but would not fall under the definition of an abortion.

Councilmember Misjuns said that removing the exemption could affect the legal defensibility of the ordinance. He said he had received requests from constituents not to change the ordinance.

Mr. Freedman said he did not believe it would hurt the City to send the item back to the Planning Commission to consider removing the exemption language.

Councilmember Timmer said that defining family planning services would not close the loophole, and it would decrease the legal defensibility of the ordinance. She said it would also undermine the original rational basis for approval, since the zoning ordinance could only regulate use.

Mr. Freedman noted that they needed to schedule when the item would appear before Council. He said the earliest date would be September 8, 2026.

Councilmember Faraldi said he would prefer to use the language of the code and schedule the matter within 100 days of the adoption date of the resolution.

Mr. Martin added that if the family planning exemption were removed, family planning services would still be permitted by-right in B-1, B-3, B-4, B-5, I-1, and IN-2.

Councilmember Faraldi motioned to amend, to direct the Planning Commission to consider removing the exemption and draft a definition of family planning services.

Councilmember Misjuns called a point of order. He said that the motion proposed major changes to the ordinance, which was not presented during a work session, so was therefore out of order.

Councilmember Faraldi said that was incorrect. He said that the motion was directing the Planning Commission, and the motion to amend was correcting the scope of the direction.

Mr. Freedman suggested that Council consider the original motion on the floor, and Councilmember Faraldi could request that drafting a family planning services definition be considered during a future Roll Call item.

Councilmember Faraldi withdrew his motion to amend.

With no further discussion from the Council, the following vote was recorded:

Ayes: Reed, Faraldi	2
Noes: Taylor, Diemer, Wilder, Misjuns, Timmer	5

Councilmember Misjuns motioned, seconded by Councilmember Timmer, to prevent reintroducing the item for six months.

Councilmember Misjuns expressed his support for the existing ordinance.

With no further discussion from the Council, the following vote was recorded:

Ayes: Diemer, Misjuns, Timmer 3

Noes: Taylor, Reed, Faraldi, Wilder 4

// In the matter of Council, Agenda Item #14, Council considered adopting Resolution #R-26-053 waiving the attorney-client privilege and other protections from an email. Councilmember Faraldi requested to release the City Attorney's opinion on what would happen if an entity, such as Planned Parenthood, was established in the City but did not perform abortions onsite. He requested to release a portion of the email from the City Attorney dated Tuesday, February 17, 2026, at 12:10 p.m. with the subject, "RE: Exemption".

Councilmember Faraldi motioned, seconded by Councilmember Reed, to adopt the resolution.

Councilmember Misjuns motioned to amend, to release attorney-client privilege on all emails between Councilmember Faraldi and City Attorney Matthew Freedman regarding the abortion zoning ordinance, and to release attorney client privilege on everything related to Resolution #R-24-056.

Councilmember Timmer requested that the motion to amend also include communications regarding hostile work environment matters. Councilmember Misjuns accepted the request as a friendly amendment. Councilmember Timmer seconded the motion to amend.

Vice Mayor Diemer expressed concern about the use of attorney-client privilege. City Attorney Matthew Freedman stated that attorney-client privilege exists for the benefit of the City and recommended that Council not approve the amendment. Councilmember Timmer stated that she supported the amendment.

Mayor Taylor called the question.

With no further discussion from the Council, the following vote was recorded on the motion to amend:

Ayes: Misjuns, Timmer 2

Noes: Taylor, Diemer, Reed, Faraldi, Wilder 5

The main motion was on the floor.

Councilmember Misjuns motioned to amend the resolution to release all emails between Councilmember Faraldi and City Attorney Matthew Freedman regarding the abortion zoning ordinance. Vice Mayor Diemer seconded the motion.

Vice Mayor Diemer expressed concern regarding communications between Councilmember Faraldi and the City Attorney. Councilmember Misjuns stated that releasing only a portion of the email could create an incomplete record, and that releasing all related communications would provide greater transparency.

With no further discussion from the Council, the following vote was recorded on the motion to amend:

Ayes: Diemer, Misjuns, Timmer 3

Noes: Taylor, Reed, Faraldi, Wilder 4

The main motion was then before Council. With no further discussion from the Council, the following vote was recorded approving Resolution #R-26-053:

Ayes: Taylor, Reed, Faraldi, Wilder, Misjuns, Timmer 6

Noes: Diemer 1

// The meeting was adjourned at 10:42 p.m.

_____

Clerk of Council

// A regular meeting of the Council of the City of Lynchburg was held on the 26th day of May 2026 at 4:00 p.m. in the Second Floor Training Room, City Hall, Larry Taylor, President, presiding. The following Members were present:

Present: Larry Taylor, Curt Diemer, Stephanie Reed, Chris Faraldi, Sterling A. Wilder, Jacqueline Timmer 6

Absent: Martin Misjuns 1

// On the motion of Councilmember Reed, seconded by Councilmember Faraldi, Council, by the following recorded vote, elected to hold a closed session to discuss a previously reviewed City investment opportunity and related financial documents and information involving Liberty University pursuant to Section 2.2-3711(A)(6) of the Code of Virginia, 1950, as amended; and to discuss the settlement of a monetary claim(s) involving the City's Water Resources Department pursuant to Section 2.2-3711(A)(7) and -(A)(8) of the Code of Virginia, 1950, as amended.

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Timmer 6

Noes: 0

Absent: Misjuns 1

// The meeting was reopened to the public.

// Councilmember Wilder made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2 3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The motion was seconded by Mayor Taylor, and Council, by the following recorded vote, adopted the motion:

Ayes: Taylor, Reed, Wilder, Timmer	4
Noes: Diemer, Misjuns	2
Absent: Faraldi	1

// In the matter of Planning, Agenda Item #3, Council was briefed regarding the 1410 University Boulevard - FLUM Amendment & Rezoning - Liberty University Dorms. The item will appear before Council for public hearing and action on June 9. Assistant City Manager Kent White and City Planner Rachel Frischeisen provided the briefing. Liberty University, Inc. is petitioning to amend the FLUM from Community Commercial to Institution and to rezone approximately two and seventy-five hundredths (2.75) acres located at 1410 University Boulevard from B-3C, Community Business District (Conditional) to IN-2, Institutional District 2 to allow the reuse of a hotel structure as dormitory housing.

The City's Comprehensive Plan 2013-2030 FLUM recommends Community Commercial uses for the property. The petition proposes to amend this to Institution. The proposed FLUM amendment to Institution aligns with the requested IN-2, Institutional District 2 zoning. Colleges and universities are a by-right use in the IN-2, Institutional District 2. The reuse of the hotel structure as dormitory housing should have limited impact on the surrounding area, which is generally comprised of the Liberty University campus.

// In the matter of Finance, Agenda Item #4, Council was briefed regarding the 2026 Bond Anticipation Note. This item will appear before Council for public hearing and action on June 9. Chief Financial Officer Donna Witt briefed Council. It has been City practice to finance capital projects through a bond anticipation note (BAN) or line of credit to avoid interest charges until the funds are needed on a monthly draw basis. In May 2026, City staff closed on a General Obligation Bond Issue to permanently finance the 2023 BAN. A request for proposals (RFP) was issued May 7, 2026 to local, regional, and national lending institutions for bids to establish the next BAN; responses are due May 28, 2026. This BAN will fund current and future projects in the City, Schools, Water, Sewer, Stormwater, Airport, and Fleet Capital Projects Funds. Depending on the responses, a two- or three-year line of credit will be established with a

not-to-exceed line of $90.5 million. The not-to-exceed total may change based on the RFP responses as well as the cost of issuance.

// In the matter of Water Resources, Agenda Item #5, Council held a work session regarding Water Resources - Water and Stormwater Budget Adjustments. Director of Water Resources Tim Mitchell provided a presentation to Council. Staff provided a summary of adjustments to the Water and Stormwater Operating and Capital budgets based on no Water and Stormwater rate increases. Additionally, staff reviewed a recent funding offer from the Virginia Department of Health.

Councilmember Faraldi asked how the $15 million would impact water rates.

Mr. Mitchell replied that the $15 million would be used to reimburse citizens for lead service line replacement. He said they estimated the funds would help cover about 1,600 private-side replacements.

Councilmember Faraldi noted that the proposed budget saw a $525,000 reduction in the Water Fund. However, in response, $31 million in CIP project appropriations were deferred, which only saved $250,000 in debt service.

Mr. Mitchell said they had seen declining consumption over the years, but expenses had increased. In the Water Fund, they had seen a $700,000 increase in operational expenses. He noted that about 90% of their expenses were fixed, so the more water they sold, the lower the rates could be.

Councilmember Faraldi asked if the $1 increase in residential water rates was proportional to the $31 million in deferred project costs.

Deputy City Manager Greg Patrick replied that the debt service for the first year of $31 million in projects was low.

Councilmember Faraldi asked how much the minimum payment would be.

Mr. Mitchell said that for the Water Fund, the equivalent debt service payment was $250,000 in debt service.

Councilmember Faraldi asked if the extra year would allow the City to exit the consent order and lower rates.

Mr. Mitchell replied that they had 90 miles of waterline that needed replacement, and even a 20% increase in rates would not cover the needs. He noted significant infrastructure needs in the Water Fund that were not funded.

Councilmember Faraldi proposed reducing the water service fee to $7.

Mr. Mitchell said that it would have an impact, but not as much as the water rate. He said they preferred to increase the water rates since more units of water were sold than there were customers.

Councilmember Wilder asked whether the new Virginia Department of Health funding offer would affect the current water rate. Mr. Mitchell said it would not affect the current rate, but would have a positive impact in future years because the offer would reduce the amount the City would otherwise need to borrow for lead service line work.

Vice Mayor Diemer asked whether the City Manager supported the proposed Water Rate increase. City Manager Benda said the increase was included in his proposed budget and explained that consistent investment is needed to maintain the water enterprise fund. Vice Mayor Diemer also asked whether the Unassigned Fund Balance discussed was specific to the Water Fund, and Mr. Mitchell said it was specific to the Water or Stormwater Fund, as applicable.

// In the matter of Water Resources, Agenda Item #6, Council held a work session regarding Blackwater CSO Tunnel Update. Director of Water Resources Tim Mitchell provided a presentation updating Council on the Blackwater CSO Tunnel Project.

// In the matter of Planning, Agenda Item #7, Council held a work session regarding 12th Street Corridor Complete Neighborhoods Project. City Planner Rachel Frischeisen provided a presentation to Council. The Central Virginia Planning District Commission (CVPDC), in partnership with Lynchburg City and GLTC, was awarded a US Department of Transportation (DOT) Thriving Communities Program (TCP) award, which provides technical assistance in the form of professional consultant services to advance transformative community projects. The TCP technical assistance services are provided through the end of 2026 and funding has been provided by the United States Department of Transportation (USDOT), the CVPDC, the CVTPO, VDRPT, and VDOT.

This project is focused on advancing 12th Street corridor improvements, developing a transit-oriented development (TOD) policy, and identifying funding options. It also includes a subaward of up to $50,000 in direct funding to advance a key element of the project goals. The $50,000 subaward will be used to develop the 12th Street Pedestrian Safety Facilities Engineering Plan, which includes engineering

design of pedestrian safety features, such as curb ramps, pedestrian refuges, pavement markings, and other traffic calming elements along 12th Street from Polk Street to Kemper Street.

The emphasis on 12th Street ties in with other local and regional planning efforts. 12th Street was identified as a key component of the Diamond Hill Neighborhood Plan, adopted by City Council on December 10, 2024. It is also a priority corridor from the Lynchburg Multimodal Plan, which is currently under development, and a segment of safety focus, advancing safety around schools, from the Central Virginia Safety Action Plan, adopted by Council on February 10, 2026.

Councilmember Misjuns noted the need to install a traffic light in front of R.S. Payne Elementary School to make it safer for pedestrians to cross the road.

Councilmember Wilder expressed appreciation for the community members who participated in the planning process, including Diamond Hill residents and others along the corridor, and thanked staff for working with residents to receive input on improvements for the area.

// In the matter of City Council, Agenda Item #8, Council held a work session regarding a resolution directing corrective self-disclosure and remedial actions concerning inaccurate enrollment and population-growth projections communicated to credit-rating agencies in connection with the City's Series 2026 General Obligation Bonds. Councilmember Timmer introduced the item.

City Attorney Matthew Freedman clarified that #4 would be changed to read that City staff would recommend any necessary changes to City disclosure policies and procedures.

Councilmember Timmer said she would recommend the City Manager review and recommend a policy within a timeframe for Council's affirmation. She said that an outside review was not necessary.

Councilmember Faraldi asked if there were copies of the resolution.

Councilmember Timmer said she had emailed a copy that afternoon.

Councilmember Faraldi asked what the issue was that the resolution was addressing.

Councilmember Timmer said the resolution outlined the factual basis of what was provided to bond rating agencies and the public statement from Liberty University. She discussed potential SEC disclosure concerns related to municipal misstatements and the importance of self-disclosure.

Councilmember Faraldi asked if the resolution assigned fault to the City for making statements based on information it was provided.

Councilmember Timmer said she was discussing correcting a statement on its factual basis, and she was not assuming fault in terms of assigning motivation. She said the goal was to self-disclose in a transparent manner to protect staff and the City from potential consequences.

Councilmember Faraldi suggested that they should have first discussed the issue with Liberty University officials about where the data came from.

Councilmember Wilder asked if the enrollment projections impacted the credit rating they received from the rating agencies.

Deputy City Manager Greg Patrick said that the City's financial advisor spoke with S&P analysts that day, and they were assured that the reported enrollment projections would have no impact on the City's credit rating.

Councilmember Wilder said he did not support the resolution, especially because the statements did not have an impact on the rating.

Vice Mayor Diemer said it was important to address the policy to guide future Finance Directors and City Managers to ensure accurate information was shared.

// In the matter of City Council, Agenda Item #9, Council held a work session regarding Responsible Fathers Month. Councilmember Timmer introduced the item.

// In the matter of Roll Call, Vice Mayor Diemer introduced a resolution regarding Liberty University enrollment, which sought to correct information presented by the City. He requested that the item be considered at a future work session.

Councilmember Misjuns stated that he had requested real estate disclosure records from the City Manager on May 18 and May 22 pursuant to Virginia Code. He said he had not received the requested records and asked that the disclosures be provided. He also referenced the University of Lynchburg’s 2024 IRS Form 990 in connection with the request.

// The meeting was recessed at 6:30 p.m.

// A regular meeting of the Council of the City of Lynchburg was held on the 26th day of May, 2026 at 7:00 p.m. in the Council Chamber, City Hall, Larry Taylor, President, presiding. The following Members were present:

Present: Larry Taylor, Curt Diemer, Stephanie Reed, Chris Faraldi, Sterling A. Wilder, Martin Misjuns, Jacqueline Timmer 7

Absent: 0

// Councilmember Reed led the invocation, followed by the Pledge of Allegiance.

// In the matter of Recognitions, Agenda Item #2, Council recognized the 21st Citizens Academy. Mayor Taylor presented the recognition. Interim Director of Communications and Public Engagement Susan Brown and Class Spokesperson William Booze provided remarks. Mayor Taylor presented certificates to the class.

// In the matter of Recognitions, Agenda Item #1, Council recognized the Sandusky Middle School - Lady Spartans. Mayor Taylor presented the recognition. Several players and Coaches Vincent Lafalgio, Kaadia Preston, and Jeff Jackson were present.

// In the matter of the Consent Agenda, Agenda Item #3, copies of the minutes of the February 10, 2026 City Council meeting were previously furnished to Council and on motion of Councilmember Wilder, seconded by Councilmember Reed, the following vote was recorded:

Ayes: Taylor, Reed, Faraldi, Wilder 4

Noes: Diemer, Misjuns, Timmer 3

// In the matter of the Consent Agenda, Agenda Item #4, copies of the minutes of the February 12, 2026 City Council meeting were previously furnished to Council and on motion of Councilmember Wilder, seconded by Councilmember Reed, the following vote was recorded:

Ayes: Taylor, Reed, Faraldi, Wilder 4

Noes: Diemer, Misjuns, Timmer 3

// In the matter of the Consent Agenda, Agenda Item #5, copies of the minutes of the February 24, 2026 City Council meeting were previously furnished to Council and on motion of Councilmember Wilder, seconded by Councilmember Reed, the following vote was recorded:

Ayes: Taylor, Reed, Faraldi, Wilder 4

Noes: Diemer, Misjuns, Timmer 3

// In the matter of the Consent Agenda, Agenda Item #6, Council conducted a second reading of Ordinance #O-26-041 authorizing the sale and disposal of 805 Court Street. On motion of Councilmember Wilder, seconded by Councilmember Reed, the following vote was recorded:

Ayes: Taylor, Reed, Faraldi, Wilder 4

Noes: Diemer, Misjuns, Timmer 3

Because Ordinance #O-26-041 required at least six affirmative votes and received four, the ordinance did not pass.

// In the matter of the Consent Agenda, Agenda Item #7, Council conducted a second reading of Ordinance #O-26-045 appropriating the FY 2027 Discretionary External Service Providers Budget. On motion of Councilmember Wilder, seconded by Councilmember Reed, the following vote was recorded.

Ayes: Taylor, Reed, Faraldi, Wilder 4

Noes: Diemer, Misjuns, Timmer 3

Because the ordinance required at least five affirmative votes and received four, Ordinance #O-26-045 did not pass:

City Attorney Matthew Freedman noted that the ordinances #O-26-041 and #O-26-045 had been voted down, so he recommended bringing the items back for ratification by Council.

// In the matter of Community Development, Agenda Item #8, Council conducted a public hearing in consideration of adopting Resolution #R-26-054 approving the FY 2027 Annual Action Plan for (CDBG) and HOME Program. Grants Manager Melva Walker provided a summary of the request. The Department of Housing and Urban Development (HUD) requires local governments, which receive federal Community Planning and Development (CPD) formula block grant funds, to prepare an Annual Action Plan as a component of the approved 2025-2029 Five-Year Consolidated Plan. The Plan outlines the City's needs, goals, and objectives for community development (both housing and non-housing areas). The Plan has been prepared and consists of the required components, as well as the CDBG and HOME projects that will be implemented during the program year to address the identified needs and objectives.

On April 24, 2026, a public notice was published in The News and Advance stating that a draft of the proposed Program Year 2026 (FY 2027) Annual Action Plan was available for public review for a 30-day public comment period and that City Council would be conducting a public hearing on May 26, 2026

to receive public comments regarding the Program Year 2026 (FY 2027) Annual Action Plan. The advertisement for the Annual Action Plan included the projects recommended by City Council at their April 28, 2026 meeting.

City staff had not received any public comments regarding the draft Plan. City Council and citizen comments received at the public hearing regarding the contents of the Annual Action Plan will be incorporated into the final document and submitted to HUD for approval.

There was no one wishing to speak, either in person or by voicemail so the public hearing was closed and the matter rested with Council.

Councilmember Wilder motioned, seconded by Vice Mayor Diemer, to adopt Resolution #R-26-054.

Councilmember Wilder expressed his appreciation for Ms. Walker and her team.

Vice Mayor Diemer expressed his appreciation for Ms. Walker and her work. He noted he had benefited from first-time home-buyer assistance when he moved to the City.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Misjuns, Timmer 7

Noes: 0

// In the matter of Schools, Agenda Item #9, Council conducted a public hearing to receive citizen input regarding appointments, or reappointments, to vacancies that will exist June 30, 2026, in School Board Districts I, II, III. Clerk of Council Alicia Finney-Andrews introduced the item. Section §22.1-50 of the Code of Virginia and Section §32-16 of the City Code provide that within thirty days preceding July 1st of each year, City Council shall appoint a successor for each school board member whose term expires on June 30th of that year. Section §22.1-29.1 of the Code of Virginia requires City Council to hold a public hearing on school board appointments at least seven days prior to making the appointments. It also provides that no nominee or applicant whose name has not been considered at a public hearing can be appointed to the school board. Clerk of Council Ms. Finney-Andrews read the following names into the record.

District 1	**District 2**	**District 3**
• Shea Tinsley	• Letitia Lowery	• Jabari Jones

- Jack Schewel
- Aja Harris
- Melanie Phelps
- William Lewis
- Brittany Smith
- Liza Gijanto
- Kathleen Riddle
- Angela Cox
- Nicole Albert
- Toby Johnson
- Tiffany Goode
- Delisa Rogers

Mayor Taylor opened the public hearing for comments from the public.

Michael Bremmer, Ward III, believed that every candidate should acknowledge support for the superintendent's budget, literacy, computation and reasoning skills, teachers, and administrators.

There was no one else wishing to speak. Mayor Taylor noted consensus from Council to layover the public hearing to June 9.

// In the matter of Public Comment, Agenda Item #10, Citizen Peter Cefaratti addressed Council regarding who he can trust. He questioned Council's trustworthiness, citing its handling of the 2027 budget and previous years' budget process. He requested that they amend the agenda to add a vote on equalizing the tax rate.

// In the matter of Public Comment, Agenda Item #11, Citizen Cameron Howe, representing GLTC, addressed Council regarding The Bus Challenge: Accountability, Funding, and GLTC's Future. She shared her experience as a bus rider and a board member for GLTC, highlighting the importance of understanding public transit firsthand. She challenged councilmembers and staff to ride the bus for a day to gain a deeper understanding of the system. She requested that the City invest the local funding needed to maintain the bus system and preserve the reserve fund to ensure continued service to the community.

// In the matter of Public Comment, Agenda Item #12, Citizen Beth White, representing Citizens United for Lynchburg, addressed Council regarding words matter. She discussed the public discussion surrounding Liberty University enrollment projections referenced in connection with the City’s bond rating process. She expressed support for Chief Financial Officer Donna Witt and concern that Vice Mayor Diemer and

Councilmember Misjuns discussed the matter with outside media, which she believed portrayed the City negatively.

// In the matter of Public Comment, Agenda Item #13, Citizen Scott Wiebe addressed Council regarding the implications of Dr. Rule's resignation from E.C. Glass. He expressed frustration with the current state of Lynchburg City Schools, citing the drastic cuts to the budget and the negative impact on students and teachers. He expressed concerns about leadership and requested that Council find a way to make the School Board more accountable to parents.

// In the matter of Public Comment, Agenda Item #14, Citizen Gary Taylor was not present.

// In the matter of Budget, Agenda Item #15, Council held a second reading and considered adopting Ordinance #O-26-040 approving the FY 2026 Third Quarter Adjustments. Chief Financial Officer Donna Witt provided the presentation. The General, City/Federal/State Aid, Forfeited Assets, Sewer, Airport, Risk Management, Fleet Services, Medical Insurance, City Capital Projects, Schools Capital Projects, Sewer Capital Projects, Stormwater Capital Projects, and Airport Capital/Grant Projects Funds are amended to reflect the FY 2026 Third Quarter Adjustments.

Councilmember Faraldi motioned, seconded by Councilmember Wilder, to adopt Ordinance #O-26-040.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Timmer 6

Noes: Misjuns 1

// In the matter of the Second Reading on the adoption of the FY 2027 Budget, Agenda Item #16B, Council considered adopting Ordinance #O-26-044 appropriating the FY 2027 General Fund Operating Budget (excluding Discretionary External Service Providers and Schools Operating Budget).

Councilmember Faraldi motioned, seconded by Councilmember Reed, to adopt Ordinance #O-26-044.

Councilmember Faraldi noted that the Operating Budget honored a commitment to law enforcement and public safety personnel through increases in the compensation plan. He said it continued a cost-of-living adjustment for City employees. He emphasized that the budget continued to waive the trash and vehicle license fees for that year.

Councilmember Reed emphasized that this budget was a continuation of existing investments.

Councilmember Misjuns said he could not support the budget, not because of its content, but because of the process. He expressed concerns about having only one budget work session and the late scheduling of the budget retreat in April.

Councilmember Misjuns made a substitute motion, seconded by Vice Mayor Diemer, to adopt the public safety and judicial administration budget, as proposed.

Vice Mayor Diemer expressed concerns about the compressed budget process.

Councilmember Faraldi asked for clarification about what departmental budgets were included in the substitute motion.

Councilmember Misjuns said that the FY 2027 proposed budget listed which departments fell under public safety and judicial administration, and that was what he was referring to in his motion. These departments included the Circuit Court Clerk, Circuit Court Judges, Commonwealth's Attorney, General District Court, Juvenile and Domestic Relations District Court, Magistrate, Sheriff's Office, Court Service Unit, Police Department, and Fire Department.

Councilmember Faraldi noted that the budget calendar included the opportunity to schedule additional work sessions. He asked if staff received any requests to schedule additional work sessions.

Deputy City Manager Greg Patrick replied that they did not receive any requests.

Councilmember Faraldi asked if staff received any budget amendments, ideas, or concepts from councilmembers.

Mr. Patrick said that he personally received an email from the Mayor and Councilmember Faraldi about continuing fee waivers.

Councilmember Faraldi noted that neither Vice Mayor Diemer, Councilmember Misjuns, nor Councilmember Timmer submitted requests to schedule additional meetings or amend the budget. Councilmember Faraldi said Council had opportunities to request additional budget meetings or submit proposed amendments, and he expressed concern that objections to the process did not reflect those opportunities.

Councilmember Misjuns expressed concerns about Councilmembers not receiving responses to their questions at the work session until 23 hours prior to the first reading of the budget.

With no further discussion from the Council, the following vote was recorded on the substitute motion:

Ayes: Diemer, Misjuns, Timmer 3

Noes: Taylor, Reed, Faraldi, Wilder 4

Councilmember Timmer said she was frustrated with the budget process, feeling that it had become convoluted and that discussions had lost their meaning.

Councilmember Wilder attributed the issues with the budget process to the high volume of emails from councilmembers and burnout among staff. He said he did not agree with all aspects of the budget, but he believed it represented a compromise, and he would support it.

Vice Mayor Diemer said he was disappointed in the process, as the citizens were being cut out of the decision-making process.

Councilmember Reed emphasized that the current budget was focused on maintenance and that the City was listening to the concerns of its residents.

Councilmember Misjuns said he had concerns about the compressed process and the lack of interaction between councilmembers and department heads. He recalled past budget processes where Councilmembers had direct dialogue with department heads, allowing for a better understanding of the issues and priorities. He felt that the current process was unfair to taxpayers, as they were not given the opportunity to deliberate on how their money was being spent.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Reed, Faraldi, Wilder 4

Noes: Diemer, Misjuns, Timmer 3

// In the matter of the Second Reading on the adoption of the FY 2027 Budget, Agenda Item #16Da, Council considered adopting Ordinance #O-26-046a appropriating the FY 2027 Operating Fund Budgets for all other funds except for Water Fund and Stormwater Fund.

Councilmember Wilder motioned to adopt Ordinance #O-26-046a.

The motion failed for lack of a second.

// In the matter of the Second Reading on the adoption of the FY 2027 Budget, Agenda Item #16E, Council considered adopting Ordinance #O-26-047 appropriating the FY 2027 Schools Operating Budget by major classification.

Councilmember Timmer motioned, seconded by Councilmember Wilder, to adopt Ordinance #O-26-047.

Councilmember Timmer acknowledged that the schools were undergoing significant changes. She supported the budget as presented and said she would work to secure as much funding as possible for the schools.

Councilmember Wilder appreciated the flexibility given to the schools to use $2 million in funding as they saw fit.

Councilmember Misjuns disclosed that he was a member of a group called Spouses of Teachers at Lynchburg City Schools, but he would be able to deliberate and vote on the matter impartially because the group affected more people than him. He did not support the motion because of the items which were not included in the budget, which could have been funded by re-allocating one-time funds from other projects.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Reed, Faraldi, Wilder, Timmer	5
Noes: Diemer, Misjuns	2

// In the matter of the Second Reading on the adoption of the FY 2027 Budget, Agenda Item #16Da, Council considered adopting Ordinance #O-26-046a appropriating the FY 2027 Operating Fund Budgets for all other funds except for Water Fund and Stormwater Fund.

Councilmember Faraldi said he had previously misunderstood the item and requested that Council reconsider it.

Councilmember Wilder motioned, seconded by Councilmember Faraldi, to adopt Ordinance #O-26-046a.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Reed, Faraldi, Wilder, Timmer	5
Noes: Diemer, Misjuns	2

// In the matter of the Second Reading on the adoption of the FY 2027 Budget, Agenda Item #16F, Council considered adopting Ordinance #O-26-048 adopting the FY 2027 - 2031 Capital Improvement Program and appropriating the FY 2027 Capital Budget.

Councilmember Faraldi motioned, seconded by Councilmember Wilder, to adopt Ordinance #O-26-048.

Councilmember Faraldi emphasized the importance of the $60 million school infrastructure funding, which was unprecedented and a reason for Council to adopt it unanimously. He acknowledged that no capital budget was perfect, but he believed this one addressed key needs.

Councilmember Wilder emphasized the need to invest in the community, particularly in supporting new residents, and highlighted the importance of upgrading the library and pool, which provided essential services and community spaces.

Councilmember Reed said that supporting the schools did not mean taking resources from other projects, and the state's budget could provide additional funding.

Councilmember Misjuns said he would not support the CIP because they were not focusing on necessary projects.

Vice Mayor Diemer said he was concerned about the City's debt spending.

Councilmember Timmer said she would support the motion, as she supported some projects in the CIP. She echoed concerns about the debt service costs.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Reed, Faraldi, Wilder, Timmer 5

Noes: Diemer, Misjuns 2

// In the matter of the Second Reading on the adoption of the FY 2027 Budget, Agenda Item #16G, Council considered adopting Ordinance #O-26-049 appropriating $50,000 of the FY 2027 Reserve for Contingencies for use by the City Manager.

Councilmember Wilder motioned, seconded by Councilmember Reed, to adopt Ordinance #O-26-049.

Vice Mayor Diemer said he was frustrated over the lack of transparency and accountability in the City's budgeting process, specifically regarding a forensic audit of City Hall's third floor. He said he would not support the motion.

Councilmember Misjuns said he was concerned about $70,000 in credit card expenses without finance descriptions, and he was concerned about the way money was spent. He said he supported a forensic audit of the expenses.

Councilmember Faraldi said that the City had conducted an independent audit through Brown Edwards, and the report was publicly available.

Councilmember Reed said that the City Manager was responsible for using taxpayer dollars, including his expense account, to represent the City and make business decisions.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Reed, Faraldi, Wilder, Timmer 5

Noes: Diemer, Misjuns 2

// In the matter of First Reading on the adoption of the FY 2027 Water Fund and Stormwater Fund Operating Budgets, Agenda Item #17Db, Council considered adopting Ordinance #O-26-046b appropriating the FY 2027 Operating Fund Budgets for Water Fund and Stormwater Fund.

Councilmember Wilder motioned, seconded by Councilmember Faraldi, to adopt Ordinance #O-26-046b.

Councilmember Reed asked for clarification about what was included in the budget.

Deputy City Manager Greg Patrick explained that the item reflected the water and stormwater budgets without rate increases.

Director of Water Resources Tim Mitchell added that the $15 million funding offer included consideration of whether the City regularly adjusted rates. However, he had not received confirmation from VDH whether the offer would be impacted if they did not raise rates this year.

Mr. Patrick clarified that if Council wanted to consider rate increases, they would have to hold another public hearing since the current budget was drafted without the rate increases.

Councilmember Wilder amended his motion to include scheduling a public hearing to consider increasing the water and stormwater rates.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Reed, Wilder, Misjuns, Timmer 5

Noes: Diemer, Faraldi 2

// In the matter of Council, Agenda Item #18, Council considered LU Enrollment Resolution #R-26-055.

Councilmember Faraldi motioned, seconded by Councilmember Wilder, to table the matter for two weeks.

Councilmember Faraldi said he had not yet had the opportunity to discuss the matter with representatives from Liberty University, so he wanted to have those discussions before making an informed decision.

Councilmember Misjuns discussed the need to correct the record regarding information presented about Liberty University's enrollment projections and implement policies to prevent it from happening again.

Councilmember Misjuns made a substitute motion to adopt the resolution with amendments, replacing the first, second, third, fifth, and sixth clauses of his resolution with the respective clauses in Councilmember Timmer's resolution, and adding a resolving clause that the City Attorney shall report back to Council on the status of the actions within 30 days of adoption. Councilmember Timmer seconded the motion.

Councilmember Timmer proposed two steps that she said would strengthen the City's internal controls and promote transparency: reviewing existing policies and procedures for the preparation and verification of information provided to credit rating agencies and the public and filing a voluntary disclosure statement on the Municipal Securities Rulemaking Board EMMA system.

With no further discussion from the Council, the following vote was recorded on the substitute motion:

Ayes: Diemer, Faraldi, Misjuns, Timmer 4

Noes: Taylor, Reed, Wilder 3

The substitute motion became the main motion on the floor.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Misjuns, Timmer 4

Noes: Reed, Faraldi, Wilder 3

// The meeting was adjourned at 10:04 p.m.

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Clerk of Council

// A regular meeting of the Council of the City of Lynchburg was held on the 9th day of June, 2026 at 4:00 p.m. in the 2nd Floor Training Room, City Hall, Larry Taylor, President, presiding. The following Members were present:

Present: Larry Taylor, Curt Diemer, Stephanie Reed, Chris Faraldi, Sterling A. Wilder, Jacqueline Timmer 6

Absent: Martin Misjuns 1

// In the matter of Public Works, Agenda Item #1, Council received bids for the ApCo Easement - Milestone Towers Line. Clerk of Council Alicia Finney-Andrews stated that bids had been requested for an easement at 3525 John Capron Road and that one bid had been received from Appalachian Power Company on June 3, 2026. Ms. Finney-Andrews read the letter of commitment submitted by Appalachian Power Company regarding the grant and conveyance of a right-of-way and easement on City-owned property located at 3525 John Capron Road.

Mayor Taylor asked whether there were any additional bids. Hearing none, Mayor Taylor declared the bid closed.

Councilmember Diemer motioned, seconded by Councilmember Wilder, to accept the bid submitted by Appalachian Power Company.

Councilmember Timmer asked whether Council could vote on the matter during the Work Session without suspending the Rules of Procedure. City Attorney Matthew Freedman advised that the matter fell within the exception.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Timmer 6

Noes: 0

Absent: Misjuns 1

Ms. Finney-Andrews stated that a public hearing would be conducted at the 7:00 p.m. meeting regarding adoption of an ordinance granting the easement to the successful bidder.

// In the matter of Boards and Commissions, Agenda Item #2, Council was briefed regarding Boards and Commissions Quarterly Reporting. Clerk of Council Alicia Finney-Andrews stated that the report was

provided to help the public understand time commitments and background alignment for volunteer opportunities and to provide Council with information regarding upcoming appointments and vacancies.

Ms. Finney-Andrews reviewed upcoming opportunities and vacancies for the Central Virginia Community College Board, Historic Preservation Commission, Martin Luther King, Jr./Lynchburg Community Council, Museum Advisory Board, Economic Development Authority, and Building Code Appeals Board. She stated that Council was scheduled for a closed session on July 14, 2026 to make appointments and that applications and resumes would be collected through Friday, July 3, 2026.

// City Council recessed at 4:10 p.m. and reconvened at 4:17 p.m. in the Council Chamber, City Hall.

// In the matter of the Fire Department, Agenda Item #3, Council was briefed regarding the Lynchburg Fire Department Climate, Culture, and Hiring Process Assessment. Deputy City Manager Greg Patrick introduced Vice President at Raftelis Johnathan Ingram and subject matter expert for Raftelis Tom DeMint. Mr. Ingram and Mr. DeMint presented the findings from the assessment of the Lynchburg Fire Department climate, culture, and hiring process.

Councilmember Timmer asked whether ALS equipment was addressed as part of the assessment. Mr. DeMint replied that ALS equipment was not a significant focus of the assessment. Mr. Ingram clarified that the assessment focused on climate and culture, employee experience, and the hiring, recruitment, and promotion processes, rather than a broader operational assessment of equipment, staffing, deployment, or service delivery.

Councilmember Timmer asked for additional information regarding shift schedules. Mr. DeMint stated that some EMS agencies in the region had moved toward a shorter work week, while the City currently used a 56-hour work week with a 24/48 schedule. He stated that there was interest among employees in a 24/72 schedule, but that any change would require additional analysis regarding cost, staffing, service delivery, and operational impacts. Mr. Ingram added that different shift schedules have advantages and disadvantages and should be evaluated in relation to staffing needs, recruitment and retention, employee well-being, cost, and calls for service.

Councilmember Reed asked about recruitment challenges and how the City could broaden the applicant pool. Mr. DeMint stated that recruitment should include outreach beyond job fairs, including engagement with community colleges, universities, paramedic and EMT programs, high schools, and

younger students. He said that early exposure could help students understand fire and EMS careers as a possible path.

Councilmember Wilder expressed interest in follow-up discussions with the incoming Fire Chief, either individually or in small groups. He also asked about the timeline for fire station construction and repairs and discussed opportunities to expose students to fire and EMS careers. City Manager Wynter Benda stated that staff intended to meet with each Councilmember individually to discuss the report and next steps. He also stated that staff may bring forward a proposal for Council to consider amending the FY 2027 budget to fund the proposed human resources and training positions identified in the report.

Vice Mayor Diemer discussed the importance of Councilmembers being able to hear from fire and police personnel. He stated that he wanted to maintain open communication and ensure that employees felt able to speak with Councilmembers.

Mr. Ingram discussed the Council-Manager form of government and the importance of the employment chain of command within a public safety organization. He stated that day-to-day operational responsibility flows through the Fire Chief and City Manager, and that Council direction should come from Council as a body rather than from individual Councilmembers. He stated that Council has a role in understanding departmental operations and holding the City Manager accountable, while allowing established management processes to function.

Councilmember Misjuns asked whether a veterans-preference policy could assist with recruitment of qualified applicants. Mr. DeMint stated that veterans-preference policies are used by many departments and can support recruitment because veterans often have experience working in team-based and physically demanding environments. Mr. Ingram stated that veterans-preference could be one recruitment pathway, but cautioned that the City should avoid creating a recruitment structure that limits access for applicants without military experience. He stated that the City should also develop pathways for local students and other community members to become familiar with the department.

Councilmember Misjuns also asked about the use of oral boards instead of written tests. Mr. Ingram stated that both written tests and oral boards have advantages and disadvantages, including potential bias considerations. He stated that the City should not exclude any option from future consideration by the Fire Chief and human resources staff.

// In the matter of the Council, Agenda Item #4, Vice Mayor Diemer discussed the LU Enrollment Resolution. Vice Mayor Diemer introduced the item and presented a resolution for Council's consideration.

// In the matter of Roll Call, Councilmember Faraldi raised constituent concerns regarding Taylor Road, downtown parking, a Centra announcement related to a facility near Logans Landing, and the possible release of certain School Board application responses to the public.

Councilmember Reed congratulated the Heritage High School girls track and field team on winning the Class 3 state championship and recognized recent high school graduates.

Councilmember Wilder recognized the Community Court/Recovery Court graduation, noted the upcoming Juneteenth event at Miller Park, and highlighted First Fridays and a Lynchburg Museum exhibit.

Councilmember Timmer expressed concerns about sharing School Board application responses, since an applicant's expectations may be different depending on when they filled out the application.

Councilmember Misjuns raised concerns regarding Taylor Road and requested staff review issues related to field preparation and communication for Peachey Park Senior Softball. Deputy City Manager Greg Patrick stated that Public Works was aware of the Taylor Road concerns and would assess the issue.

Vice Mayor Diemer thanked police staff for assistance with Leesville Road traffic concerns and requested continued attention to speeding, particularly near Heritage High School and Greenview Drive. Deputy City Manager Greg Patrick stated that a speed study on Leesville Road was in process and would be brought back to Council.

Mayor Taylor raised concerns regarding vehicles parking against the flow of traffic and asked that the issue be addressed.

// The meeting was recessed at 6:09 p.m.

// A regular meeting of the Council of the City of Lynchburg was held on the 9th day of June, 2026 at 7:00 p.m. in the Council Chamber, City Hall, Larry Taylor, President, presiding. The following Members were present:

Present: Larry Taylor, Curt Diemer, Stephanie Reed, Chris Faraldi, Sterling A. Wilder, Jacqueline Timmer, Martin Misjuns 7

Absent: 0

// Councilmember Timmer led the invocation, followed by the Pledge of Allegiance.

// In the matter of the Consent Agenda, Agenda Item #1, Council considered approving the minutes from the March 10, 2026 City Council meeting. Councilmember Faraldi motioned, seconded by Councilmember Wilder, to approve the Consent Agenda. Councilmember Timmer noted that she was absent for the March 10 meeting and would be abstaining from voting. The following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Misjuns 6

Noes: 0

Abstentions: Timmer 1

// In the matter of Planning, Agenda Item #2, Council conducted a public hearing in consideration of adopting Resolution #R-26-056 amending the Future Land Use Map and adopting Ordinance #O-26-057 changing the zoning of a certain area located at 1410 University Boulevard. City Planner Rachel Frischeisen provided a summary of the request. Liberty University, Inc. is petitioning to amend the Future Land Use Map from Community Commercial to Institution and to rezone approximately two and seventy-five hundredths (2.75) acres located at 1410 University Boulevard from B-3C, Community Business District (Conditional), to IN-2, Institutional District 2, to allow the reuse of a hotel structure as dormitory housing.

Ms. Frischeisen stated that the property contains a three-story hotel structure with 102 guest rooms and that the existing rooms would be used for an anticipated maximum capacity of 204 beds. She stated that the property is surrounded by the Liberty University campus, that no new buildings, additions, or parking areas were proposed, and that the use should have limited impact on the surrounding area.

Dan Deter, representing Liberty University, spoke in support of the request. He stated that Liberty University purchased the property and intended to use it as North Suites Dorm 99 to increase on-campus housing. He stated that the rooms include kitchenettes and that student parking would be handled through Liberty University’s campus parking system rather than by guaranteeing each resident a parking space at the building.

There was no one else wishing to speak in favor or in opposition, either in person or by voicemail, so the public hearing was closed and the matter rested with Council.

Councilmember Misjuns motioned, seconded by Councilmember Timmer, to adopt the resolution and ordinance. Councilmembers commented that the request was appropriate given the property's location within the Liberty University campus and the need for student housing.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Timmer, Misjuns	7
Noes:	0

// In the matter of Finance, Agenda Item #3, Council conducted a public hearing in consideration of adopting Resolution #R-26-058 authorizing the 2026 Bond Anticipation Note and introducing Resolution #R-26-059 amending the FY 2026 General, Water, Sewer, and Stormwater Funds' Operating Budgets to provide appropriations totaling $350,000 with resources from a Bond Anticipation Note, Series 2026, for costs associated with the issuance of $90,500,000 in Bond Anticipation Notes. Chief Financial Officer Donna Witt introduced the item.

Courtney Rogers, Senior Vice President with Davenport & Company, provided a presentation regarding proposals received for the new line of credit. Mr. Rogers stated that proposals were requested from national, local, and regional banks and that Truist provided the recommended proposal due to its lower variable rate and favorable terms. He stated that the Bond Anticipation Note would provide a line of credit for current and future projects and that the line would close before the end of the fiscal year. There was no one wishing to speak in favor or in opposition, either in person or by voicemail, so the public hearing was closed and the matter rested with Council.

Councilmember Misjuns said that the resolution for issuance costs that was uploaded to the system showed as FY26 general water, sewer, and stormwater funds operating budgets amended. He said they did not have a resolution for the issuance costs.

Ms. Witt explained that the resolution Councilmember Misjuns was referring to was for the issuance costs, because the budgets were being amended to account for the costs.

Councilmember Wilder motioned, seconded by Vice Mayor Diemer, to adopt Resolution #R-26-058 authorizing the Bond Anticipation Note, including the selection of Truist as recommended.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Timmer, Misjuns 7

Noes: 0

Councilmember Wilder motioned, seconded by Councilmember Timmer, to adopt Resolution #-26-059 amending the FY 2026 General, Water, Sewer, and Stormwater Funds' Operating Budgets for issuance costs.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Timmer, Misjuns 7

Noes: 0

// In the matter of Public Works, Agenda Item #4, Council conducted a public hearing in consideration of adopting Ordinance #O-26-060 granting Appalachian Power Company an easement right to provide electricity on 3525 John Capron Road for Milestone Towers Limited Partnership-V in connection with a current lease held by the City. City Engineer Lee Newland provided a summary of the request. He stated that Appalachian Power Company requested the easement to serve power to a cell tower associated with a lease previously approved by Council.

There was no one wishing to speak in favor or in opposition, either in person or by voicemail, so the public hearing was closed and the matter rested with Council.

Vice Mayor Diemer motioned, seconded by Councilmember Timmer, to adopt the ordinance. Councilmember Timmer stated that the matter had come before the Physical Development Committee and that the easement would allow the tower to be built on the property.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Timmer, Misjuns 7

Noes: 0

// In the matter of School Board, Agenda Item #5, Council continued a public hearing to receive citizen input regarding appointments, or reappointments, to vacancies that will exist June 30, 2026 in School Board Districts I, II, and III. Clerk of Council Alicia Finney-Andrews stated that State Code requires applicants' names to be read into the record in order to be considered for appointment.

Ms. Finney-Andrews read the following names for District I: Shay Tinsley, Jack Schewel, Asia Harris, Melanie Phelps, William Lewis, Brittany Smith, Liza De Johnto, Fallon Rose, Xavier Story, Greg Vinson, Jr., Erin Smith, and Patty Webb. For District II, she read Leticia Lowery, Kathleen Riddle, Angela Cox, Nicole Albert, Toby Johnson, Tiffany Good, and Roman Franklin. For District III, she read Delisa Rogers, William Owsley II, Tiana Wilson, Tiersha Royal, and Ryan Thomas.

Mayor Taylor opened the floor for comments from School Board applicants for District 1.

Shea Tinsley, District 1, introduced herself and highlighted her background as a behavioral health executive, licensed psychotherapist, and mother. She supported school choice and believed that parents were also responsible for their child's education.

Jack Schewel, District 1, said he would implement the Mississippi Method if he were appointed to the School Board to improve reading scores. He supported teachers and administrators having the authority to maintain discipline. He supported banning cell phones from school property entirely.

Brittany Smith, District 1, emphasized that as a parent, she had experienced the school system through various interactions and believed schools were strongest when parents, educators, administrators, the School Board, Council, and the community collaborated. She said her goal was to strengthen communication and community engagement.

Xavier Storey, District 1, said he was applying for the School Board because he believed in the transformative power of public education. If selected, he would bring energy and enthusiasm to the School Board based on his experience in higher education and engagement. He highlighted his local government experience.

Mayor Taylor opened the floor for comments from School Board applicants for District 2.

Letitia Lowery, District 2, introduced herself as a retired teacher of 31 years and highlighted her experience serving on the School Board. She expressed support for the new superintendent and improving student test scores.

Angela Cox, District 2, highlighted her background and experience in building stronger children, families, and communities through service, advocacy, education, teaching, and empowerment for over 40 years. She emphasized that all children can prosper and rise above their circumstances.

Toby Johnson, District 2, said he was currently a teacher at a private day school, and he had previously taught for LCS, Amherst County, and the University of Lynchburg. He said he would focus on supporting students, teachers, and administrators by upholding quality learning environments.

Roman Franklin, District 2, highlighted his educational experience, community leadership, and government service. He said he would bring a collaborative leadership approach, a strong work ethic, and a commitment to excellence as an advocate for students and a responsible steward of public resources.

Jerry Carney said he was not a candidate for School Board. He addressed Council regarding concerns over student test scores and absenteeism. He highlighted the important of early childhood, and he noted the need to raise salaries.

Mayor Taylor opened the floor for comments from School Board applicants for District 3.

Delisa Rogers, District 3, introduced herself. She noted she was currently pursuing her PhD in education and curriculum leadership, and she was a parent of two students in LCS. She said she would focus on evidence-based decisions, transparency, and accountability to support student achievement.

Tiersha Royal, District 3, said she was a graduate of LCS and a parent of current students, and she believed she offered a valuable perspective on the school division's needs.

Mayor Taylor opened the floor for comments from the public.

Mr. Carney said that they needed to make a long-term commitment to address the needs in LCS.

Citizen Julie Gillum spoke in support of Shea Tinsley, who she believed would be an effective School Board member.

Citizen Charmaine Davis spoke in support of Shea Tinsley, because she was a woman of principles and integrity, fiercely intelligent, and possessed honest compassion.

A citizen spoke in support of Angela Cox, because the School Board needed a new perspective.

Councilmember Wilder motioned, seconded by Vice Mayor Diemer, to close the public hearing and begin selection of candidates for interviews. Councilmember Wilder expressed appreciation for everyone volunteering their time and thought they had a good selection of candidates.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Timmer, Misjuns	7
Noes:	0

Ms. Finney-Andrews announced that interviews would start on Thursday at 9 a.m. She requested that Council make candidate interview selections at this moment.

Mayor Taylor requested interview candidates for District 1.

Councilmember Faraldi selected to interview for District 1 Shea Tinsley, Jack Schewel, Brittany Smith, and Greg Vinson, Jr.

Councilmember Wilder selected to interview for District 1 Xavier Storey.

Councilmember Misjuns selected to interview for District 1 William Lewis.

Mayor Taylor requested interview candidates for District 2.

Councilmember Faraldi selected to interview for District 2 Letitia Lowery, Angela Cox, and Tiffany Goode.

Councilmember Reed selected to interview for District 2 Toby Johnson and Roman Franklin.

Mayor Taylor requested interview candidates for District 3.

Ms. Finney-Andrews noted that Jabari Jones had withdrawn his application, and Ryan Thomas had been added as a candidate.

Councilmember Faraldi selected to interview for District 3 Tiona Wilson, Tiersha Royal, and Ryan Thomas.

Councilmember Reed selected to interview for District 3 Delisa Rogers.

Ms. Finney-Andrews said that interviews would be scheduled on Thursday from 9 a.m. to 1 p.m. and on Friday from 9 a.m. to 1 p.m. She would reach out to candidates individually.

Councilmember Misjuns requested that staff confirm the residency of candidates, because he was looking up candidates, and some were not registered to vote in the City.

Ms. Finney-Andrews said she would make verification checks with candidates.

// In the matter of Water Resources, Agenda Item #6, Council conducted a public hearing in consideration of adopting Ordinance #O-26-061 increasing the Water and Stormwater Rates. Director of Water Resources Tim Mitchell provided a summary of the proposed rate increases. Mr. Mitchell stated that the proposed water rate would increase from $3.45 to $3.62 per 100 cubic feet, generating an additional $441,800 in revenue to the Water Fund. He stated that the proposed stormwater rate would increase from

$5.15 to $5.40 per single family unit, generating an additional $196,100 in revenue to the Stormwater Fund. The combined impact to a typical residential customer would be approximately $1.06 per month.

There was no one wishing to speak in favor or in opposition, either in person or by voicemail, so the public hearing was closed and the matter rested with Council.

Councilmember Wilder asked clarifying questions regarding whether the rate increase would allow the Water Resources Department to meet identified needs. Mr. Mitchell stated that it would. Councilmember Wilder motioned, seconded by Vice Mayor Diemer, to adopt the ordinance.

Vice Mayor Diemer stated that water infrastructure is a core need and that he supported the increase because the water fund is self-supporting.

Councilmember Timmer stated that she would support the increase due to the age of the City's water infrastructure and the nature of the Enterprise Fund.

Councilmember Misjuns stated that he opposed the motion due to the stormwater rate.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Wilder, Reed, Timmer 5

Noes: Faraldi, Misjuns 2

// In the matter of the Item Not on the Agenda, Councilmember Misjuns requested to amend the agenda to include Richard Brown to the end of public comment to discuss the Responsible Fatherhood Month proclamation.

// In the matter of Public Comment, Agenda Item #7, Tyler Lewis, representing The People's Reclamation, was not present to speak regarding corporate influence in local elections.

// In the matter of Public Comment, Agenda Item #8, Andrea Yesalis was not present to speak regarding upholding transparency and the Liberty University growth numbers issue.

// In the matter of Public Comment, Agenda Item #9, Melanie Traber, representing Trading Post by Traber Ranch and Lone Star Market & Café, addressed Council regarding loitering. She expressed concerns about people loitering outside of her business and causing issues. She requested more support from police officers to prevent people from loitering. She said that recently, two detectives had told other businesses on Main Street that the Trading Post was responsible for downtown crime, and crime would not stop until the business was closed.

// In the matter of Public Comment, Agenda Item #10, Citizen Jeff Rosner addressed Council regarding the firehouse primary. He noted issues with the recent Republic firehouse primary, including issues with absentee ballot counting process and primary procedures.

// In the matter of Public Comment, Agenda Item #11, Citizen Pat O'Hara addressed Council regarding setting good examples. He read from Ephesians 4:29 and encouraged Council to find bipartisan solutions. He said that mutual kindness was required to save the City.

// In the matter of Public Comment, Agenda Item #12, Citizen Mitxh Richards, representing FOR THE LOV3 OF THE CITY, addressed Council regarding the role for voter accountability. He said he was starting a campaign to increase engagement with young voters.

// In the matter of Public Comment, Agenda Item #13, Citizen Phil Stump addressed Council regarding the public service of Councilmember Misjuns. He referenced prior public statements and actions by Councilmember Misjuns and stated that elected officials should serve all citizens impartially. He expressed the view that Lynchburg deserved better representation.

// In the matter of Public Comment, Agenda Item #14, Citizen Richard Brown, representing Downtown Presbyterian, addressed Council regarding Responsible Fathers Month. He requested that Council designate the month of June as Responsible Fathers Month. He emphasized the importance of having a father in the household.

// Councilmember Misjuns motioned, seconded by Councilmember Timmer, to request a staff presentation at the first Work Session in July regarding loitering, obstruction of free passage, and enforcement options related to concerns raised during public comment. City Attorney Matthew Freedman requested time for staff, the City Attorney’s Office, the Lynchburg Police Department, and ABC to review the matter before bringing it back to Council. Councilmember Reed offered a substitute motion to allow up to 90 days for staff to gather information and return with a presentation.

City Manager Wynter Benda said that staff could provide an initial review of the situation by the first meeting in July.

Mr. Freedman said he would prefer the 90 day timeline in order to contact LPD and ABC.

Mr. Benda noted that if they needed to contact ABC, he would prefer the 90 day timeline, since the state agency could take some time to respond.

Councilmember Reed withdrew the substitute motion.

Councilmember Faraldi said he did not support the motion, but staff should look into the loitering issue.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Wilder, Misjuns, Timmer 6

Noes: Faraldi 1

// In the matter of Second Reading on the adoption of the FY 2027 Discretionary External Service Providers Budget and Water and Stormwater Funds Operating Budgets, Agenda Item #15C, Council considered ratifying the adoption of Ordinance #O-26-045 by at least a two-thirds majority vote and adopting and appropriating the FY 2027 Discretionary External Service Providers Budget. Clerk of Council Alicia Finney-Andrews noted that the action required a 5/7 majority vote. The May 26, 2026 Consent Agenda that included the FY 2027 Discretionary External Service Providers Budget passed with a 4-3 vote. However, Ordinance #O-26-045 requires a two – thirds majority vote (five of seven) to adopt.

Vice Mayor Diemer motioned, seconded by Councilmember Timmer, to ratify the adoption of Ordinance #O-26-045.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Misjuns, Timmer 7

Noes: 0

// In the matter of Second Reading on the adoption of the FY 2027 Discretionary External Service Providers Budget and Water and Stormwater Funds Operating Budgets, Agenda Item #15Db, Council considered adopting Ordinance #O-26-046b appropriating the FY 2027 Operating Fund Budgets for Water Fund and Stormwater Fund.

Councilmember Timmer motioned, seconded by Vice Mayor Diemer, to adopt the amended resolution restoring the operating budget to the original proposal.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Misjuns, Timmer 7

Noes: 0

// In the matter of Economic Development, Agenda Item #16, Council considered adopting Ordinance #O-26-062 ratifying the sale and disposal of 805 Court Street. Clerk of Council Alicia Finney-Andrews stated that the item required a six-of-seven vote.

Councilmember Timmer, as Chair of the Physical Development Committee, stated that the item had come before the committee multiple times and had been recommended unanimously.

Councilmember Timmer motioned to adopt the ordinance ratifying the sale and disposal of 805 Court Street. The motion did not require a second.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Timmer, Misjuns	7
Noes:	0

// In the matter of City Code, Agenda Item #17, Council considered adopting Ordinance #O-26-063 amending Section § 36-175 of Article IV of Chapter 36 of the City Code to ensure continued Real Estate Tax relief for qualifying elderly and disabled persons in the City. Commissioner of the Revenue Mitch Nuckles stated that the current ordinance allowed the income limit for the Real Estate Tax relief program to increase based on the Social Security cost-of-living increase, but included a $50,000 cap. He stated that the annual increase would bring the limit to $50,200 and recommended removing the cap while continuing to allow the income limit to adjust based on Social Security increases.

Councilmember Reed, as Chair of the Finance Committee, motioned to approve the ordinance. She stated that she supported expanding relief for senior citizens and disabled persons on fixed incomes and encouraged continued public awareness of the program. The motion did not require a second.

Vice Mayor Diemer asked for additional information regarding the amount of relief provided through the program. Mr. Nuckles stated that the program applied to approximately 650 parcels and approximately 575 families, and that the program was budgeted at $675,000.

Councilmember Reed clarified that the income limit would be $50,200 for the household and that the asset limit was $100,000, excluding the home. Mr. Nuckles confirmed that the home was excluded from the asset calculation.

Councilmember Misjuns asked whether the ordinance originally established a $40,000 income limit, which had increased over time based on Social Security adjustments and was now reaching the

$50,000 cap. Mr. Nuckles confirmed that the ordinance would remove the cap and allow the income limit to continue adjusting based on Social Security increases.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Timmer, Misjuns 7

Noes: 0

// In the matter of City Attorney's Office, Agenda Item #18, Council considered adopting Resolution #R-26-064 approving the settlement of a claim greater than $55,000. City Attorney Matthew Freedman stated that the claim related to an overflow of a City sewer line that affected property and caused damage at 712 Sand Hill Drive. He recommended approval of settlement authority.

Councilmember Faraldi motioned, seconded by Councilmember Misjuns, to adopt the resolution.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Timmer, Misjuns 7

Noes: 0

// In the matter of City Council, Agenda Item #19, Council considered Councilmember Timmer's Responsible Fathers Month item. Councilmember Timmer presented a resolution declaring June Responsible Fatherhood Month. She stated that the resolution recognized the role of responsible fathers and father figures and noted the importance of responsible fatherhood to children, families, and the community.

Councilmember Timmer read a statement from a constituent regarding trauma-informed principles and the importance of children feeling loved, secure, valued, and protected.

Councilmember Timmer motioned, seconded by Councilmember Misjuns, to adopt Resolution #R-26-065.

Councilmember Wilder noted that the state has a Fatherhood Engagement Month program in June.

Councilmember Timmer stated that she preferred to maintain the term "Responsible Fatherhood Month" because it includes responsibility and recognizes father figures in addition to biological fathers.

Mayor Taylor spoke in support of fatherhood and the positive role of fathers and father figures in the community.

Clerk of Council Alicia Finney-Andrews asked for clarification as to whether the action should be recorded in the resolution book.

Mayor Taylor said it should be recorded as a resolution.

Ms. Finney-Andrews said that recognitions typically included the title of the official presenting the proclamation. She asked if "City Council" should be set in place of the title.

Councilmember Timmer said she was comfortable putting the Mayor's name in the title position.

Mayor Taylor said he was comfortable putting his name on the proclamation.

Ms. Finney-Andrews asked Council to choose a day to issue the proclamation.

Mayor Taylor directed the Clerk to issue the proclamation for that day.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Diemer, Reed, Faraldi, Wilder, Timmer, Misjuns 7

Noes: 0

// In the matter of City Council, Agenda Item #20, Council considered Mayor Taylor’s motion to reconsider Resolution #R-26-055 regarding Liberty University enrollment projections. Mayor Taylor stated that he intended to vote for the original motion at the prior meeting, which was to deny the resolution, but mistakenly voted for the substitute motion that became the main motion.

City Attorney Matthew Freedman advised that the appropriate procedure was for Mayor Taylor to make a motion to reconsider the previous adoption of the resolution.

Mayor Taylor motioned, seconded by Councilmember Reed, to reconsider Resolution #R-26-055.

Councilmember Misjuns said that the resolution included direction for staff to take immediate action. He asked whether staff had taken action following Council’s adoption of the resolution.

City Manager Wynter Benda stated that Mayor Taylor informed staff within 24 hours after the vote that he intended to bring forward a motion to reconsider the resolution. Mr. Benda said staff paused action while awaiting Council’s reconsideration of the matter.

Councilmember Faraldi said that he was not aware of the language requiring immediate staff action when he voted on the resolution, and he questioned whether that language had been presented publicly before the vote.

Vice Mayor Diemer stated that, in his view, the adopted resolution clearly directed staff to take immediate action. He said that Council had approved the resolution by majority vote and questioned whether staff could pause action based on the Mayor's stated intent to seek reconsideration.

Councilmember Faraldi called a point of order. He stated that the Vice Mayor's comments were directed toward the City Manager in a manner that he believed violated Council's Rules of Procedure.

Mayor Taylor ruled in favor of the point of order.

Councilmember Misjuns called a point of order. He stated that Section 5.4 of the Rules of Procedure allowed Councilmembers to comment on the performance, conduct, and qualifications of public figures.

Mayor Taylor permitted Vice Mayor Diemer to finish his comments.

Vice Mayor Diemer stated that the original resolution was intended to promote transparency and address information he believed had been inaccurately communicated by the City.

With no further discussion from the Council, the following vote was recorded:

Ayes: Taylor, Reed, Faraldi, Wilder, Timmer 5

Noes: Diemer, Misjuns 2

The motion to reconsider passed, and Resolution #R-26-055 was placed back before Council.

Councilmember Misjuns motioned, seconded by Vice Mayor Diemer, to adopt Resolution #R-26-055.

Councilmember Misjuns stated that he believed it was important to correct the record and address the City's prior communications.

Vice Mayor Diemer stated that he was concerned about references to possible litigation related to the resolution. He noted that the resolution did not name any specific individual.

Councilmember Reed made a substitute motion to deny Resolution #R-26-055.

Councilmember Faraldi stated that a motion to deny would have the same practical effect as voting against the pending motion.

Councilmember Reed withdrew the substitute motion.

With no further discussion from the Council, the following vote was recorded:

Ayes: Diemer, Misjuns, Timmer 3

Noes: Taylor, Reed, Faraldi, Wilder 4

// The meeting adjourned at 9:48 p.m.

_____

Clerk of Council

AGENDA ITEM SUMMARY

MEETING DATE	PRESENTED BY
July 14, 2026	Rachel Frischeisen, City Planner

AGENDA ITEM # IV.11

Consideration of adopting Ordinance #O-26-071 changing the zoning of a certain area located at 1612 Concord Turnpike.

RECOMMENDATION

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 23, 2026: City Council Business Item Briefing.

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. #O-26-071
2. Presentation
3. Ordinance
4. Planning Commission Minutes, Report, and Attachments

REVIEWED BY



Date: July 02, 2026

William Martin, Community Development Director



Date: July 07, 2026

Kent White, Assistant City Manager



Date: July 09, 2026

Alicia Finney-Andrews, Clerk of Council

UNCODIFIED ORDINANCE: **#O-26-071**

AN ORDINANCE CHANGING A CERTAIN AREA LOCATED AT 1612 CONCORD TURNPIKE FROM I-3, HEAVY INDUSTRIAL DISTRICT TO B-4, URBAN COMMERCIAL DISTRICT.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG that in order to promote the public necessity, convenience, welfare and good zoning practice that Chapter 35.2 of the Code of the City of Lynchburg, 1981, as amended, be and the same is hereby further amended by adding thereto Section 35.2-54.__ which shall read as follows:

Section 35.2-54.__. Change of a certain area located at 1612 Concord Turnpike from I-3, Heavy Industrial District to B-4, Urban Commercial District.

The area embraced within the following boundaries:

BEGINNING AT A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF CONCORD TURNPIKE; THENCE S 44°44'05" E A DISTANCE OF 231.00' TO A POINT; THENCE S 44°11'50" E A DISTANCE OF 270.13' TO A POINT; THENCE N 55°20'05" E A DISTANCE OF 28.71' TO A POINT; THENCE WITH A CURVE TURNING TO THE RIGHT WITH A RADIUS OF 2844.74', WITH AN ARC LENGTH OF 81.94', WITH A CHORD LENGTH OF 81.94', WITH A CHORD BEARING OF S 44°09'25" E, WITH A DELTA ANGLE OF 01°39'01", TO A POINT; THENCE S 43°19'55" E A DISTANCE OF 165.09' TO A POINT; THENCE S 53°08'25" W A DISTANCE OF 259.32' TO A POINT; THENCE WITH A CURVE TURNING TO THE RIGHT WITH A RADIUS OF 7213.19', WITH AN ARC LENGTH OF 61.40', WITH A CHORD LENGTH OF 61.40', WITH A CHORD BEARING OF N 37°04'44" W, WITH A DELTA ANGLE OF 00°29'16", TO A POINT; THENCE N 36°51'15" W A DISTANCE OF 471.38' TO A POINT; THENCE N 35°01'45" W A DISTANCE OF 204.50' TO A POINT; THENCE N 50°29'20" E A DISTANCE OF 129.26' TO A POINT; WHICH IS THE POINT OF BEGINNING, HAVING AN AREA OF 3.294 ACRES, MORE OR LESS.

.. is hereby changed from I-3, Heavy Industrial District to B-4, Urban Commercial District.

And the City Planner shall forthwith cause the “Official Zoning Map of Lynchburg, Virginia,” referred to in Section 35.2-30 of this chapter to be amended in accordance therewith.

Adopted: July 14, 2026

Certified: Alicia Finney-Andrews
Clerk of Council

1612 CONCORD TURNPIKE REZONING

Tuesday, July 14, 2026

PURPOSE & ACTION

Purpose:

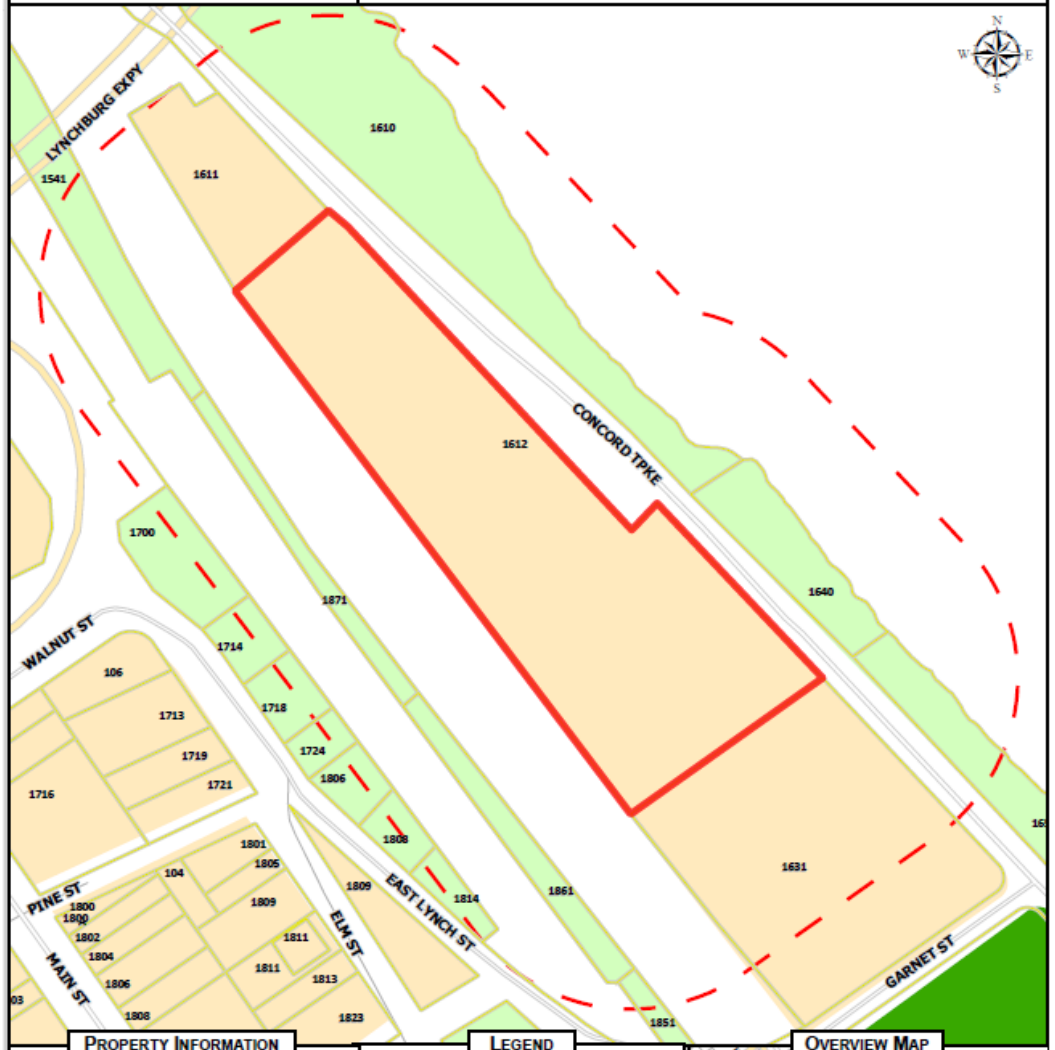
Petition of 1612 Concord Turnpike LLC to rezone 1612 Concord Tpke from I-3, Heavy Industrial District to B-4, Urban Commercial District to allow for the adaptive reuse of the existing historic structures.

Recommendation:

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

THE CITY OF LYNCHBURG

FLUM	1612 CONCORD TPKE
TRC	1612 CONCORD TURNPIKE LLC



PROPERTY INFORMATION

PARCEL ID	ADDRESS
04631014	1612 CONCORD TPKE

LEGEND

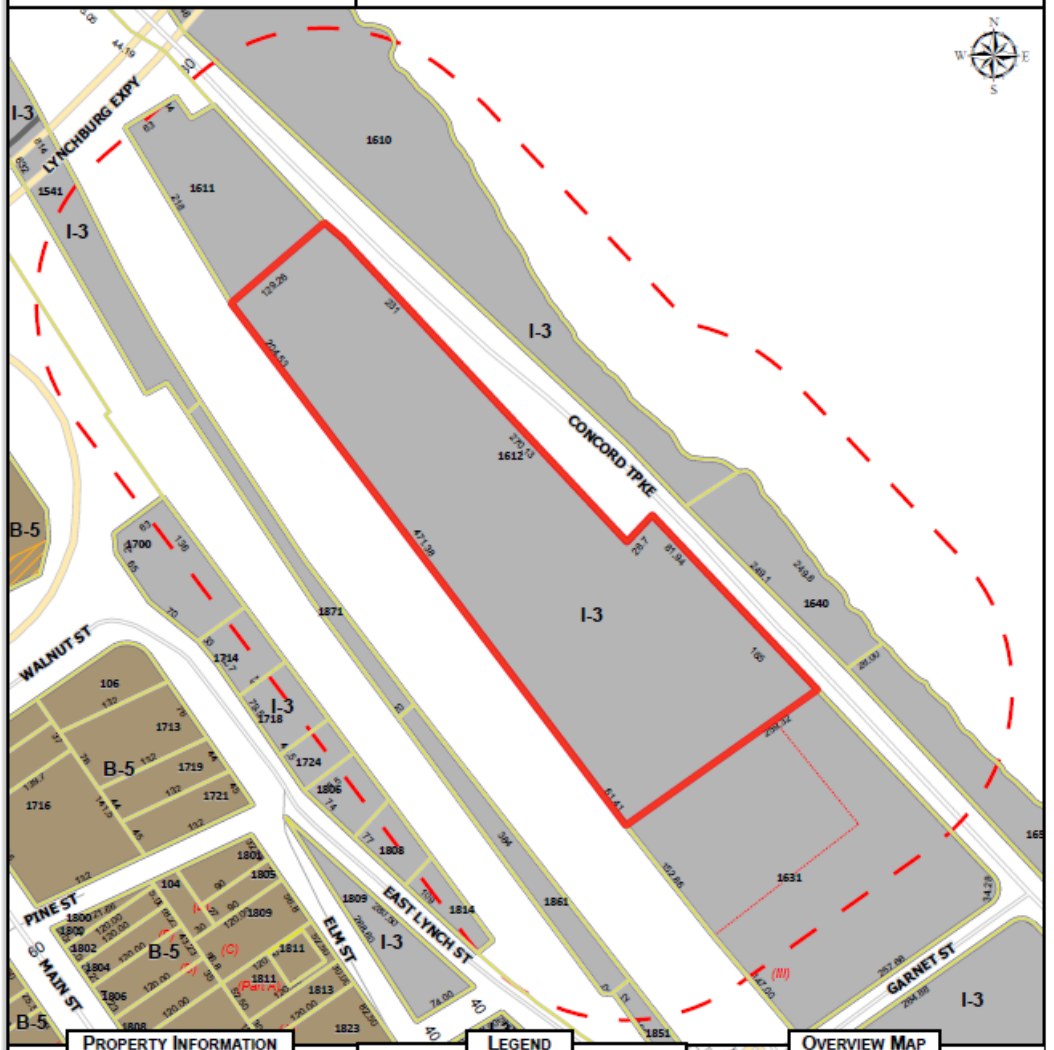
- Local Historic District
- Traditional Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Neighborhood Commercial
- Community Commercial
- Employment 1
- Employment 2
- Downtown
- Institution
- Public Use
- Public Parks
- Resource Conservation
- Mixed Use

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

OVERVIEW MAP



Zoning	1612 CONCORD TPKE
TRC	1612 CONCORD TURNPIKE LLC



PROPERTY INFORMATION

PARCEL ID	ADDRESS
04631014	1612 CONCORD TPKE

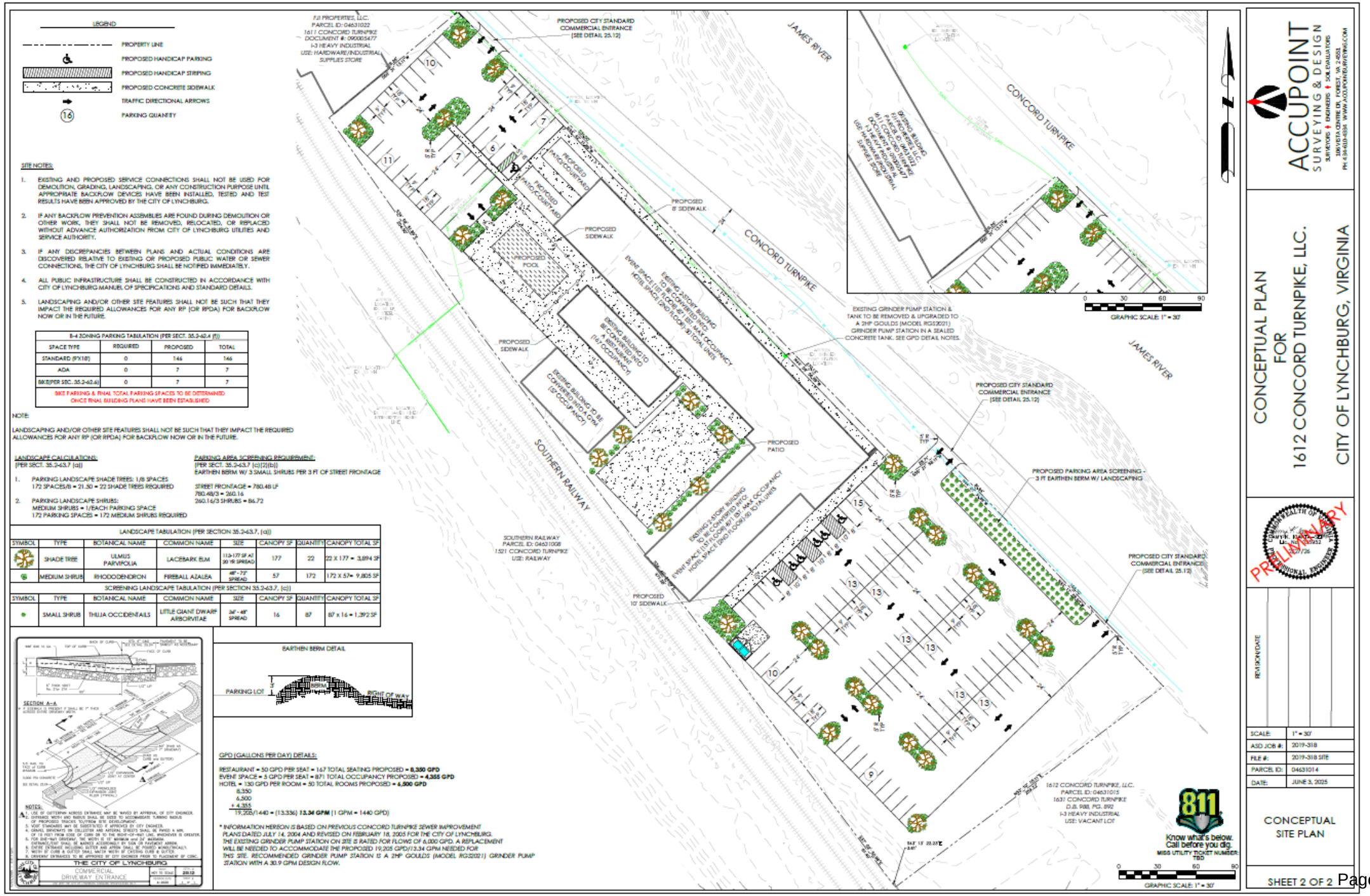
LEGEND

- 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

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

OVERVIEW MAP




LEGEND
PROPERTY LINE
PROPOSED HANDICAP PARKING
PROPOSED HANDICAP STRIPING
PROPOSED CONCRETE SIDEWALK
TRAFFIC DIRECTIONAL ARROWS
PARKING QUANTITY
SITE NOTES:
1. 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.
2. 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.
3. 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.
4. ALL PUBLIC INFRASTRUCTURE SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY OF LYNCHBURG MANUEL OF SPECIFICATIONS AND STANDARD DETAILS.
5. 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. 35.2-62.4 (f))
SPACE TYPE | REQUIRED | PROPOSED | TOTAL
STANDARD (9'X18') | 0 | 146 | 146
ADA | 0 | 7 | 7
BIKE(PER SEC. 35.2-62.6) | 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 RPDA) FOR BACKFLOW NOW OR IN THE FUTURE.
LANDSCAPE CALCULATIONS:
(PER SECT. 35.2-63.7 (a))
1. PARKING LANDSCAPE SHADE TREES: 1/8 SPACES
172 SPACES/8 = 21.50 = 22 SHADE TREES REQUIRED
2. PARKING LANDSCAPE SHRUBS:
MEDIUM SHRUBS = 1/EACH PARKING SPACE
172 PARKING SPACES = 172 MEDIUM SHRUBS REQUIRED
PARKING AREA SCREENING REQUIRMENT:
(PER SECT. 35.2-63.7 (c)(2)(b))
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 | ULMUS PARVIFOLIA | LACEBARK ELM | 113-177 SF AT 30 YR SPREAD | 177 | 22 | 22 X 177 = 3,894 SF
MEDIUM SHRUB | RHODODENDRON | FIREBALL AZALEA | 48" - 72" SPREAD | 57 | 172 | 172 X 57= 9,805 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
SECTION A-A
THE CITY OF LYNCHBURG
COMMERCIAL DRIVEWAY ENTRANCE
EARTHEN BERM DETAIL
PARKING LOT
RIGHT OF WAY
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 = 130 GPD PER ROOM = 50 TOTAL ROOMS PROPOSED = 6,500 GPD
8,350
6,500
+ 4,355
19,205/1440 = (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 RGS2021) GRINDER PUMP STATION WITH A 30.9 GPM DESIGN FLOW.
PROPOSED CITY STANDARD COMMERCIAL ENTRANCE (SEE DETAIL 25.12)
JAMES RIVER
CONCORD TURNPIKE
PROPOSED 8' SIDEWALK
PROPOSED SIDEWALK
PROPOSED PATIO/COUNTERS
PROPOSED POOL
EXISTING 2 STORY BUILDING TO BE CONVERTED INTO A RESTAURANT (161 OCCUPANCY)
EXISTING 2 STORY BUILDING TO BE CONVERTED INTO A GYM (58 OCCUPANCY)
EXISTING 2 STORY BUILDING TO BE CONVERTED INTO EVENT SPACE (1ST FLOOR) 871 SF MAX OCCUPANCY HOTEL SPACE (2ND FLOOR) 30 TOTAL LINES
PROPOSED PATIO
PROPOSED 10' SIDEWALK
SOUTHERN RAILWAY
SOUTHERN RAILWAY PARCEL ID: 04631008 1521 CONCORD TURNPIKE USE: RAILWAY
EXISTING GRINDER PUMP STATION & TANK TO BE REMOVED & UPGRADED TO A 2HP GOULDS (MODEL RGS2021) GRINDER PUMP STATION IN A SEALED CONCRETE TANK. SEE GPD DETAIL NOTES.
PROPOSED PARKING AREA SCREENING - 3 FT EARTHEN BERM W/ LANDSCAPING
1612 CONCORD TURNPIKE, LLC. PARCEL ID: 04631015 1631 CONCORD TURNPIKE D.B. 988, PG. 892 I-3 HEAVY INDUSTRIAL USE: VACANT LOT
GRAPHIC SCALE: 1" = 30'
Know what's below. Call before you dig.
MISS UTILITY TICKET NUMBER: TBD
ACCUPOINT SURVEYING & DESIGN
SURVEYORS ♦ ENGINEERS ♦ SOIL EVALUATORS
CONCEPTUAL PLAN FOR 1612 CONCORD TURNPIKE, LLC.
CITY OF LYNCHBURG, VIRGINIA
PRELIMINARY
REVISION/DATE
SCALE: 1" = 30'
ASD JOB #: 2019-318
FILE #: 2019-318 SITE
PARCEL ID: 04631014
DATE: JUNE 3, 2025
CONCEPTUAL SITE PLAN
SHEET 2 OF 2


1611
LYNC-1541
CONCORD-TPKE
1612
EXIT-1A
1700
1871
1640
106
WALNUT-ST
ELM-ST
MAIN-ST
PINE-ST
104
PINE-ST
1814
1861
1631
1650
EAST LYN
50 ft

UNCODIFIED ORDINANCE: #O-26-____

AN ORDINANCE CHANGING A CERTAIN AREA LOCATED AT 1612 CONCORD TURNPIKE FROM I-3, HEAVY INDUSTRIAL DISTRICT TO B-4, URBAN COMMERCIAL DISTRICT.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG that in order to promote the public necessity, convenience, welfare and good zoning practice that Chapter 35.2 of the Code of the City of Lynchburg, 1981, as amended, be and the same is hereby further amended by adding thereto Section 35.2-54.__ which shall read as follows:

Section 35.2-54.__. Change of a certain area located at 1612 Concord Turnpike from I-3, Heavy Industrial District to B-4, Urban Commercial District.

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BEGINNING AT A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF CONCORD TURNPIKE; THENCE S 44°44'05" E A DISTANCE OF 231.00' TO A POINT; THENCE S 44°11'50" E A DISTANCE OF 270.13' TO A POINT; THENCE N 55°20'05" E A DISTANCE OF 28.71' TO A POINT; THENCE WITH A CURVE TURNING TO THE RIGHT WITH A RADIUS OF 2844.74', WITH AN ARC LENGTH OF 81.94', WITH A CHORD LENGTH OF 81.94', WITH A CHORD BEARING OF S 44°09'25" E, WITH A DELTA ANGLE OF 01°39'01", TO A POINT; THENCE S 43°19'55" E A DISTANCE OF 165.09' TO A POINT; THENCE S 53°08'25" W A DISTANCE OF 259.32' TO A POINT; THENCE WITH A CURVE TURNING TO THE RIGHT WITH A RADIUS OF 7213.19', WITH AN ARC LENGTH OF 61.40', WITH A CHORD LENGTH OF 61.40', WITH A CHORD BEARING OF N 37°04'44" W, WITH A DELTA ANGLE OF 00°29'16", TO A POINT; THENCE N 36°51'15" W A DISTANCE OF 471.38' TO A POINT; THENCE N 35°01'45" W A DISTANCE OF 204.50' TO A POINT; THENCE N 50°29'20" E A DISTANCE OF 129.26' TO A POINT; WHICH IS THE POINT OF BEGINNING, HAVING AN AREA OF 3.294 ACRES, MORE OR LESS.

.. is hereby changed from I-3, Heavy Industrial District to B-4, Urban Commercial District.

And the City Planner shall forthwith cause the “Official Zoning Map of Lynchburg, Virginia,” referred to in Section 35.2-30 of this chapter to be amended in accordance therewith.

Adopted:

Certified: _____
Clerk of Council

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.

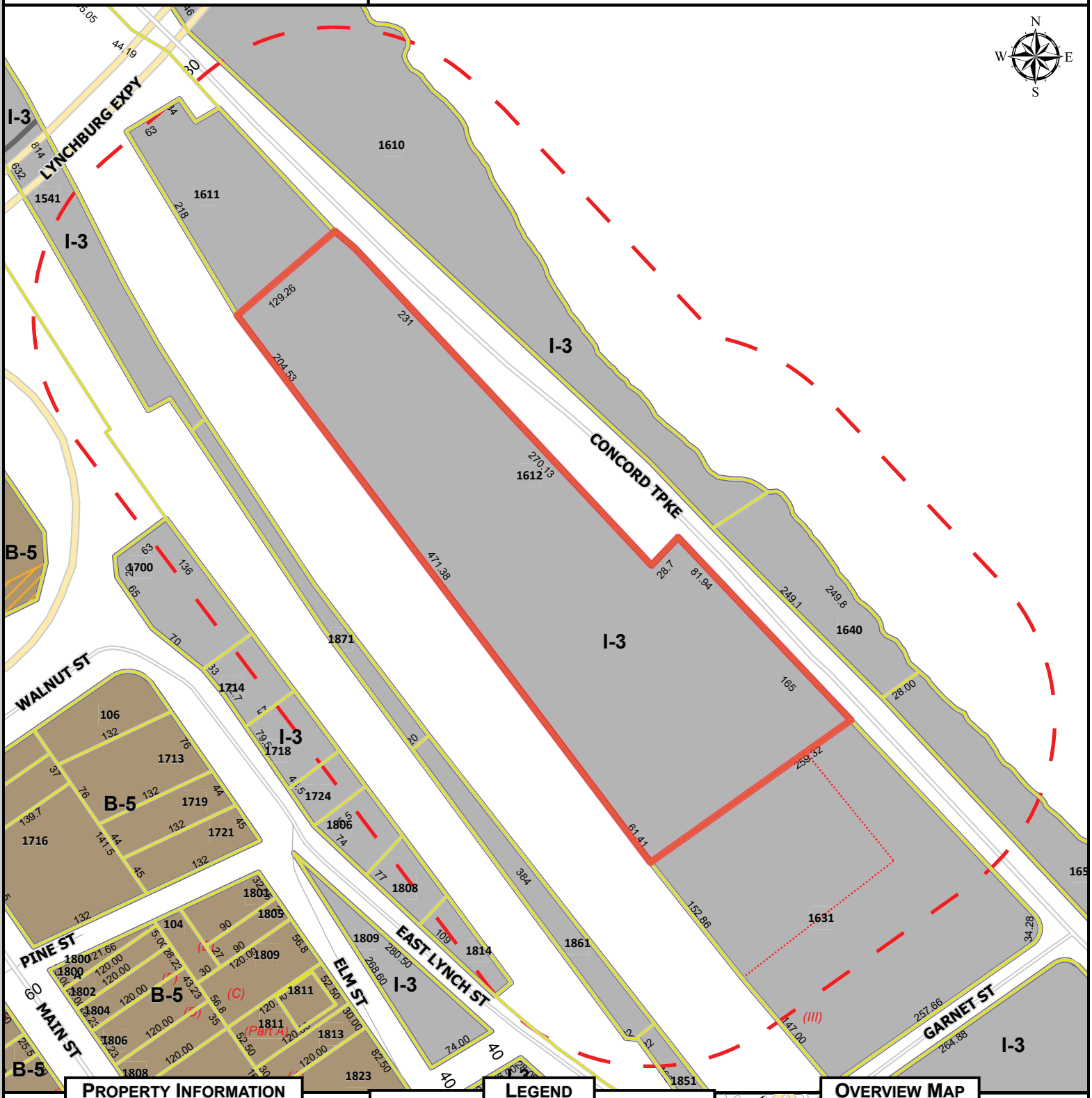
Rachel Frischeisen
City Planner

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

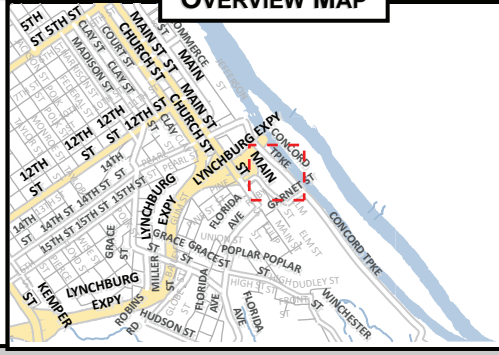
Subject Property

215 Foot Buffer

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

Map Scale: 1:1,690 Date Printed: 6/9/2025

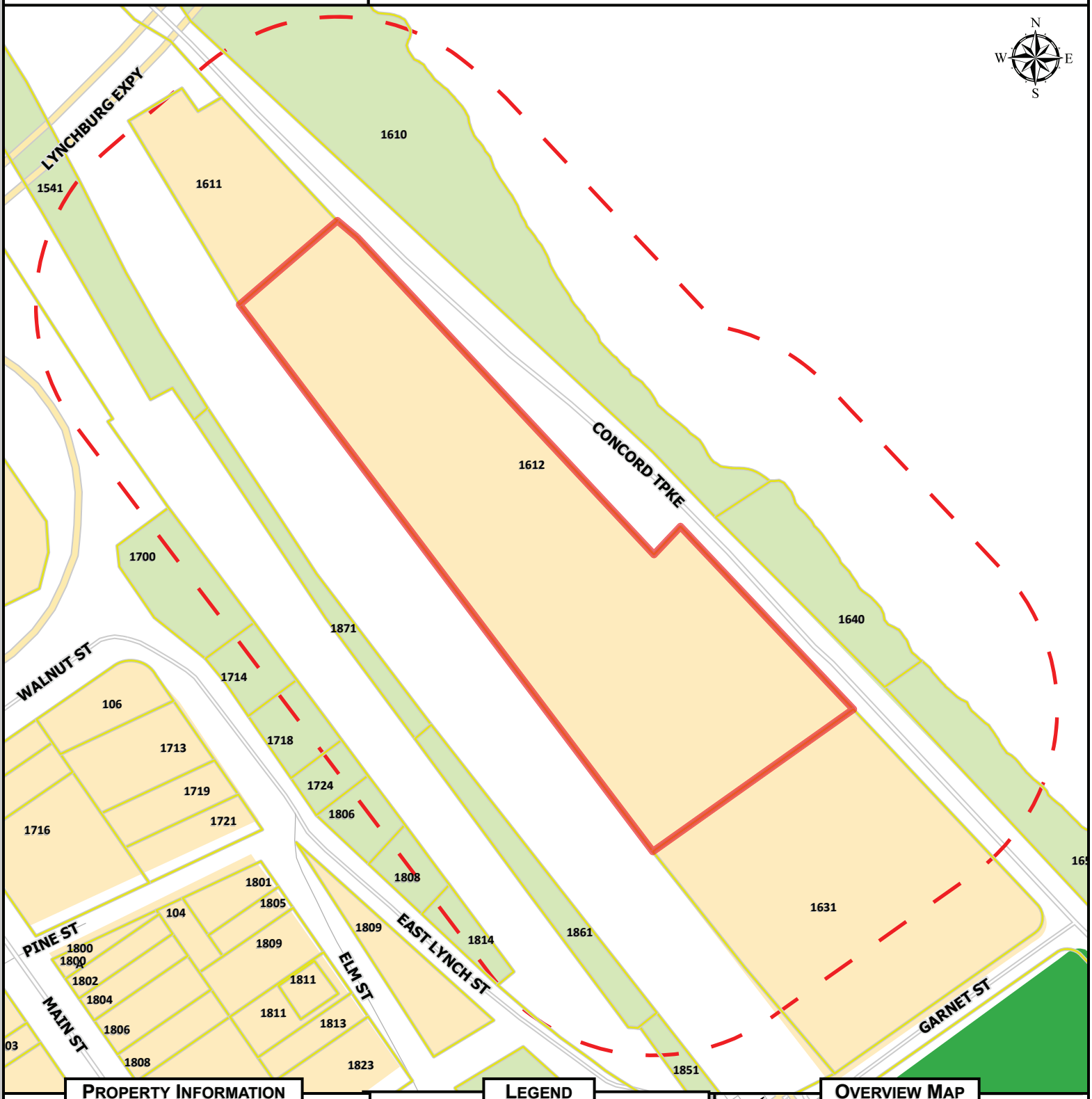
Overview Map



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 ERSELL
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

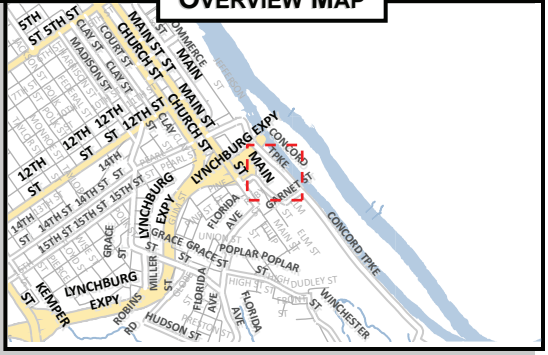
PARCEL ID	ADDRESS
04631014	1612 CONCORD TPKE

LEGEND

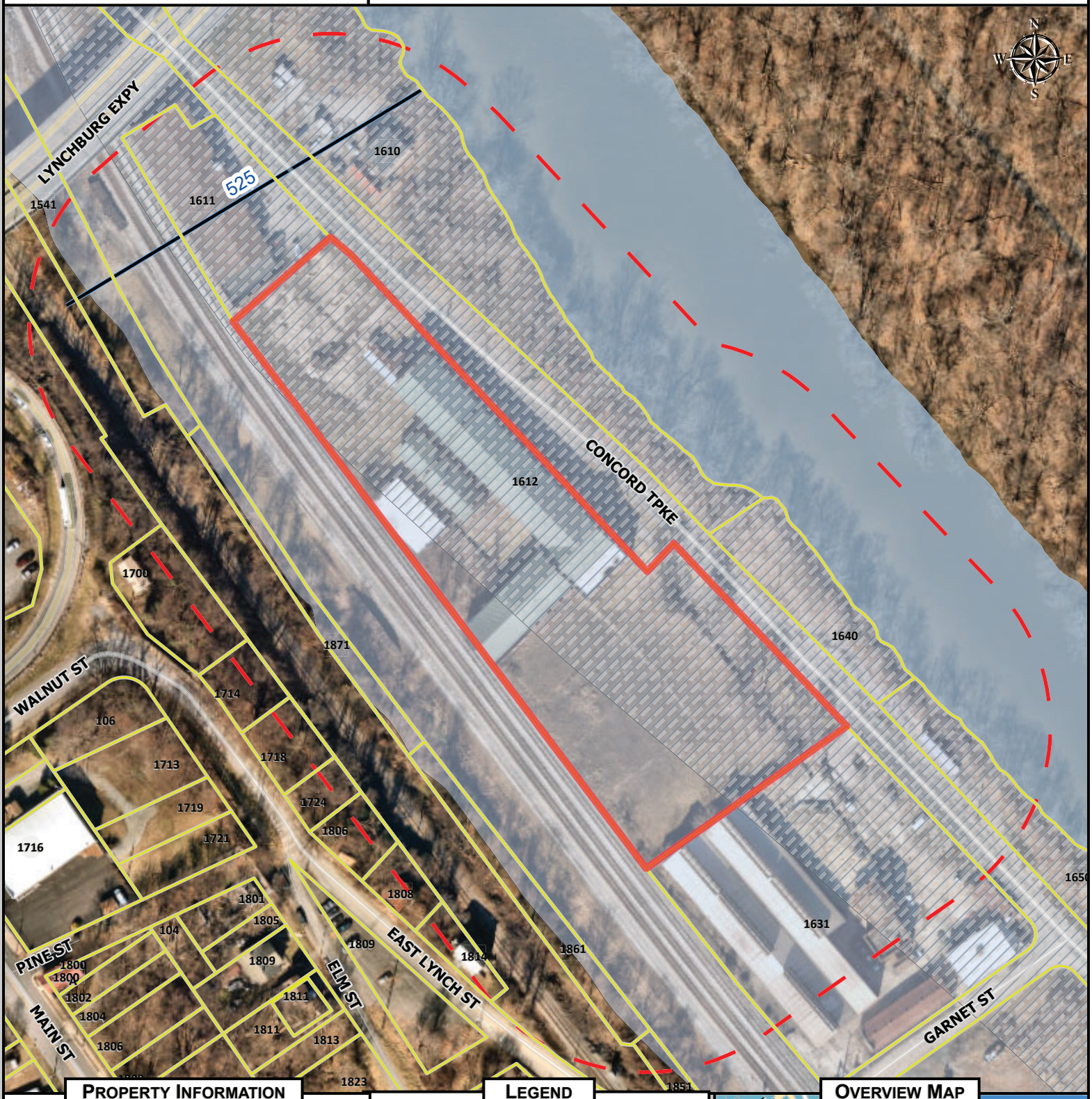
- Local Historic District
- Traditional Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Neighborhood Commercial
- Community Commercial
- Employment 1
- Employment 2
- Downtown
- Institution
- Public Use
- Public Parks
- Resource Conservation
- Mixed Use

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

OVERVIEW MAP



Watershed	1612 CONCORD TPKE
TRC	1612 CONCORD TURNPIKE LLC



Property Information

Parcel ID	Address
04631014	1612 CONCORD TPKE

Legend

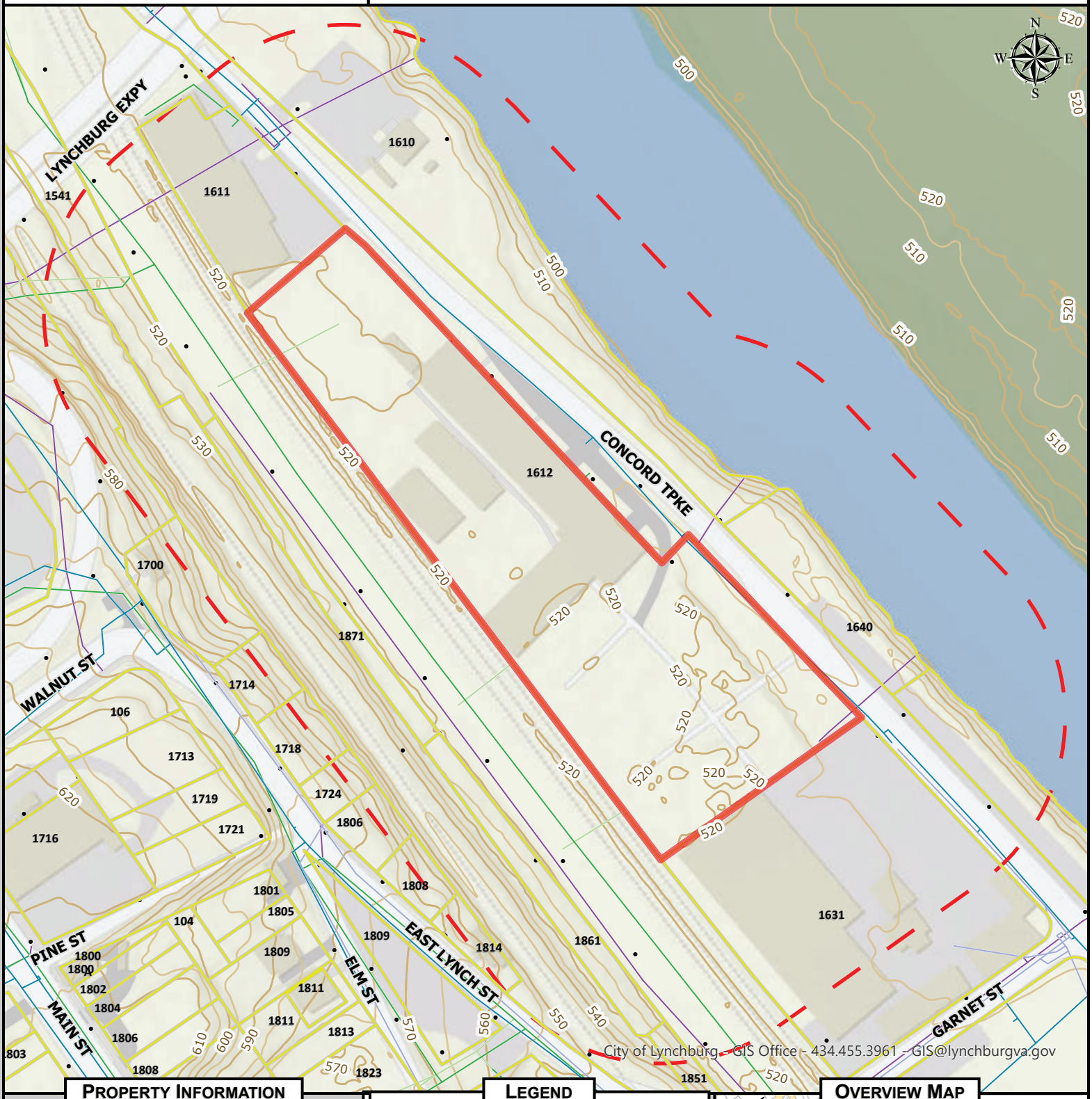
- Subject Property
- Base Flood Elevation
- Floodway
- Floodzone
- River / Lake / Stream

Map Scale: 1:1,690 **Date Printed:** 6/9/2025

Overview Map



Planimetric and Topographic-TRC	1612 CONCORD TPKE
TRC	1612 CONCORD TURNPIKE LLC



Property Information

Parcel ID	Address
04631014	1612 CONCORD TPKE

Legend

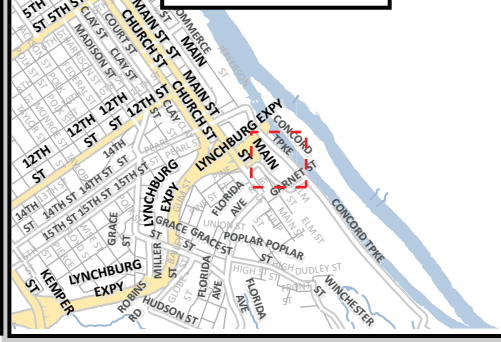
		Active	Proposed	Abandoned
Utilities	Water			
	Sanitary			
	Storm			

		Paved	Unpaved	Other
Planimetrics	Structure	-	-	
	Roadway			-
	Parking			-
	Sidewalk		-	-
	Driveway	-	-	

Topography	Contour	100'	20'	5'
		50'	10'	1'

Map Scale: 1:1,690 **Date Printed:** 6/9/2025

Overview Map



SERVIS
ARCHITECTURE
1618 Yorktown Drive, Charlottesville, Virginia 22901 casey@servisarchitecture.com (434) 806-3206

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

1618 Yorktown Drive, Charlottesville, Virginia 22901 casey@servisarchitecture.com (434) 806-3206

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 5100930042D 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/FLAGGED 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 GEIOD 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 NOT BE USED FOR DEMOLITION, CONSTRUCTION, OR LANDSCAPING PURPOSES UNTIL THE APPROBATE RPZ'S/RPDA'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 STABLIZED IN ACCORDANCE WITH VIRGINIA E&S 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:	106 VISTA CENTRE DR FOREST, VA 24551
PROJECT DESIGNER:	AMY K. IGARTA-SEIPP, PE
REGISTRATION NUMBER:	0402 036952
PHONE:	434-610-4334
E-MAIL ADDRESS:	ASEIPP@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 - 75UNITS, RESTAURANT, POOL, (2ND FLOOR), AND GYM, WITH ASSOCIATED PARKING
SETBACK:	FRONT SETBACK = 0' (NOT REQUIRED) SIDE INTERIOR = 0' (NOT REQUIRED) SIDE EXTERIOR = 0' (NOT REQUIRED) REAR SETBACK = 0' (NOT REQUIRED)

"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-Seipp REGISTRATION NUMBER: 0402 036952

PRINTED NAME & TITLE: AMY K. IGARTA-SEIPP, PRINCIPAL ENGINEER DATE: JUNE 17, 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 HEREBYMADE 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.

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

ACCUPOINT
SURVEYING & DESIGN
SURVEYORS ♦ ENGINEERS ♦ SOIL EVALUATORS
106 VISTA CENTRE DR, FOREST, VA 24551
PH: 434-610-4334 WWW.ACCUPOINTSURVEYING.COM

CONCEPTUAL PLAN
FOR
1612 CONCORD TURNPIKE, LLC.

CITY OF LYNCHBURG, VIRGINIA

COMMONWEALTH OF VIRGINIA
AMY K. IGARTA-SEIPP
Lic. No. 036952
6/17/26
PROFESSIONAL ENGINEER
PRELIMINARY

REVISION/DATE
REVISED 6/17/2026

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
- (16) PARKING QUANTITY

SITE NOTES:

1. 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.
2. 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.
3. 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.
4. ALL PUBLIC INFRASTRUCTURE SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY OF LYNCHBURG MANUEL OF SPECIFICATIONS AND STANDARD DETAILS.
5. 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. 35.2-62.4 (f))			
SPACE TYPE	REQUIRED	PROPOSED	TOTAL
STANDARD (9'X18')	0	146	146
ADA	0	7	7
BIKE(PER SEC. 35.2-62.6)	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 RPDA) FOR BACKFLOW NOW OR IN THE FUTURE.

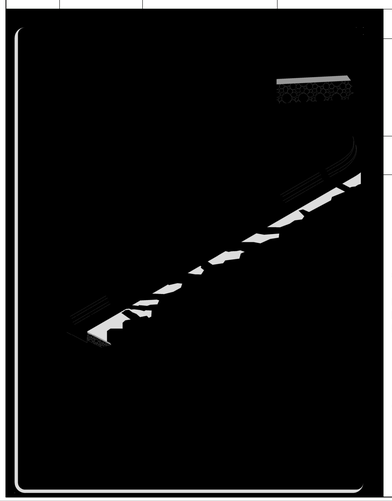
LANDSCAPE CALCULATIONS:
(PER SECT. 35.2-63.7 (a))

1. PARKING LANDSCAPE SHADE TREES: 1/8 SPACES
   172 SPACES/8 = 21.50 = 22 SHADE TREES REQUIRED
2. PARKING LANDSCAPE SHRUBS:
   MEDIUM SHRUBS = 1/EACH PARKING SPACE
   172 PARKING SPACES = 172 MEDIUM SHRUBS REQUIRED

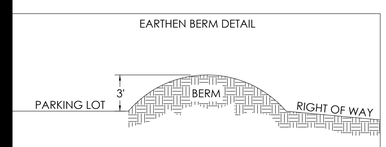
PARKING AREA SCREENING REQUIREMENT:
(PER SECT. 35.2-63.7 (c)(2)(b))
EARTHEN BERM W/ 3 SMALL SHRUBS PER 3 FT OF STREET FRONTAGE

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	ULMUS PARVIFOLIA	LACEBARK ELM	113-177 SF AT 20 YR SPREAD	177	22	22 X 177 = 3,894 SF
	MEDIUM SHRUB	RHODODENDRON	FIREBALL AZALEA	48" - 72" SPREAD	57	172	172 X 57= 9,805 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 OCCIDENTAILS	LITTLE GIANT DWARF ARBORVITAE	36" - 48" SPREAD	16	87	87 x 16 = 1,392 SF



EARTHEN BERM DETAIL



LINE	BEARING	DISTANCE
L1	N55°20'05"E	28.71'

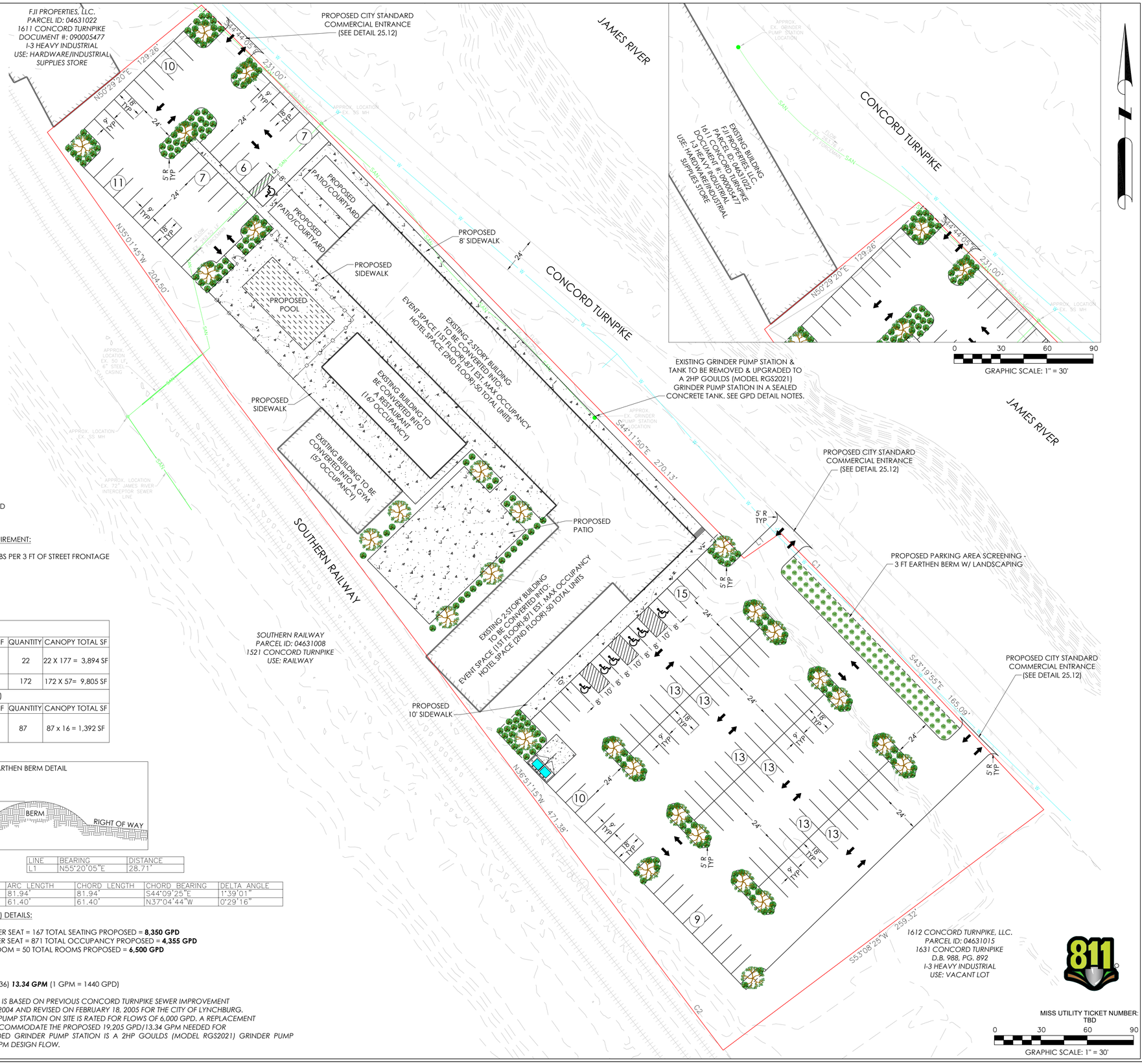
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2844.74'	81.94'	81.94'	S44°09'25"E	1°39'01"
C2	7213.19'	61.40'	61.40'	N37°04'44"W	0°29'16"

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 = 130 GPD PER ROOM = 50 TOTAL ROOMS PROPOSED = **6,500 GPD**

8,350
6,500
+ 4,355
19,205/1440 = (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 RGS2021) GRINDER PUMP STATION WITH A 30.9 GPM DESIGN FLOW.*



811 MISS UTILITY TICKET NUMBER: TBD

ACCUPOINT
SURVEYING & DESIGN
SURVEYORS ♦ ENGINEERS ♦ SOIL EVALUATORS
106 VISTA CENTRE DR. FOREST, VA 24551
PH: 434-610-4334 WWW.ACCUPOINTSURVEYING.COM

CONCEPTUAL PLAN FOR 1612 CONCORD TURNPIKE, LLC.

CITY OF LYNCHBURG, VIRGINIA

COMMONWEALTH OF VIRGINIA
COMY K. IGAMU - SEIPLA
Lic. No. 033952
6/17/26
PROFESSIONAL ENGINEER
PRELIMINARY

REVISION/DATE
REVISED 6/17/2026

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

CONCEPTUAL SITE PLAN

SHEET 2 OF 2


LYNCHBURG EXPY
LYNCHBURG EXPY
CONCORD TPKE
EXIT 1A
WALNUT ST
ELM ST
MAIN ST
MAIN ST
PINE ST
PINE ST
EAST LYNN
1611
1612
1616
1700
1871
1640
106
104
1814
1861
1631
1650
Wed Mar 18 2026
Imagery © 2026 Nearmap, HERE
50 ft
Nearmap

Rezoning
1612 Concord Turnpike
June 10, 2026

PLEASE PRINT CLEARLY

NAME	ADDRESS	PHONE	IN FAVOR	IN OPPOSITION	NEUTRAL
Cosey Servis					
Jimmy Slack					
Amy Seipp			X		
Tony West					

AGENDA ITEM SUMMARY

MEETING DATE	PRESENTED BY
July 14, 2026	Rachel Frischeisen, City Planner

AGENDA ITEM # IV.12

Consideration of adopting Ordinance #O-26-072 amending and reenacting the Lynchburg City Code under its Zoning Ordinance to regulate Data Centers in the City.

RECOMMENDATION

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)

June 23, 2026: City Council Business Item Briefing.

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. #O-26-072
2. Presentation
3. Summary of Zoning Amendments
4. Proposed Ordinance
5. Planning Commission Minutes - May 26, 2027 - Public Hearing
6. Planning Commission Report - May 26, 2027
7. Planning Commission Minutes - April 22, 2026 - Work Session
8. Planning Commission Minutes - September 10, 2025 - Initiation

REVIEWED BY



Date: July 02, 2026

William Martin, Community Development Director



Date: July 07, 2026

Kent White, Assistant City Manager



Date: July 09, 2026

Alicia Finney-Andrews, Clerk of Council

ORDINANCE: **#O-26-072**

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981, BY AMENDING SECTION 35.2-113 OF ARTICLE XI OF CHAPTER 35.2, SECTION 35.2-45.2 OF ARTICLE IV OF CHAPTER 35.2, SECTION 35.2-46.2 OF ARTICLE IV OF CHAPTER 35.2, SECTION 35.2-47.2 OF ARTICLE IV OF CHAPTER 35.2, SECTION 35.2-48.2 OF ARTICLE IV OF CHAPTER 35.2, SECTION 35.2-50.2 OF ARTICLE IV OF CHAPTER 35.2, SECTION 35.2-51.2 OF ARTICLE IV OF CHAPTER 35.2, SECTION 35.2-52.2 OF ARTICLE IV OF CHAPTER 35.2, AND SECTION 35.2-53.2 OF ARTICLE IV OF CHAPTER 35.2, CREATING A NEW SECTION 35.2-72.29 OF ARTICLE VII OF CHAPTER 35.2, AND AMENDING APPENDIX A – TABLE OF AUTHORIZED LAND USES OF ARTICLE XI OF CHAPTER 35.2; WITH ALL OF THE SAME BEING CONNECTED TO CODIFYING ZONING REGULATIONS FOR DATA CENTERS IN THE CITY OF LYNCHBURG, VIRGINIA.

WHEREAS, prior to the adoption of this Ordinance, a public hearing was held before the Lynchburg City Council after being duly advertised on July 1, 2026 and on July 8, 2026 in The News & Advance.

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

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

Sec. 35.2-113. - Definitions.

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

1.		**Abortion clinic**: means a facility, other than a hospital, where any person administers to, or causes to be taken by a woman, any drug, medicine, or any other substance other than contraceptive methods that are approved by the U.S Food and Drug Administration, or use any instrument, device, or means, with intent to knowingly destroy the life of an embryo or fetus in his or her mother's womb, but in all cases excluding family planning services.
2.		**Abut**: To adjoin or touch at one or more points along a common boundary.
3.		**Accessible**: Dwellings that meet prescribed requirements for accessible housing. Mandatory requirements for accessible housing in the Department of Housing and Urban Development's program 202 and 811, section 504, and the Fair Housing Amendments Act requirements. Accessible features in dwellings include items such as wide doors, sufficient clear floor space for wheelchairs, lower countertop segments, lever and loop type handles on hardware, seats at bathing fixtures, grab bars in bathrooms, knee spaces under sinks and counters, audible and visual signals, switches and controls in easily reached locations, entrances free of steps and stairs, and an accessible route through the house. Most "accessible" features are permanently fixed in place and very apparent.
4.		**Accessory use or accessory**: A use conducted on the same zoning lot as the principal use to which it is

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

15.		**Antenna support structure**: Any building or other structure 30 feet in height or taller other than a tower which can be used for location of telecommunications facilities.
16.		**Apartment house**: See dwelling, multi-household.
17.		**Apartment**: A room or suite of two or more rooms, which is designed or intended for residential occupancy by, or which is occupied by, one household doing its cooking therein.
18.		**Applicant**: Any person who applies for any development approval.
19.		**Application or development application**: Means the process by which the owner, or the owner's legal representative, of a plot of land within the City submits a request to develop approval. Application includes all written documentation, verbal statements, and representations, in whatever form or forum, made by an applicant to the City concerning such a request.
20.		**Approach surface**: A surface, whose design standards are referenced in section 35.2-57.3, longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface, and at the same slope as the approach zone height limitation slope set forth in section 35.2-57.4 In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.
21.		**Approach, transitional, horizontal, and conical zones**: the airspace zones as set forth in section 35.2-57.4.
22.		**Arcade:** A public or private pedestrian walkway that is open to the street and covered by the upper floors of a building front.
23.		**Arterial or arterial street**: A public street currently classified in the comprehensive plan functional classification map as an arterial.
24.		**Automobile graveyard**: Any lot or place which is exposed to the weather and upon which more than five motor vehicles of any kind that are incapable of being operated and which it would not be economically practical to make operative, are placed, located or found. The movement or rearrangement of vehicles within an existing lot or facility does not render this definition inapplicable. The provisions established by this definition shall begin with the first day that the vehicle is placed on the subject property.
25.		**Automobile service station**: A location providing light automobile repairs as listed in LBCS functional use code 2117a. A building, lot, or both, in or upon which gasoline, oil, grease, batteries, tires and automobile accessories may be supplied and dispensed at retail, and where, in addition, the following services may be rendered and sales made, and no other: 1. Sales and servicing of spark plugs, batteries, and distributors and distributor parts. 2. Tire servicing and repair, but not recapping or regrooving. 3. Replacement of mufflers and tail pipes, water hoses, fan belts, brake fluid, light bulbs, fuses, floor mats, windshield wipers and wiper blades, grease

		retainers, wheel bearings, mirrors and the like. 4. Radiator cleaning and flushing. 5. Washing and polishing, and sale of automotive washing and polishing materials. 6. Greasing and lubrication. 7. Providing and repairing fuel pumps, oil pumps and lines. 8. Electrical system repairs 9. Adjusting and repairing brakes. 10. Minor motor adjustments not involving racing the motor. 11. Retail sales of convenience goods. 12. Virginia state inspection station. Uses permissible at an automobile service station do not include major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in operating condition or other work involving noise, glare, fumes, smoke or other characteristics to an extent greater than normally found in service stations.
26.		**Awning**: A permanent roof like structure that projects from the wall of a building, covered with any material designed and intended for protection from the weather or as a decorative embellishment including those types which can be retracted, folded, or collapsed against the face of the supporting building.
27.		**Banner**: A sign consisting of a piece of fabric or any other material, other than a flag or pennant, used to advertise a business, service, product, goods, special promotion, activity or event.
28.		**Base flood**: The flood having a one percent chance of being equaled or exceeded in any given year.
29.		**Base flood elevation**: The Federal Emergency Management Agency designated 100-year water surface elevation.
30.		**Basement:** Any area of the building having its floor sub-grade (below ground level) on all sides.
31.		**Bed and breakfast or tourist home**: A dwelling, occupied as such, in which sleeping accommodations in less than six rooms with not more than four persons per room are provided or offered for transient guests for compensation, under the management of the occupants of that dwelling for dwelling purposes. A tourist home or bed and breakfast shall not be deemed a home occupation.
32.		**Billboard or poster panel**: Any exterior sign or advertising structure or portion thereof, including any sign painted directly on any exterior wall, roof, or part of a building or other object, displaying any information other than the name and occupation of the user of the premises or the nature of the business conducted thereon or the products sold, manufactured, processed or available thereon.
33.		**Block face:** The edge of a block fronting on a street.
34.		**Block**: An area of land bounded by streets providing access to such area.

35.		**Board of Zoning Appeals**: The board appointed to review appeals made by individuals with regard to decisions of the Zoning Administrator in the interpretation of this ordinance as described in this ordinance and regulated by the Code of Virginia.
36.		**Boardinghouse or lodging house**: A residence where the owner resides in which, for compensation, lodging, or meals, or both, are furnished to transient or non-transient guests. A boardinghouse shall not be deemed a home occupation.
37.		**Boarding unit or lodging unit:** Any building or part thereof constituting a separate, independent transient accommodation that is physically separated from other such units so as to provide secure and private temporary accommodations.
38		**Buffer**: An area of land, including landscaping, or combination of landscaping berms, solid fences and/or walls that is located between land uses of different character and is intended to mitigate negative impacts of the more intense use.
39.		**Building, accessory**: A building subordinate to, and located on, the same zoning lot with a main building, the use of which is clearly incidental to that of the main building or to the principal use of the land, and which is not attached by any part of a common wall or a common roof to the main building.
40.		**Building envelope:** The area in which a building may be constructed, which is bounded by the minimum front, side and rear setbacks and the maximum building height.
41.		**Building group**: A group of two or more main buildings and any buildings accessory thereto occupying a single zoning lot.
42.		**Building line or setback**: A line drawn parallel to a lot line at a distance therefrom equal to the depth of a required setback.
43.		**Building mounted sign**: A permanently attached sign, erected or painted on the outside wall, window, or door of a building.
44.		**Building permit**: A document issued by the City of Lynchburg to permit the construction, erection of alteration of any structure.
45.		**Building, height of**: The vertical distance measured from the level of approved street grade opposite the middle of the front of the building to the highest point of roof surface of a flat roof; to the deck line of a mansard floor; and to the mean height level between eaves and ridge of a gable, hip or gambrel roof; except as otherwise provided in section 35.2-61.2.
46.		**Building, main**: The building in which is conducted the principal use of the zoning lot on which it is situated in any residential zone; any dwelling shall be deemed to be a main building on the zoning lot on which the same is located if the lot is used primarily for residential purposes.
47.		**Building, temporary**: Any structure which is intended to be used or occupied for only a limited time or which is not permanently supported by a foundation.
48.		**Building**: Any structure designed or intended for support, shelter, enclosure or protection of persons, animals, chattels or property.

49.		**Business district**: A zoning district whose designation begins with the letter "B".
50.		**Business incubator**: A facility that provides start-up or emerging businesses with space and shared office equipment, support and business development services, such as management and marketing assistance, for a limited period of time. A business incubator shall meet the following criteria: (1) It shall contain uses authorized in the applicable zoning district under one roof with a minimum of six tenant spaces. (2) Companies housed in a business incubator shall either provide services or support to existing basic industries, or shall conduct light manufacturing or distribution businesses. (3) Display rooms for retail sales shall not exceed ten percent of the gross floor area of the tenant space. (4) A tenant shall not be allowed to occupy the facility for more than 48 months.
51.		**Caliper**: Trunk diameter of a tree measured six inches from the ground. If the caliper is greater than four inches, the measurement is taken 12 inches from the ground.
52.		**Campus** : A designated area of land including the buildings and grounds of institutional uses such as schools, colleges, universities, senior living facilities, medical facilities and churches. A campus may be divided by public or private rights-of-way.
53.		**Care center**: A day nursery, nursery school, day camp, summer camp or other place where reception or care is provided with or without compensation, of persons of any age and the primary use of the facility where said reception or care is provided is not a residence.
54.		**Cemetery**: A place used for the permanent commercial interment of dead bodies or the cremated remains thereof. It may be either a burial park for earth interments, a mausoleum for vault or crypt interments, a columbarium for cinerary interments or a combination thereof.
55.		**Certificate of appropriateness (COA)**: The approval statement signed by the historic preservation commission chair and/or the secretary that certifies the appropriateness of a particular request for the construction, alteration, reconstruction, repair, restoration, or demolition of all or a part of any building or structure within a historic district, subject to the issuance of all other permits needed for the matter sought to be accomplished.
56.		**Certificate of Occupancy**: Authorization granted by the City for use of a lot or structure.
57.		**Changeable copy sign**: A sign, or part of a sign, with copy that can be changed by manual, mechanical, or electronic means. Copy may not change more than once every six seconds. Changeable copy signs include electronic message centers.
58.		**Channel enclosure**: Continuous c-shaped metal, or similar opaque material, surrounding three-quarters of the circumference of neon tubing of a sign.
59.		**Channel**: A natural or artificial depression of perceptible extent with a definite bed and banks to confine and conduct flowing water.

60.		**Civic uses:** Public or quasi-public uses serving the needs of the community that promote human interaction, such as: care centers, religious institutions, civic clubs and fraternal organizations, community swimming pools, libraries, museums, art galleries, public buildings, meeting halls, public or community recreational facilities, parks, schools and colleges.
61.		**Collector street**: A public street currently classified as a collector street in the functional classification map of the Comprehensive Plan.
62.		**Commercial amusement (temporary):** A temporary outdoor amusement center, bazaar, circus, carnival, or fair, either involving use of special purpose equipment or conducted by professional operators, or both, and where activities include such things as rides, exhibitions, food service, sales or small-scale games.
63.		**Commercial amusement**: The provision of entertainment or games of skill to the general public for a fee, including but not limited to a bowling alley, video arcade, dance hall, billiard parlor, golf driving range, skating rinks, swimming pools or miniature golf course. This use does not include circuses, carnivals, race tracks, or shooting ranges.
64.		**Commercial building**: A building used only for a commercial use.
65.		**Commercial recreation**: The provision of entertainment or games of skill to the general public for a fee, with higher noise and safety restrictions than a commercial amusement. A facility designed or used for shooting at targets with firearms and/or archery and which is completely enclosed within a building or structure. Does not include outdoor shooting or archery ranges.
66.		**Commercial use**: Any use involving in part or in whole the storage of merchandise, sale of merchandise, materials or services, but not including home occupations.
67.		**Community facility use**: A public use in private or public ownership run on a nonprofit basis. Examples are: churches, welfare centers, voluntary hospitals, or privately-endowed museums or libraries. Facilities of private, nonprofit membership organizations for use only by members thereof are also community facilities. Examples may be country clubs, golf courses or community swimming pools.
68.		**Comprehensive Zoning Map amendment**: An amendment to the official Zoning Map where any of the following conditions exist:(1) The area to be rezoned constitutes an entire neighborhood as defined in the Comprehensive Plan, or a group of such neighborhoods.(2) The area to be rezoned includes at least 400 acres of ground.(3) The area to be rezoned includes at least five lots, except where all of the said lots are included in a subdivision to be developed as a whole by one developer.
69.		**Community owned:** Facilities owned and operated by a public, non-profit or not-for-profit entity and open to the general public.
70.		**Concept Plan:** (1) A plan that establishes the general layout and intensity of proposed development in enough detail to demonstrate compliance with the applicable

		development approval criteria for discretionary approvals by the City Council. (2) A generalized, illustrative plan for the IN-1 and IN-2 districts, indicating how off site impacts such as traffic, water and sanitary sewer availability/capacity, stormwater management, lighting and noise are mitigated and providing an assessment of existing and future development of the institution's campus, including buildings, parking areas, recreational facilities, open space and access points to City streets.
71.		**Conditional use**: A permit to grant restricted use of property for uses other than those permitted by right.
72.		**Conditional zoning or zone**: A zoning district or portion thereof, which has been established pursuant to provisions this Zoning Ordinance and which is subject to reasonable conditions proffered in writing by the owner of the subject property and agreed to by the City Council in a zoning map amendment to which such conditions are applicable in addition to those regulations provided for that particular zoning district, or portion thereof, by the overall Zoning Ordinance.
73.		**Conical surface**: An imaginary surface, whose design standards are referenced in extending and sloping horizontally and vertically from the periphery of the horizontal surface of an airport flight path.
74.		**Conservation**: Any action designed to keep a structure, area containing structures, or places from being damaged, lost or wasted.
75.		**Construction sign**: A temporary sign that notifies the public of a specific building or development under construction or reconstruction or to be constructed or reconstructed within the next three months. The sign may also identify the architect, contractor, subcontractor and/or material supplier participating in construction on the property on which the sign is located.
76.		**Construction, start of**: The date the building permit was issued for new construction or substantial improvements, meaning the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date.
77.		**Contributing property**: Those properties which by reason of form, materials, architectural details and relation to surrounding properties contribute favorably to the general character of the historic district in which they are located.
78.		**Coverage, lot:** The proportion of a lot covered by the maximum horizontal projected area of a building and its accessory buildings, including overhangs and projections.
	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.
~~92.~~	93.	**Dwelling, cluster or cluster development**: A development pattern defined in Article VIII of this Zoning Ordinance characterized by small lots and the retention of common open space.
~~93.~~	94.	**Dwelling, detached**: A building containing only dwelling units surrounded by yards or other open area on the same zoning lot.
~~94.~~	95.	**Dwelling, group**: A building group consisting only of dwellings occupying a parcel of land in one ownership and having any yard or service area in common.

~~95.~~	96.	**Dwelling, multi-household for the elderly**: A building or portion thereof designed for or occupied by more than two families, and all living units of which are to be maintained under single ownership or management. This shall be interpreted to include a cooperative apartment house. Provided further, that all occupants of said residential units must be (a) persons 62 years of age or older; (b) married couples either of which is 62 years of age or older; or (c) handicapped persons under 62 years of age who have physical impairments which are expected to be of long-continued or indefinite duration, and which substantially impede the ability of such person to live independently.
~~96.~~	97.	**Dwelling, multi-household**: A building or portion thereof designed for or occupied by more than two families, and all living units of which are to be maintained under single ownership or management. This shall be interpreted to include cooperative apartment houses.
~~97.~~	98.	**Dwelling, semi-detached**: One of two buildings, arranged or designed as dwellings located on abutting lots, separated from each other by a party wall, without openings, extending from the cellar floor to the highest point of the roof along the dividing lot line, and separated from any other building or structures by space on all sides.
~~98.~~	99.	**Dwelling, single-household**: A building containing not more than one dwelling unit and occupied by not more than one household.
~~99.~~	100.	**Dwelling, townhouse, or row house**: One of a series of three or more attached dwelling units separated from one another by continuous vertical party walls without openings from basement floor to roof.
~~100.~~	101.	**Dwelling, two-household (duplex**): A building located on one zoning lot containing not more than two dwelling units, arranged one above the other, front to back, or side by side, and occupied by not more than two households.
~~101.~~	102.	**Easement**: A grant by a property owner of the use of a designated part of his land by another party for a specified purpose and for a specified time, which shall be included in the conveyance of land by such easement.
~~102.~~	103.	**Eave**: The underside of the projection of a roof beyond the outer wall of a building.
~~103.~~	104.	**Electrical engineer**: An electrical engineer licensed by the Commonwealth of Virginia.
~~104.~~	105.	**Electronic message center (EMC):** see digital sign
~~105.~~	106.	**Elevated building**: A non-basement building built to have the lowest floor elevated about the ground level by means of fill, solid foundation perimeter walls, pilings or columns (posts and piers).
~~106.~~	107.	**Encroachment , floodplain**: The advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.
~~107.~~	108.	**Encroachment lines**: The lateral limits or line drawn along each side of and generally parallel to a watercourse or body of water, to preserve the flood

		carrying capacity of the stream or other body of water and its floodplain, and to assure attainment of the basic objective of improvement plans that may be considered or proposed. Their location along a stream should be such that the floodways between them will effectively carry and discharge a flood not less than the magnitude of the 100-year flood.
~~108.~~	109.	**Enlargement, or to enlarge**: An addition to the floor area of an existing building, an increase in the size of any other structure, or an increase in that portion of a tract of land occupied by an existing use. To "enlarge" is to make an enlargement.
~~109.~~	110.	**Equal degree of encroachment**: A standard applied in determining the location of encroachment lines so that the hydraulic capacity of floodplain lands on each side of a channel are reduced by an equal amount when calculating the increases in flood stages due to floodplain encroachments.
~~110.~~	111.	**Evergreen tree**: A tree or shrub that has foliage that persists and stays green throughout the year.
~~111.~~	112.	**Existing tower**: A telecommunications tower that is in existence or is being constructed on December 9, 1997
~~112.~~	113.	**Extension, or to extend**: An increase in the amount of existing floor area used for an existing use within an existing building. To "extend" is to make an extension.
~~113.~~	114.	**Exterior architectural features**: The architectural style, general design and general arrangement of the exterior of a building, structure or object, including but not limited to the kind or texture of the building material and the type and style of all windows, doors, signs and other appurtenant architectural fixtures, details, features or elements.
~~114.~~	115.	**Façade**: The outer surface of a building.
~~115.~~	116.	**Fall zone**: That area within a prescribed radius (equal to the height of the tower) as measured from the base of a tower. A fall zone is based on physical phenomena that can result in a hazard beneath a tall structure and is the area within which there is a potential hazard from falling debris or collapsing material. A fall zone is distinct from a setback.
~~116.~~	117.	**Family day home**: A child day program offered in the residence of the provider or the home of any of the children in care for one through 12 children under the age of 13, exclusive of the provider's own children and any children who reside in the home, when at least one child receives care for compensation and meets the requirements of Article 63.2-100 of the Code of Virginia. The term shall not include any family-type facility which provides child care to not more than five children placed by order of any court of competent jurisdiction, or by any public welfare department or other government agency having responsibility of placing children for care.
~~117.~~	118.	**Final site plan**: A site plan that when approved in accordance with this ordinance enables an applicant to apply for a building permit.

~~118.~~	119.	**Fire district**: The territory defined and limited by the provisions of the BOCA Basic Building Code for the restriction of types of construction to ensure adequate fire protection.
~~119.~~	120.	**Flag pole**: A freestanding structure or a structure attached to a building or the roof of a building for the sole purpose of displaying flags.
~~120.~~	121.	**Flag**: Any fabric or any other flexible material attached to or designed to be flown from a flagpole or similar device.
~~121.~~	122.	**Flashing sign**: A sign that involves motion or rotation of any part of the structure, moving reflective disks, running animation or video, or displays an intermittent light or lights. Signs that display an on-premise message changed by electronic means or remote control, programmed or sequenced to change no more than once every six seconds shall not be considered a flashing sign.
~~122.~~	123.	**Flea market**: A market, whether held indoors or outdoors, where antiques, used household goods, curios and similar items are sold or traded by or on behalf of multiple vendors.
~~123.~~	124.	**Flood hazard area**: The maximum area of the 100-year floodplain (as defined in regulations for the national flood insurance program) which is likely to be flooded, or for which mudslides can be reasonably anticipated.
~~124.~~	125.	**Flood or flooding**: 1. A general or temporary condition or partial or complete inundation of normally dry land areas from: a. the overflow of inland or tidal waters; or, b. the unusual and rapid accumulation or runoff of surface waters from any source. 2. The collapse or subsistence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature such as flash flood or an abnormal tidal surge, or by some similarly unusual an unforeseeable event which results in flooding as defined in paragraph (1)a. of this definition.
~~125.~~	126.	**Floodplains**: The areas of land adjoining a watercourse that have in the past, or can be reasonably expected in the future, to be covered temporarily by flood waters.
~~126.~~	127.	**Flood-prone area**: Any land area susceptible to being inundated by water from any source.
~~127.~~	128.	**Floodproofing**: Combinations of structural provisions, changes or adjustments to properties and structures subject to flooding, primarily for the reduction or elimination of flood damages to properties, water and sanitary facilities, structures and contents of buildings in the regulatory floodplain.
~~128.~~	129.	**Floodway fringe**: That portion of the 100-year floodplain outside of the floodway.

~~129.~~	130.	**Floodway**: The channel of a river or other watercourse and those portions of the adjoining floodplains which are reasonably required to discharge the water of the 100-year flood (base flood), without causing a more than one-foot rise at any point in the City as shown in the City's flood insurance study published by the Federal Emergency Management Agency.
~~130.~~	131.	**Floor area**: The sum of the gross areas of the several floors of a building or buildings, measured from the exterior faces of exterior walls or from the centerlines of walls separating two buildings. In particular, floor area includes: 1. Basement space, except such space in a basement which has at least one-third of its height below curb level, and which is located in a residential building with not more than two stories entirely above curb level. 2. Elevator shafts or stairwells at each floor. 3. Floor space in penthouses. 4. Attic space (whether or not a floor has been laid) providing structural headroom of eight feet or more. 5. Floor space in interior balconies or mezzanines. 6. Floor space in open or roofed terraces, exterior balconies, breezeways, or porches, if more than 50 percent of the perimeter of such terrace, balcony, breezeway or porch is enclosed. 7. Any other floor space used for dwelling purposes, no matter where located within a building, when not specifically excluded. 8. Floor space in accessory buildings except for floor space used for accessory off-street parking. Floor area of a building shall not include: 1. Cellar space, except that cellar space used for retailing shall be included for the purpose of calculating requirements for accessory off-street parking spaces and accessory off-street loading berths. 2. Elevator or stair bulkheads, accessory water tanks or cooling towers. 3. Uncovered steps. 4. Attic space, whether or not a floor actually has been laid, providing structural headroom of less than eight feet. 5. Floor space in open or roofed terraces, exterior balconies, breezeways or porches, provided that not more than 50 percent of the perimeter of such terrace, balcony, breezeway or porch is enclosed. 6. Unenclosed floor space used for permitted or required accessory off-street parking spaces. 7. Floor space used for accessory off-street loading berths. 8. Floor space used for mechanical equipment.
~~131.~~	132.	**Floor area ratio**: The total floor area on a zoning lot, divided by the lot area of that zoning lot. (For example, a building containing 20,000 square feet of floor area on a zoning lot of 10,000 square feet has a floor area ratio of 2.0.)
~~132.~~	133.	**Floor plate**: The floor area of the ground floor or footprint of a building.
~~133.~~	134.	**Food Establishment:** A business operation that stores, prepares, packages, serves, vends or otherwise provides food for human consumption.

~~134.~~	135.	**Foundation planting**: Trees and shrubs planted along and adjacent to the perimeter of a building.
~~135.~~	136.	**Freeboard**: A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization in the watershed.
~~136.~~	137.	**Freestanding sign**: A non-movable sign supported by structures or supports in or upon the ground and not attached to a building.
~~137.~~	138.	**Frontage**: The horizontal length of the front lot line of a zoning lot abutting a public street, road, or highway, or rural right-of-way.
~~138.~~	139.	**Gambrel roof:** A roof gable roof, each sloping side of which has two sloping planes, with the lower plane being steeper than the upper plane (e.g., barn roof)
~~139.~~	140.	**Garden apartment units**: Group multiple dwellings consisting of more than one main building containing more than one unit per building for single-household occupancy.
~~140.~~	141.	**Gasoline station**: See Automobile service station.
~~141.~~	142.	**Graphic**: Any logo, emblem, insignia, or text, formed by writing, drawing, painting or engraving.
~~142.~~	143.	**Ground cover**: Any evergreen or broadleaf plant that does not generally attain a mature height of more than one foot, characterized by a growth habit in which the plant spreads across the ground to connect with other similar plants forming a continuous vegetative cover on the ground. Sod and seeding shall be considered an appropriate ground cover.
~~143.~~	144.	**Group Home**: A residential facility wherein (a) the operator is not legally related to the individuals supervised and may be licensed by the state, and wherein (b) four or more individuals are provided with room, board, specialized and distinctive care, and daily supervision. For the purpose of the Zoning Ordinance, a facility providing care to less than four persons shall not be considered a group home. The term "Group Home" would include but not be limited to such groups as: foster family homes, homes for adults, abused women, individuals with mental illness, intellectual disability, or developmental disabilities, or physically handicapped. This definition does not include pre-release or post-release individuals who have been incarcerated. 1. A residential facility in which no more than eight individuals with mental illness, intellectual disability, or developmental disabilities reside, with one or more resident counselors or other staff persons, shall be considered for all purposes residential occupancy by a single-household. For the purposes of this section, mental illness and developmental disability shall not include current illegal use of or addiction to a controlled substance as defined in Section 54.1-3401 of the code of Virginia. No conditions more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption shall

		be imposed on such facility. This type of residential facility shall be deemed to be any group home or other residential facility for which the department of behavioral health and developmental services is the licensing authority pursuant to this code. 2. A residential facility, in which no more than four aged, infirm or physically disabled persons reside, with one or more resident counselors or other staff persons, shall be considered for all purposes residential occupancy by a single-household. No conditions, more restrictive than those imposed on residences occupied by persons related by blood, marriage or adoption shall be imposed on such a facility. For purposes of the Zoning Ordinance, "residential facility" means any group home or residential facility in which aged, infirm or disabled persons reside with one or more resident counselors or other staff persons and for which the Virginia department of social services is the licensing authority pursuant to the Code of Virginia.
~~144.~~	145.	**Guest**: Any person hiring and occupying a room for sleeping purposes.
~~145.~~	146.	**Hazard to air navigation**: An obstruction determined by the Virginia Department of Aviation or the Federal Aviation Administration to have a substantial adverse effect on the safe and efficient utilization of navigable airspace in the Commonwealth.
~~146.~~	147.	**Hazardous materials:** Includes any substance or material could adversely affect the safety of the public, handlers or carriers during transportation, including, but not limited to materials that require a Hazardous Materials Endorsement by the United States Patriot Act and the Virginia Department of Motor Vehicles.
~~147.~~	148.	**Heat island effect**: An elevated temperature over an urban area caused by pavement, buildings, other infrastructure and pollutant emissions
~~148.~~	149.	**Height of building**: See Building, height of.
~~149.~~	150.	**Height of sign**: The distance to the topmost extent of the sign structure when measured from and perpendicular to the elevation of the edge of pavement of the closest adjacent roadway on which the sign is located. In no instance shall the sign structure be required to be less than ten feet in height, except as otherwise specifically required by the Zoning Ordinance.
~~150.~~	151.	**Height**: for the purpose of determining the height limits affected by airport operations in all zones set forth in section 35.2-57.4 and shown on the Zoning Map, the datum shall be mean sea level (M.S.L.) elevation unless otherwise specified.
~~151.~~	152.	**Helipad:** Landing facility for up to two helicopters that may be lit, but does not include facilities for storage, fueling or servicing of helicopters.
~~152.~~	153.	**Heliport:** Facilities for the landing helicopters that may include facilities for storage, servicing and/or fueling one or more helicopters at a time.
~~153.~~	154.	**Historic area, historic place, or historic structure**: 1. Any structure, area containing structures, or place in which historic events occurred; or having special public value because of notable architectural or other

		features, relating to the cultural or artistic heritage of the community of such significance as to warrant conservation and preservation. 2. Any structure that is: a. listed individually in the national register of historic places (a listing maintained by the department of the interior) as meeting the requirements for individual listing on the national register; b. certified or preliminarily determined by the secretary of the interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district; c. individually listed on a state inventory or historic places in states with historic preservation programs which have been approved by the secretary of the interior; or d. individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: i. by an approved state program as determined by the secretary of the interior or ii. directly by the secretary of the interior in states without approved programs.
~~154.~~	155.	**Historic building map**: The map of Lynchburg indicating certain structures as historic buildings.
~~155.~~	156.	**Historic district**: A geographically defined area consisting of public and/or private property within the City, possessing a significant concentration, linkage, or continuity of sites, buildings or structures, areas of unique architectural value, landmarks or encompassing parcels of contiguous land united by past events or aesthetically by plan or physical development. A district may also comprise individual buildings or structures separated geographically but linked by association or history. A historic district shall further mean an area designated by City Council as a historic district pursuant to the criteria established in (d)(1) of this ordinance. The historic district overlay zone defines the area in which the requirements of the historic districts ordinance shall apply. The historic district overlay zone shall be in addition to and shall overlay all other zoning districts where it is applied so that any parcel of land lying in the historic district overlay zone shall also lie within one or more of the other zoning districts provided by this ordinance.
~~156.~~	157.	**Home occupation**: An accessory use which: 1. Is clearly incidental to or secondary to the residential use of a dwelling unit. 2. Is customarily and traditionally carried on within a dwelling unit by one or more occupants of such dwelling unit, except that, in connection with the practice of a profession, one person not residing in such dwelling unit may be employed. 3. Occupies not more than 25 percent of the total floor area of such dwelling unit, and in no event more than 500 square feet of floor area.
~~157.~~	158.	**Home owners' or property owners' association**: An incorporated, nonprofit organization operating under recorded land agreements through which (a) each lot and/or property owner in a planned unit or other described land area is

		automatically a member; and (b) each lot is automatically subject to a charge for a proportionate share of the expenses for the home association's activities, such as common property maintenance.
~~158.~~	159.	**Horizontal surface**: An imaginary horizontal plane, whose design standards are referenced in section 35.2-57.3 above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.
~~159.~~	160.	**Hospitals**: An institution receiving in-patients and rendering medical, surgical, and/or obstetrical care to private and charity patients, and usually including research and training activities~~.~~**, but in all cases excluding abortion clinics**. This shall include general hospitals and institutions in which service is limited to special fields, such as cardiac, eye, ear, nose and throat, pediatric, orthopedic, skin and cancer, tuberculosis, chronic disease and obstetrics. Hospital patients generally require intensive care for periods generally not exceeding several months.
~~160.~~	161.	**Hotel**: A building or part thereof containing five or more guest rooms, without kitchens, where lodging is provided for compensation, excluding a fraternity or sorority house, a school or college dormitory, or a tourist home.
~~161.~~	162.	**Household**: The occupants of a single dwelling unit, which shall not exceed three unrelated individuals unless otherwise permitted by this Zoning Ordinance.
~~162.~~	163.	**Identification sign**: A sign that is permanently attached to or painted on a building and contains only the building name. (Example, the "Allied Arts" Building.) Identification signs shall not be included in the maximum permissible sign area of the district in which it is located.
~~163.~~	164.	**Illegal use**: Any use, whether of a building or other structure or of a tract of land, in which a violation of any provision of the Zoning Ordinance has been committed or shall exist.
~~164.~~	165.	**Illuminated sign**: A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.
~~165.~~	166.	**Industrial district**: Includes the I-1, I-2 and I-3 zoning districts.
~~166.~~	167.	**Institutional district**: Any district whose designation begins with the letters IN".
~~167.~~	168.	**Inflatable item**: Any item that is capable of being expanded by air, water or other means that exceeds 24 inches in diameter, used to advertise a business, service, product, goods, special promotion, activity or event.
~~168.~~	169.	**Inventory, historic**: The inventory of historic landmarks, buildings and structures as prepared by the board of historic and architectural review.
~~169.~~	170.	**Junk yard**: The use of any space, whether inside or outside a building, for the abandonment, storage, keeping, collection, disassembling or bailing of paper, rags, scrap metal, or other scrap or discarded materials, or for the abandonment, demolition, dismantling, or salvaging of automobiles or other vehicles or machinery or parts thereof; provided, that this definition shall not apply to any such use conducted solely as an accessory use and occupying not more than 100

		square feet of the area of any lot other than any portion of that half thereof that adjoins any street.
~~170.~~	171.	**Kennel**: Any building, enclosure, structure, establishment and/or land where dogs, cats, household pets or any other domestic animals are sheltered, fed or watered, groomed, shown, trained, bred, boarded and exercised, cared for or sold for either commercial gain or in exchange for a fee.
~~171.~~	172.	**Land Use Development Pattern or Development Pattern:** One or more uses arranged to create a specific type of development that are defined in Article VIII of this ordinance and that may be allowed by right or conditional use permit pursuant to LBCS classifications 9950 et. seq.
~~172.~~	173.	**Land with minor improvements**: For purposes of the City's floodplain regulations, a tract of land which: 1. Does not include any building or other structure. 2. Includes a building or other structure with a floor area of less than 400 square feet.
~~173.~~	174.	**Landscape island**: An area containing a shade tree and other required landscaping not less than 108 square feet for a parking row or 216 square feet for a parking bay.
~~174.~~	175.	**Large deciduous tree**. A large deciduous tree shall be of a species having an average minimum mature crown spread of greater than 30 feet. A minimum caliper of at least two and one-half inches at the time of planting shall be required.
~~175.~~	176.	**Large farm animal.** An animal with an adult weight of 50 pounds or more that may be kept for agricultural purposes, including, but not limited to horses, cattle, goats, llamas, alpacas, ostriches, emus, ponies and bison, but not including dogs.
~~176.~~	177.	**Large scale retail establishment**: retail establishments having a cumulative gross floor area of 75,000 square feet or greater in floor area, whether such gross floor area is contained entirely within a freestanding building or is within two or more buildings, whether located on a single lot or contiguous lots owned or operated as associated, integrated or cooperative business enterprises.
~~177.~~	178.	**Level of Service (LOS)**: A scale that measures the amount of traffic that a roadway or intersection can effectively and efficiently accommodate, based on such factors as volume, capacity, queues and delay. LOS is graded on a scale of A through F, where LOS-A is free-flowing traffic and LOS-F is a condition where traffic flow is unstable and excessive delay and queuing is expected.
~~178.~~	179.	**Limited Access Highway or Freeway**: A public highway to which access is forbidden except at interchanges with other public highways and, in some cases, at specially designed facilities providing automobile, restaurant and other similar services to motorists using the highway.
~~179.~~	180.	**Limited time**: A period of time assumed to be not more than one year unless otherwise specified by the Zoning Ordinance or development approval.
~~180.~~	181.	**Loading berth:** A space measuring at least ten feet wide by 35 feet long that is used for the loading or unloading of vehicles.

~~181.~~	182.	**Local street**: A public street not classified as a freeway, arterial or collector street under the definitions in this section.
~~182.~~	183.	**Lodging house**: See Boardinghouse.
~~183.~~	184.	**Logo**: Any emblem used as the symbol of an organization, or residential or nonresidential community. A logo may include a graphic, text, or both.
~~184.~~	185.	**Lot:** 1. A lot of record existing on the effective date of the Zoning Ordinance or any applicable subsequent amendment thereto. 2. A tract of land, either unsubdivided or consisting of two or more contiguous lots of record, located within a single block which on the effective date of the Zoning Ordinance or any applicable amendment thereto was in single ownership or control. 3. A tract of land located within a single block, which at the time of filing for a Building Permit (or, if no Building Permit is required, at the time of filing for a Certificate of Occupancy), is designated by its owner or developers as a tract all of which is to be used, developed or built upon as a unit under single ownership or control.
~~185.~~	186.	**Lot area per dwelling unit**: That portion of the lot area required for each dwelling unit located on a zoning lot.
~~186.~~	187.	**Lot area**: The area of a lot; provided, that if that lot includes any part of the area of a street closed subsequent to the effective date of the Zoning Ordinance, not more than one-half the area of such closed street shall be counted as lot area for purposes of determining the maximum floor area ratio or the required lot area per dwelling unit or lot area per room for such zoning lot.
~~187.~~	188.	**Lot, corner**: Either a lot bounded by streets on two or more sides or a lot in which the interior angle formed by the extensions of the street lines in the directions which they take at their intersections with lot lines other than street lines forms an angle of 135 degrees or less.
~~188.~~	189.	**Lot coverage**: See Coverage, lot.
~~189.~~	190.	**Lot depth**: See Depth of lot.
~~190.~~	191.	**Lot, interior**: Any lot neither a corner lot nor a through lot.
~~191.~~	192.	**Lot line, front**: A street line determined by the Zoning Administrator to be the front of the lot based on prevailing lot patterns and lot dimensions.
~~192.~~	193.	**Lot line, rear**: The lot line, opposite or furthest from the front lot line. For triangular lots, the rear lot line shall be the lot line that does not follow a street right-of-way.
~~193.~~	194.	**Lot line, side**: Any lot line that is not a front lot line or a rear lot line.
~~194.~~	195.	**Lot line**: A boundary of a lot.

~~195.~~	196.	**Lot of record**: A lot which is part of a subdivision recorded in the office of the City clerk, or a lot or parcel described by metes and bounds, the description of which has been so recorded.
~~196.~~	197.	**Lot width**: The horizontal distance between the side lot lines of a zoning lot at the building line.
~~197.~~	198.	**Lot, through**: Any lot, not a corner lot, which adjoins two streets that are parallel or within 45degrees of being parallel to each other.
~~198.~~	199.	**Low explosives:** Substances that deflagrate (burn) rather than detonate (explode). These are primarily used as propellants. The cut-off speed between high and low explosives is 3,300 fps (feet per second). An example of a low explosive is black powder. High explosives are designed to shatter (brisance) rather than push. Detonation velocities for high explosives range from 3,300 fps to 29,900 fps. Blasting caps, dynamite, TNT, plastic explosives, binaries and blasting agents are examples of high explosives.
~~199.~~	200.	**Lowest floor**: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Federal Code 44CFR §60.3.
~~200.~~	201.	**Lumen per Square Foot:** a measure of illuminance equal to one foot-candle
~~201.~~	202.	**Lynchburg commercial historic districts design review guidelines**: A publication adopted by City Council, that gives detailed guidance to property owners of the commercial historic districts who are contemplating changes or additions to their building or property; and assists the historic preservation commission by providing them with minimum standards to guide their decision making. All future editions of the commercial guidelines document and all amendments thereto are automatically adopted and incorporated into the City code.
~~202.~~	203.	**Lynchburg residential historic districts design review guidelines**: A publication adopted by City Council, that gives detailed guidance to property owners of the residential historic districts who are contemplating changes or additions to their building or property; and assists the historic preservation commission by providing them with minimum standards to guide their decision making. All future editions of the residential guidelines document and all amendments thereto are automatically adopted and incorporated into the City code.
~~203.~~	204.	**Mansard roof:** A roof having two slopes on all sides with the lower slope steeper than the upper one
~~204.~~	205.	**Manufactured home**: 1. A structure, transportable in one or more sections that is certified as complying with HUD's "Manufactured Home Construction and Safety Standards," which is built after 1978 on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. d2. For floodplain management purposes the term "manufactured home" also

		includes mobile homes, park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.
~~205.~~	206.	**Manufactured home park or subdivision**: A parcel (or contiguous parcels) of land divided into two or more manufactured home spaces or lots for rent or sale.
~~206.~~	207.	**Market for agricultural products:** A market selling produce, or other edible products made from and entirely processed on the site of an agricultural operation.
~~207.~~	208.	**Medical or dental clinics**: Any building or group of buildings occupied by two or more medical or dental practitioners**, but in all cases excluding abortion clinics,** for the purpose of providing health services to people on an out-patient basis.
~~208.~~	209.	**Medical practitioner**: A licensed physician, dentist, osteopath, chiropractor, chiropodist (podiatrist). psychologist or optometrist (but not optician).
~~209.~~	210.	**Medium shrubs**. Shrubs and hedge forms having a minimum height of at least two feet at the time of planting.
~~210.~~	211.	**Metes and bounds**: The specific boundaries of an area as measured between geographical points.
~~211.~~	212.	**Minor map amendment**: A change in the official Zoning Map that is not included in the definition of comprehensive Zoning Map amendment.
~~212.~~	213.	**Mobile food cart:** A mobile food establishment that is up to ten feet long and five feet wide and is designed to be pushed by hand or pedaled.
~~213.~~	214.	**Mobile food trailer:** A mobile food establishment that is less than 20 feet long by eight feet wide and is designed to be towed behind a vehicle and capable of vending foods without being connected to another vehicle.
~~214.~~	215.	**Mobile food truck:** A self-propelled food establishment that is up to 26 feet long and eight feet wide.
~~215.~~	216.	**Mobile Food Vehicle**: A Food Establishment that is located upon a vehicle including cars, trucks, carts, motorcycles and bicycles, or which is pulled by a vehicle, where food or beverage is cooked, prepared, or served for individual portion service. This definition includes but is not limited to: mobile food kitchens, pushcart vendors, bicycle cart vendors, mobile food trucks, canteen trucks, and coffee trucks.
~~216.~~	217.	**Mobile Home:** A structure built on a permanent chassis that is designed for use with or without a permanent foundation that does not comply with the HUD's Manufactured Home Construction standards or that was built prior to 1978.
~~217.~~	218.	**Modified sign**: A sign that is allowed to deviate from the standards set forth in the Zoning Ordinance pursuant to a certificate of appropriateness issued by the historic preservation commission.
~~218.~~	219.	**Modular home or industrialized building:** A prefabricated homes or industrialized buildings that consist of one or more sections that do not have

		axles or frames and typically are transported to their site by means of flat-bed trucks.
~~219.~~	220.	**Monument sign**: A permanent structure built on-grade in which the sign and the structure are an integral part of one another, not a pole(s) mounted sign.
~~220.~~	221.	**Motel or tourist cabin**: A building or group of buildings containing ten or more guest rooms or suites designed or intended to be used, let or hired out which: 1. Contain living or sleeping accommodations used primarily for transient occupancy. 2. Have individual entrances from outside the building to serve each such living or sleeping unit.
~~221.~~	222.	**Mulch**: A protective covering, usually of organic matter placed around plants to prevent evaporation, root freezing and weed growth.
~~222.~~	223.	**Mural**: A painting, fresco, or mosaic applied to a wall for the sole purposes of decoration or artistic expression. A mural is not considered a sign unless it includes words or graphics that advertise the products or service of any entity.
~~223.~~	224.	**Naturalized planting area**: Any area planted for bio-retention containing native or indigenous species that mimics local natural surroundings and is allowed to grow undisturbed. Naturalized planting areas require minimal maintenance.
~~224.~~	225.	**Neighborhood norm**: A measure of the average or typical setbacks along two opposing block faces or for three abutting lots (see Section 35.2-61.3(f))
~~225.~~	226.	**Neon tubing**: A vacuum tight transparent tube not exceeding one inch in diameter containing, but not limited to neon, argon, helium, xenon, or krypton that produces light when connected to an electrical current.
~~226.~~	227.	**New construction**: 1. Any construction within a historic district that is independent and exclusive of an existing building or structure or part thereof in the historic district. 2. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by the City.
~~227.~~	228.	**Non-conforming use**: any preexisting structure or object of natural growth that is inconsistent with the provisions of this section or any amendment to this section.
~~228.~~	229.	**Non-contributing property**: A property so designated on the inventory map of historic districts and properties which are adopted as a part of this ordinance, being generally those properties which by reason of age, condition, amount of alterations, form, materials, architectural details and relation to surrounding properties do not contribute favorably to the general character of the part of the historic district in which they are located.
~~229.~~	230.	**Nonconforming**: Any lawful use, whether of a building or other structure or of a tract of land, which does not conform to the applicable use regulations of the district in which it is located, either on the effective date of the Zoning Ordinance, or as a result of any subsequent amendment thereto. A nonconforming use shall result from failure to conform to the applicable

		district regulations on either permitted uses or performance standards. However, no existing use shall be deemed nonconforming solely because of any of the following: 1. The existence of less than the required accessory off-street parking spaces or loading berths. 2. The existence of nonconforming accessory signs.
~~230.~~	231.	**Normal business hours**: means those hours during which most businesses in the community are open to serve customers, which shall be considered from 8:00 a.m. to 6:00 p.m. unless otherwise specified herein.
~~231.~~	232.	**Nursing homes**: Rest homes and convalescent homes devoted primarily to the maintenance and operation of residential facilities for the treatment and care of any persons suffering from illnesses, diseases, deformities or injuries not requiring the intensive care that is normally provided by hospitals, but do require care in excess of room and board and who need medical, nursing, convalescent or chronic care. Institutions primarily for the treatment and care of mental patients, alcoholics or drug addicts, and facilities serving less than four persons shall not, for the purpose of the Zoning Ordinance, be considered to be a nursing home. (See also Medical clinics, Hospitals and Sanatorium).
~~232.~~	233.	**Obstruction**: 1. For purposes of floodplain regulations, any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, culvert, building, wire, fence, stockpile, refuse, fill, structure, or matter in, along, across or projecting into any channel, watercourse or flood hazard area which may impede, retard or change the direction of flow of water, either in itself or by catching or collecting debris carried by such water or that is placed where the flow of water might carry the same downstream to the damage of life or property. 2. For purposes of airport overlay zoning, any structure, or other object, including a mobile object, which exceeds a limiting height, or penetrates any surface or zone floor, set forth in section 35.2-57.4.
~~233.~~	234.	**Off-site directional sign**: A sign that directs traffic to a site other than the site on which the sign is located.
~~234.~~	235.	**Off-street loading berth**: A space for temporarily parking vehicles for loading or unloading that measures at least 30 feet in length by 12 feet wide and having at least 14 feet of clearance.
~~235.~~	236.	**Official Zoning Map**: That map dividing the City into specific zones or districts.
~~236.~~	237.	**One hundred year flood (base flood):** A flood that has one (1) chance in 100 or a one percent chance of being equaled or exceeded in any given year.
~~237.~~	238.	**Open Space**: Any land or area, the preservation of which would: conserve and enhance scenic resources, protect streams, promote conservation of soils or provide for passive or active recreational space. Open spaces may include plaza areas, provided they contain a landscaped component. Required setback areas may be included in the computation of required open space.

~~238.~~	239.	**Opinion sign**: A sign which does not advertise products, goods, businesses, or services, and which expresses an opinion or other point of view.
~~239.~~	240.	**Ornamental tree**: Deciduous tree that grows to a mature height of less than 30 feet with flowering or other distinguishing characteristics.
~~240.~~	241.	**Outdoor storage:** 1. For residential properties, anything that is not normally found in residential yards and on porches, including, but not limited to indoor furniture, construction materials, auto parts, appliances and the clutter of various personal items, inoperable vehicles or stacks of containers in plain view. Equipment regularly used for lawn maintenance, outdoor furniture, children's toys, bicycles and neatly stacked firewood are not generally considered to be outdoor storage, however an excess of those items, or equipment in disrepair may be considered illegal outdoor storage. 2. For non-residential and mixed-use properties, the outdoor storage includes the storage of goods, materials, inoperable vehicles, appliances or other materials that are not a specifically authorized outdoor display.
~~241.~~	242.	**Outparcel**: A parcel located on the outside perimeter of a commercial development fronting a right of way.
~~242.~~	243.	**Owner**: means any person with fee simple title to any plot of land within the City who desires to develop, construct, build, modify, or erect a tower upon such land.
~~243.~~	244.	**Parapet wall**: A wall that extends above the top of a flat roof or flat portion of a roof.
~~244.~~	245.	**Parcel**: is considered to be that plot of land described by property lines. When multiple parcels are owned and used by the same party, the grouping may be considered to constitute the parcel.
~~245.~~	246.	**Parking area, off-street**: An off-street area containing one or more parking spaces, with passageways and driveways appurtenant thereto. In general, there shall be an average of at least 300 square feet of parking area per parking space and the required number of usable parking spaces.
~~246.~~	247.	**Parking bay**: Two parking rows abutting one another or separated by ten feet or less.
~~247.~~	248.	**Parking garages**: A building occupied by a public, community, commercial or private establishment providing space for the temporary storage of six or more automobiles and other vehicles, where service or repair facilities are not permitted. A parking garage shall not be considered an accessory use, nor shall it be used for the storage of dismantled or wrecked motor vehicles, parts thereof, or junk, nor shall the sale of automobiles or trailers take place within it unless otherwise permitted by the Zoning Ordinance.
~~248.~~	249.	**Parking lot**: An open lot serving the functions defined above for a parking garage.
~~249.~~	250.	**Parking row**: One single line of parking spaces.

~~250.~~	251.	**Parking space**: 1. An off-street space available for the parking of one motor vehicle on a transient basis and having a minimum width of nine feet and an area of not less than 162 square feet, exclusive of passageways and driveways appurtenant thereto and having direct usable access to the street. 2. An on-street space available for the parking of one motor vehicle on a transient basis, having a minimum width of nine feet and an area of not less than 162 square feet.
~~251.~~	252.	**Pedestrian facility**: A sidewalk, walking path, bike path or transit/shuttle stop.
~~252.~~	253.	**Pennant**: Any lightweight plastic, fabric or other similar material, whether or not containing copy suspended from a rope, wire, or string, usually in series, designed to move in the wind.
~~253.~~	254.	**Permanent sign**: Any sign attached to the ground or any structure, intended to exist for the life of the structure or use, and which cannot be removed without involving any structural or support changes.
~~254.~~	255.	**Permeable or Porous:** Capable of allowing water to be conducted through a material, as in permeable surfaces such as grass or soils and porous pavement.
~~255.~~	256.	**Person**: Except as provided in section 35.2-60.2(e) a person is any natural person, firm, partnership, association, corporation, company, or other legal entity, private or public, whether for profit or not for profit.
~~256.~~	257.	**Phasing Plan:** A plan for the development in more than one stage or phase in accordance with section 35.2-11.4.
~~257.~~	258.	**Planned unit development or PUD**: A multiple-unit residential development of at least five acres arranged in harmony with purposes, provisions and procedures for the planned unit development.
~~258.~~	259.	**Pole mounted sign**: A sign that is mounted on one or more freestanding poles or similar supports.
~~259.~~	260.	**Political sign**: A temporary sign promoting the candidacy of a person running for a governmental office or promoting a position on an issue to be voted on at a government election.
~~260.~~	261.	**Porch:** an area elevated above grade that adjoins an entry to a building that may be covered or open.
~~261.~~	262.	**Portable sign**: A sign which is movable without involving any structural or support changes, not permanently attached to the ground, a structure or any other sign not an integral part of a building to which it is accessory. This category includes, but is not limited to, an A-frame sign, a sign attached to or placed on a vehicle, which is used primarily for the purpose of display, and similar devices used to attract attention. This shall not include bumper stickers or identification signs directly applied to or painted on vehicles identifying the owner of the vehicle, a business name, logo or emblem.
~~262.~~	263.	**Preservation**: Any activity designed to prevent deterioration or destruction of a structure, a group of structures, or an area or a district.

~~263.~~	264.	**Primary surface**: An imaginary surface, whose design standards are referenced in section 35.2-57.3 longitudinally centered on an airport runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
~~264.~~	265.	**Private recreational facilities**: A facility such as a swimming pool, tennis court or basketball court which is an accessory use located on a residential lot, the use of which is restricted to the occupants of the principal use and guests for whom no admission or membership fees are charged.
~~265.~~	266.	**Programmed**: For the purposes of the Zoning Ordinance, the word "programmed" shall refer to a public facility which has been formally scheduled for construction within the following ten years. Such formal scheduling may be in terms of an approved capital improvements program, an officially adopted thoroughfare, public utilities or community facilities plan specifying the approximate date of construction of the facility, or a similar official plan or program.
~~266.~~	267.	**Projecting sign**: A sign that is attached to and projects at an angle and extends more than 15 inches from the face of the wall of a building.
~~267.~~	268.	**Property ownership:** For purposes of the occupancy requirements of this ordinance, the owner who resides on the loot shall be: a. An individual who owns at least a 50 percent interest in the lot by deeded title and who resides on the lot as his or her primary residence; or b. An individual who owns at least a 50 percent interest in a corporation, a limited liability company, or a similar legal entity that owns a 100 percent interest in the lot by deeded title and who resides on the lot as his or her primary residence; or c. An individual who is a beneficiary of a trust that owns a 100 percent interest in the lot by deeded title and who resides on the lot as his or her primary residence.
~~268.~~	269.	**Public utility**: A public utility is an activity, or a building housing such an activity, which operates to serve the community as a whole, or a portion of the community, which is publicly run or subject to special government controls and which is overseen by the State Corporation Commission.
~~269.~~	270.	**Public**: Any land, structure or building owned, used or maintained by the City government, or a regional authority of which the City is a member, or their agencies.
~~270.~~	271.	**Radio frequency engineer**: means a professional engineer licensed by the Commonwealth of Virginia with appropriate documented expertise in radio frequency engineering.
~~271.~~	272.	**Raising**: Providing vertical clearance under tree canopy by using appropriate pruning techniques.
~~272.~~	273.	**Re-facing**: The replacement of a sign face, regardless of change in copy, of equal size to the original, without altering the sign box, sign frame or sign structure.

~~273.~~	274.	**Reach**: Longitudinal segments of a river or stream, which will be affected by the placement of an obstruction in a floodway or floodway fringe.
~~274.~~	275.	**Real estate sign**: A temporary sign used to offer property for sale, lease, rent and/or development or to advertise an open house.
~~275.~~	276.	**Reconstruction**: Any activity designed to rebuild entirely, or partially, a structure.
~~276.~~	277.	**Recreation facility, active:** A field, court building or other structure designed for a specific range of sports or other physical activities, including but not limited to ball fields, tennis courts, swimming pools, gyms and other indoor athletic facilities and playground equipment.
~~277.~~	278.	**Recreation facility, passive:** An open field, woods, trail or other public open space that may be used for a wide range of activities, including, but not limited to hiking, biking, picnicking or playing a variety of different sports. Passive recreation facilities may include picnic tables, water fountains and surfaced trails, but do not include buildings or structures devoted to limited ranges of sports activities.
~~278.~~	279.	**Recreational vehicle**: A vehicle which is: 1. built on a single chassis; 2. Four hundred square feet or less when measured at the largest horizontal projection; 3. designed to be self-propelled or permanently towable by a light duty truck; and, 4. designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational camping, travel or seasonal use.
~~279.~~	280.	**Regulatory flood protection level**: That level delineated by the one hundred year flood.
~~280.~~	281.	**Rehabilitation**: Any activity designed to place a structure into a usable condition with or without architectural change.
~~281.~~	282.	**Religious Institution**: A church, synagogue, temple, mosque, convent, monastery or other place of worship
~~282.~~	283.	**Related People:** Related individuals include people who are related by blood, are married to each other or are in a substantially similar relationship, and children under their care.
~~283.~~	284.	**Renovation**: Any activity relating to the updating and/or the modernization of an older structure involving architectural change.
~~284.~~	285.	**Repairs in like material and like design**: Any work or all work involving the replacement of existing material with equivalent material for the purpose of maintenance, but not including any addition, change or modification in construction design.
~~285.~~	286.	**Residence**: 1. A building or part of a building containing dwelling units or rooming units, including single-household or two-household houses, multiple dwellings,

		boarding or rooming houses or apartment hotels. Residences do not include the following: a. Such transient accommodations as transient hotels, motels, tourist cabins or trailer courts. b. Dormitories, fraternity or sorority houses, monasteries or convents. c. In a mixed building, that part of the building used for any nonresidential uses, except accessory to residential uses. 2. For the purposes of determining setback and/or height requirements for IN-1 District, a residence shall not include any properties owned, leased, or used by the institution regardless of zoning or land use.
~~286.~~	287.	**Residence, single-household**: A building containing only one (1) dwelling unit.
~~287.~~	288.	**Residential**: Pertaining to one or more residences.
~~288.~~	289.	**Residential district**: Any district whose designation begins with the letter "R".
~~289.~~	290.	**Residential Street**: any local City street where the majority of land use on one or both sides of the street within the block is residential.
~~290.~~	291.	**Restoration**: Any or all work connected with the returning to or restoring of a building, or part of any building, to its original condition through the use of original or nearly original materials.
~~291.~~	292.	**Retail establishment**: A commercial enterprise that provides a combination of goods and/or services directly to the consumer, where the principal use is providing goods that are available for immediate small quantity purchase and removal from the premises by the purchaser.
~~292.~~	293.	**Riding stable**: Any zoning lot used or designed for the boarding, breeding or care of horses or ponies, other than for farming or agricultural purposes, either with or without instruction in riding.
~~293.~~	294.	**Riprap**: A permanent, large, loose angular stone generally used for erosion and sediment control in concentrated high velocity flow areas.
~~294.~~	295.	**Roof sign**: A sign installed or constructed upon or above a roof.
~~295.~~	296.	**Rooming house**: A dwelling consisting of on single building in which, for compensation, lodging or meals, or both, are furnished to transient or non-transient guests. A rooming house shall not be deemed a home occupation.
~~296.~~	297.	**Runway**: A specified area on an airport prepared for landing and takeoff of aircraft.
~~297.~~	298.	**Sanitary or solid waste management facility, private**: A sanitary or solid waste management facility that is not a public sanitary or solid waste management facility, and which is owned and operated by a private entity for the purpose of handling sanitary or solid waste generated only by such private entity.
~~298.~~	299.	**Sanitary or solid waste management facility, public**: A sanitary or solid waste management facility owned or operated by or on behalf of the City of Lynchburg

		or a regional solid waste management authority of which the City of Lynchburg is a member.
~~299.~~	300.	**Sanitary or solid waste management facility**: Any facility or zoning lot used for: (i) the disposal of solid waste materials by abandonment, discarding, dumping, reduction, burial, incineration or any other means, including accessory uses such as recycling, cogeneration, and methane recovery, or (ii) a transfer station for solid waste storage or collection at which solid waste is transferred from collection vehicles to haulage vehicles, including but not limited to trucks, trains, and tandem trailers, for transportation to a central solid waste management facility for disposal or resource recovery. This definition does not include transportable waste receptacles of commercial solid waste generated by establishments engaged in business operations other than manufacturing. This category includes, but is not limited to, solid waste resulting from the operation of stores, markets, office buildings, restaurants, shopping centers, motels, hotels, multiple residences, picnic grounds and day-use recreation areas. This definition also does not include recycling bins.
~~300.~~	301.	**School**: An institution, including kindergartens providing full-time day instruction and a course of study that meets the requirements of the laws of the State of Virginia.
~~301.~~	302.	**Screening**: A method of visually shielding or obscuring items such as a structure, receptacle, parking area, equipment, or stormwater management pond by densely planted landscaping, or a combination of landscaping, berms, solid fences and/or walls.
~~302.~~	303.	**Service station**: See Automobile service station.
~~303.~~	304.	**Setback**: See building line.
~~304.~~	305.	**Shade tree**: Deciduous tree that grows to be more than thirty (30) feet at maturity and planted chiefly to provide shade from sunlight.
~~305.~~	306.	**Shallow flooding area**: A special flood hazard area with the base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
~~306.~~	307.	**Short Term Rental:** The primary, accessory or secondary use of a residential dwelling unit or a portion thereof by the owner or a host to provide room or space that is intended to be occupied for a period of fewer than 30 consecutive days.
~~307.~~	308.	**Shrub, large**: A shrub with a minimum height of three feet at planting.
~~308.~~	309.	**Shrub medium**: A shrub with a minimum height of two feet at planting.
~~309.~~	310.	**Shrub small**: A shrub with a minimum height of one foot at planting.

~~310.~~	311.	**Shrub:** A woody plant deciduous or evergreen that generally exhibits several erect, spreading stems with a bushy appearance growing to a height of no more than 15 feet.
~~311.~~	312.	**Sign base**: The area below any writing, pictorial representation, emblem or any other figure of similar character on a sign face. This shall include solid bases, poles, supports, uprights, skirts and/or enclosures.
~~312.~~	313.	**Sign box**: A structure that encloses the sign face(s) and any internal illumination.
~~313.~~	314.	**Sign face**: The area or display surface used for the message, not including the sign frame or sign structure.
~~314.~~	315.	**Sign frame**: The enclosure and/or embellishment that surround the sign face.
~~315.~~	316.	**Sign structure**: An assembly of material used to support a sign face and/or sign frame.
~~316.~~	317.	**Sign**: Any writing (including letter, word or numeral), pictorial representation (including illustration or decoration), emblem (including device, symbol, logo, or trademark) or any other figure or graphic of similar character for the purpose of communicating information to the public which is: 1. Attached to or painted on a structure, or in any other manner represented on a building, other structure or motor vehicle; 2. Used to announce, direct attention to, or advertise; 3. Visible from the outside of a building. A sign shall include writing, pictorial representation, emblem or any other figure of similar character within a building when located less than twelve inches away from the inside face of an exterior window pane; and 4. Accessory to the permitted uses in the zoning district.
~~317.~~	318.	**Slope**: The deviation of a surface from the horizontal.
~~318.~~	319.	**Solid waste**: Any discarded material, including, but not limited to, garbage, trash, refuse, junk, debris, leaves, brush, land clearing debris, demolition materials, ash, sludge, spoil, used or waste oil, and machinery or vehicles or parts thereof.
~~319.~~	320.	**Stable, riding**: See Riding stable.
~~320.~~	321.	**Standard project flood limit (SPFL):** That portion of land inside the floodplain that would be required to carry 40 percent to 60 percent of the maximum probable flood, and normally could be expected to occur at a 500-year frequency.
~~321.~~	322.	**Start of construction**: The date the Building Permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a

		foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of the property accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of the construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
~~322.~~	323.	**State**: means the Commonwealth of Virginia.
~~323.~~	324.	**Stealth**: means any tower or telecommunications facility that is designed to blend into the surrounding environment through the use of camouflage or other appropriate landscaping or construction techniques.
~~324.~~	325.	**Story**: That part of a building between the surface of a floor (whether or not counted for purposes of computing floor area ratio) and the ceiling immediately above. However, a cellar is not a story.
~~325.~~	326.	**Streamer**: Any long narrow strip of cloth, paper, plastic or other material.
~~326.~~	327.	**Street line**: A line defining the edge of a street right-of-way and separating the street from abutting property or lots. If, on the master plan of streets and highways duly adopted by the City, a street is scheduled for future widening, the proposed right-of-way line shown on the master plan shall be the street line.
~~327.~~	328.	**Street width**: The distance between street lines, measured at right angles to the center line of the street.
~~328.~~	329.	**Street, center line of**: A line established as a center line of a street by any state, City or other official agency or governing body having jurisdiction thereof and shown as such on an officially adopted or legally recorded map. If there is no official center line of a street, the center line shall be a line lying midway between the street or right-of-way lines thereof. Where street lines are indeterminate and a pavement or a traveled way exists, the center line shall be established by the City Engineer or, in the absence of a determination by the department of public works, shall be assumed to be a line midway between the edges of such pavement or traveled way.
~~329.~~	330.	**Street**: A street, highway, avenue, lane, marginal access street, service drive, alley, bridge, viaduct, or any segment thereof, lying within a public right-of-way at least 20 feet in width.
~~330.~~	331.	**Structural engineer**: means a structural engineer licensed by the Commonwealth of Virginia.
~~331.~~	332.	**Structure**: 1. Any object, including a mobile object, constructed or installed by any person, including but not limited to buildings, towers, cranes, smokestacks, earth formations, poles and electric lines of overhead transmission routes, and flag poles. 2. For purposes of floodplain regulation, anything constructed, set, placed or erected on the ground or attached to the ground including, but not limited to,

		buildings, factories, sheds, cabins, manufactured homes and other similar items which shall be anchored and floodproofed within the floodplain.
~~332.~~	333.	**Subdivision**: The division of any tract or parcel of land, including frontage along an existing street or highway, into two or more zoning lots; or any improvement of land by two or more principal buildings for the purpose, whether immediate or future, of building development for rental, lease or sale, which may include changes in street or lot lines; provided, however, that this definition of a subdivision shall not include the divisions of land into ten acres or more for agricultural uses.
~~333.~~	334.	**Substantial damage**: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damaged occurred.
~~334.~~	335.	**Substantial improvement**: 1. For purposes of the historic district, any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. The term includes structures which have incurred substantial damage regardless of the actual repair work performed. The term does not, however, include either: a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or b. Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure. 2. For purposes of floodplain regulation: a. Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either: i. before the improvement or repair is started; or ii. if the structure has been damaged, and is being restored, before the damage occurred. b. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either: i. any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or ii. any alteration of a structure listed on the national register of historic places or a state inventory of historic places. c. The repair, reconstruction or improvement of the streets, utilities and pads in a manufactured home park or manufactured home subdivision which equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced.

~~335.~~	336.	**Surface area of sign**: The entire area of the sign within a single continuous perimeter including the extreme limits of writing, pictorial representation, emblem, figure, graphic, or any figure of similar character. The sign base, box, frame, and/or structure shall not be considered the surface area of a sign unless there is writing or internal illumination on such sign components. For the purpose of computing, the surface area of a double-faced sign or a V-type sign shall be considered a single structure; provided, that the interior angle of the V-type sign does not exceed 45 degrees.
~~336.~~	337.	**Swimming pool, commercial**: A swimming pool and/or wading pool, including buildings necessary or incidental thereto, open to the general public and operated for profit.
~~337.~~	338.	**Swimming pool, community**: A swimming pool and/or wading pool, including buildings necessary or incidental thereto, operated by members of more than two families for the benefit of such group and not open to the general public, whether incorporated or unincorporated, whether organized as a club or cooperative or association, providing that it is not organized for profit and that the right to use said pool is restricted to such families and their guests. A swimming pool and/or wading pool operated as part of a multiple dwelling is also a community swimming pool, providing that it is not operated for profit, and that the right to use said pool is restricted to tenants of the multiple dwelling and their guests.
~~338.~~	339.	**Swimming pool, private**: See private recreational facilities.
~~339.~~	340.	**Telecommunications facilities**: means any cables, wires, lines, wave guides, antennas, and any other equipment associated with the transmission or reception of communications (other than radio or television broadcast communications) which a person seeks to locate or has installed upon or near a tower or antenna support structure. The term telecommunications facilities shall not include: 1. Any satellite earth station antenna two meters in diameter or less which is located in an area zoned industrial or commercial; or 2. Any satellite earth station antenna one meter or less in diameter, regardless of zoning category; or 3. Any federally-licensed amateur radio station operators.
~~340.~~	341.	**Temporary sign**: A sign designed or intended to be displayed for a limited period of time as indicated in the Zoning Ordinance.
~~341.~~	342.	**Thrift store**: A store selling used items, particularly clothing for the benefit of a charitable organization.
~~342.~~	343.	**Topping**: An inappropriate practice of making heading cuts to plants through a stem more than two years old that drastically reduces tree height, destroys tree architecture and results in discoloration, decay of the cut stem, or death of the tree.
~~343.~~	344.	**Tourist home or bed and breakfast**: A dwelling, occupied as such, in which sleeping accommodations in less than six rooms with not more than four persons

		per room are provided or offered for transient guests for compensation, under the management of the occupants of that dwelling for dwelling purposes. A tourist home or bed and breakfast shall not be deemed a home occupation.
~~344.~~	345.	**Tower owner**: means the person that owns or controls a telecommunications tower.
~~345.~~	346.	**Tower**: means a self-supporting lattice, guyed, or monopole structure constructed from grade that supports telecommunications facilities. The term tower shall not include amateur radio operators' equipment, as licensed by the FCC.
~~346.~~	347.	**Townhouse:** One of a series of from three to nine attached dwelling units separated from one another by common vertical walls with no openings; provided, that the maximum density permitted hereunder shall not be exceeded.
~~347.~~	348.	**Trailer**: A residence, house car, camp car or any portable or mobile vehicle on wheels, skids or rollers, not structurally anchored to a foundation, either self-propelled or propelled by an attached vehicle, animal, person or other propelling apparatus, which is used or may be used for residential, commercial, recreational, hauling or storage purposes.
~~348.~~	349.	**Transitional surfaces**: Imaginary surfaces for airport operations, whose design standards are referenced in section 35.2-57.3 which extend outward perpendicular to the runway centerline sloping from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces.
~~349.~~	350.	**Tree, small deciduous**: A small deciduous tree shall be of a species having an average minimum mature crown spread of greater than 12 feet. A minimum caliper of at least one and three-fourths inches at the time of planting shall be required.
~~350.~~	351.	**Unified and coordinated building mounted signs**: Signs that are similar in construction technique, but not including font, or color.
~~351.~~	352.	**Unified Ownership or Control**: The interest in title to a unit of land legally or beneficially held or controlled by one or more individual persons or entities related by a common business organization or other type of organization, as indicated by the fact that all land abutting such unit is owned or controlled by persons or entities who do not differ to any extent in identity or interest held.
~~352.~~	353.	**Use, accessory**: See accessory use.
~~353.~~	354.	**Use**: 1. Any purpose for which a building or other structure or a tract of land may be designed, arranged, intended, maintained or occupied. 2. Any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a tract of land. 3. The term "permitted use," or its equivalent, shall not be deemed to include any nonconforming use.

~~354.~~	355.	**Utility line, distribution**: A utility line that has the primary purpose of distributing services within easements or rights of way and connecting to service utility lines.
~~355.~~	356.	**Utility line, service**: A utility line providing a connection between a utility distribution line and the end user.
~~356.~~	357.	**Utility line, transmission**: A utility line intended to convey high capacities of services through the community and between communities from the source of the services (treatment or generation plant) to a substation connecting to the distribution system.
~~357.~~	358.	**Wall plane projections**: An architectural feature or wall jutting out at least three feet from the primary plane of a building wall.
~~358.~~	359.	**Water feature**: A stormwater management structural measure such as a stormwater retention pond, bio-retention, forebay, or landscape garden pond that is wet permanently or intermittently during rain events and contains landscaping that is hydric or water tolerant.
~~359.~~	360.	**Water surface profiles**: The elevations in relation to the mean sea level expected to be reached by floods of various magnitudes and frequencies at pertinent points along a stream.
~~360.~~	361.	**Watercourse:** A lake, river, creek, stream, wash, channel or other topographic feature on or over which water flows at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.
~~361.~~	362.	**Window sign**: A sign attached to, applied directly to, or located within 12 inches from a door or window.
~~362.~~	363.	**Yard Sale**: Permitted in Zoning Districts used for residential purposes provided the following is adhered to: 1. A total of two sales permitted per calendar year per street address. 2. A sale shall not exceed two consecutive days. 3. Sale shall consist primarily of those personal items accumulated and used by the occupant of the premises. 4. There shall be a minimum interval of four months between sales. 5. One sign not exceeding three square feet in area will be permitted on premises the day of the sale and shall be promptly removed at end of each sale day. 6. Signs advertising a sale are prohibited on street right-of-ways. 7. Permitted sale shall not create adverse conditions such as noise, nor impede pedestrian or vehicular traffic.
~~363.~~	364.	**Yard, front**: The area between the front lot line and the front of the building and extending from the front corners of the building to the side property lines.
~~364.~~	365.	**Yard, rear**: An area between the rear of the building and the rear property line and extending from the rear corners of the building to the side property lines.
~~365.~~	366.	**Yard, side**: The area between the side of a building and the side property lines

~~366.~~	367.	**Zone, airport**: For purposes of the airport overlay district, all areas, generally described in three dimensions by reference to ground elevation, vertical distances from the ground elevation, horizontal distances from the runway centerline and the primary and horizontal surfaces, with the zone floor set at specific vertical limits by the surfaces.
~~367.~~	368.	**Zoning district:** The base or overlay zoning designation assigned to each parcel of land within the City of Lynchburg.
~~368.~~	369.	**Zoning maps**: Maps designating the adopted base and overlay zoning district designations for each parcel of land within the City of Lynchburg.

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2. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by amending Section 35.2-45.2 of Article IV of Chapter 35.2 as follows:

Sec. 35.2-45.2. - Authorized uses.

(a) The uses authorized by IV-12 may be established in accordance with the procedures in Article II, the district standards in this article, the site development standards established in Article II and specific use standards established in Article VI, as well as other applicable rules and regulations.

(b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.

(c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.

(d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

Exhibit IV-12: Authorized Uses in B-1 District

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

Land Use	LBCS #	Description	Approval Type
		homes, congregate living, assisted and continuing care living, but excludes rehab uses in LBCS #6520)	
Bed & Breakfast and Tourist Homes	**1310**	Guest rooms in a private home or accessory building to a private home	P
boarding house	**1321**	Non-transient lodging that may include meals and is owner occupied	P
rooming house	**1322**	Transient or non-transient lodging that may include meals	P
dormitory, sorority or fraternity house	**1323**	Allowed only as accessory uses to and owned by a college or university	C
Short Term Rental	**1350**	Provision of lodging for fewer than thirty (30) consecutive days. (See Section 35.2-71.16)	P
Bicycles	**2113b**	New or used bicycle sales, rental and repair	P
camera and photographic supplies; clothing, jewelry, luggage, shoes, clocks, sewing; sporting goods, toy and hobby, and musical instruments; mixed media, school and office supplies	**2132-2135**	Primarily retail cameras and photographic supplies or retail with repair and film developing; clothing (including shoe repair and tailoring, sporting goods, toys, musical instruments, kitchen goods, books, magazines, music, videos, stationary, greeting cards, seasonal decorations, office and school supplies.	P
florist, art supplies, tobacco products	**2141-2143**	Florists, art supplies and art dealers, frame shops, tobacco products	P
art galleries	**2142b**	Excludes art supply sales and retail framing services	P

Land Use	LBCS #	Description	Approval Type
antique shop	**2145**	Antique shops, (excludes flea markets, thrift stores and pawn shops)	P
grocery store, supermarket, or bakery, convenience store, specialty food stores	**2151-2154**	Included are grocery stores, convenience stores, meat, seafood and produce markets, coffee, confections, variety goods and general stores, and delicatessens. Excludes stores with fuel pumps (see 2116 for fuel sales).	P
beer, wine, and liquor store	**2155**		P
Health and personal care	**2160**	Retail prescription or nonprescription drugs; retail cosmetics, perfumes, toiletries; prescription or nonprescription eyeglasses; prescription or nonprescription health and convalescent aids; medical devices, retail food supplement products such as vitamins, nutrition supplements, and body enhancing supplements.	P
Bank, credit union, or savings institution	**2210**	Central banking functions	P
credit card and other financing	**2221**	Credit card, sales financing, unsecured consumer lending, real estate credit, mortgages, international trade financing	P
Investment banking, securities, and brokerages; insurance; fund, trust, or other financial establishment	**2230-2250**	Securities underwriting, brokering, exchange services, managing portfolios; Insurance underwriting, selling insurance; manage assets on behalf of shareholders or beneficiaries	P
Real estate services	**2310**	Sell or lease real estate such as buildings, manufactured home sites and vacant lots; includes real estate appraisers and realtor offices	P

Land Use	LBCS #	Description	Approval Type
professional offices	**2411-2014**	Title abstract, lawyers, notaries, accountants, bookkeeping, payroll services, architects, engineers, surveyors, graphic design, interior design and industrial design	P
consulting services (management, environmental technical)	**2415**	Advise and assist businesses on management, scientific, and technological issues	P
scientific research and development services	**2416**	Conduct research or analyze in the physical, engineering, cognitive, or life sciences in offices.	P
other professional offices	**2419, 6810, 6820**	Includes advertising and media services intellectual property rights, franchising, labor, political or business organizations, and uses with similar impacts	P
office administrative services	**2421**	Office administration such as billing, record keeping, personnel, organizational planning	P
facilities support services	**2422**	Provide operating staff for support services within a client's facilities, including janitorial, security, laundry services, etc.	P
employment agency	**2423a**	Provide employee placement, temporary help	P
copy center, private mail center, other business support services	**2424**	Provide document preparation, telephone answering, telemarketing, court reporting, steno typing, FAX, internet access, small signs and banners	P
collection agency	**2425**	Collect payments, compile credit information, repossess tangible assets	P

Land Use	LBCS #	Description	Approval Type
Travel arrangement and reservation services		Promote or sell travel, includes convention and visitors' bureaus	P
Restaurants, cafeterias, snack bars & catering	**2510-2530 &2560**	Provide food and drinks to patrons - see district specific use regulations for limitations. Includes banquet, assembly and reception halls. See district standards.	P
Personal care	**2610**	Hair, nail, and skin care and related personal care, barbers, beauty shops, dieting and weight loss, tanning, hair removal, hair weaving, ear piercing and similar services	P
laundromat and dry cleaning	**2621 & 2622**	Includes Laundromats, dry cleaners, diaper services as well as other commercial laundry services	P
Photofinishing	**2630**	Primarily engaged in developing film or making slides, etc.	P
Parking lot and parking garage	**2640**	See district standards	P
licensed massage therapist	**2651**		P
pet cemetery	**2723**		C
national post office	**4181**		P
retail courier and package delivery	**4182**	Retail courier, package drop-off and mail services	P

Land Use	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, excluding data centers as defined in section 35.2-113.	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 Use	LBCS #	Description	Approval Type
		involve only minor structures. Included in this use type are small facilities such as transformers, relay and booster devices, and well, water and sewer pump stations, and wireless communication antennas attached to existing buildings or structures.	
electric substations	**4316**		C
Water treatment plants and utility facilities	**4331 - 4333,**	Water treatment plants, pumping stations and lift stations	C
Theater, dance or music establishment	**5110 & 5160**	Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers	P
Promoter of sports, performing arts, similar events and management services	**5140 - 5150**	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Museums and Other Special Purpose Recreational Institutions	**5200**	Public and private museums, historical sites, and similar establishments	P
Country Club	**5340 & 6830**	Operate private country clubs, with tennis courts and golf courses along with dining facilities and other recreational facilities; includes civic, social and fraternal organizations without dwellings	P
fitness and recreational sports center	**5371**	Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club, indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building	P

Land Use	LBCS #	Description	Approval Type
outdoor recreation	**5372, 5373 & 5374**	Includes for profit golf courses, archery ranges, outdoor volleyball, tennis, or swimming facilities, recreational courts, recreational day camp and horseback riding	C
Natural and other Recreational Parks	**5500**	All parks without special economic functions, other than limited concessions	P
Nursery or preschool	**6110**		P
Grade school	**6120**	Comprises all public, private, and specialty schools between the preschool and university level; includes adult education services not addressed elsewhere. See district use standards	P
College or university	**6130**	See district use standards	P
Public Safety	**6400**	Government-owned establishments providing fire and rescue, police, and emergency response services	P
Clinic	**6511 & 6567**	Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and veterans affairs services	P
outpatient care clinic	**6512**	Provide outpatient family planning services and outpatient care	P
group home small	**6522**	Fewer than five (5) aged or infirm individuals or fewer than nine (9) individuals with mental, intellectual or developmental disabilities	P
group home large	**6523**	Five or more aged or infirm individuals, or nine (9) or more individuals with mental, intellectual or developmental disabilities	P

Land Use	LBCS #	Description	Approval Type
Hospital	**6530**		C
child and adult day care	**6562**	Provide day care for children and adults	
Home	**6562a**	Day care for fewer than six (6) individuals in a residence	P
Small	**6562b**	Day care for six (6) to twelve (12) individuals in a residence	P
Large	**6562c**	Provide care for more than 12 individuals	P
Religious Institutions	**6600**	Churches, temples, synagogues, mosques, convents and monasteries	P
Funeral home and services	**6710**	Includes funeral homes combined with crematories	P
free-standing cemetery	**6722**		P
Columbarium	**6724**		C
Vegetable farming or growing	**9120**	Includes private fields and community gardens with production limited to retail sales	P
Commercial orchards	**9130**	Includes fruit and nut trees with production limited to retail sales	P
Animal Production	**9300**	Keep, graze, breed or feed animals (see district standards)	P
revival meetings/transient amusements	**9921**	Includes temporary carnivals and circuses sponsored by non-profit organizations (see section35.2-72.23)	P

Land Use	LBCS #	Description	Approval Type
cluster commercial development	**9955**	See section 35.2-85	C

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

Sec. 35.2-46.2. - Authorized uses.

(a) The uses authorized by Exhibit IV-15 may be established in accordance with the procedures established in Article II, the district standards in this article, the site development standards established in Article VI and specific use standards established in Article VII as well as other applicable rules and regulations.

(b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.

(c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.

(d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

Exhibit IV-15 Authorized Uses in B-3 District

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

Land Use	LBCS #	Description	Approval Type
Housing Services	**1200**	Housing and custodial services for those who cannot care for themselves. Includes nursing and retirement homes, congregate living, assisted and continuing care living, but excludes rehab uses in LBCS #6520)	P
Bed & Breakfast and Tourist Homes	**1310**	Guest rooms in a private home or accessory building to a private home	P
boarding house	**1321**	Non-transient lodging that may include meals and is owner occupied	P
rooming house	**1322**	Transient or non-transient lodging that may include meals	P
dormitory, sorority or fraternity house	**1323**	Allowed only as accessory uses to and owned by a college or university	C
Hotel, motel, or tourist court	**1330**	Hotels that do not have gambling services; includes extended-stay hotels	P
Short Term Rental	**1350**	Provision of lodging for fewer than thirty (30) consecutive days. (See Section 35.2-71.16)	P
bicycles	**2113b**	New or used bicycle sales, rental and repair	P
parts, accessories, or tires	**2115**	Automotive parts and supply stores, automotive stereo stores.	P
gasoline service	**2116**	Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair	P
light auto repair	**2117a**	Oil change, light auto repair and car wash. May included gasoline and other retail sales.	C
heavy auto repair	**2117b**	Auto repair, paint and body shops. May include gasoline and other retail sales.	C
furniture or home furnishings, hardware, home center, lawn and	**2121-2125**	Furniture, flooring, bedding stores; home building and repair supplies, painting	P

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

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

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

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

Land Use	LBCS #	Description	Approval Type
pet cemetery	**2723**		P
national post office	**4181**		P
retail courier and package delivery	**4182**	Retail courier, package drop-off and mail services	P
radio and television broadcasting	**4231, 4232 & 4241**	Operate broadcasting studios and facilities for over the air, cable or satellite delivery of radio and television programs	P
wireless telecommunications transmission	**4233**	Operate, maintain or provide access to facilities for the transmission of voice, data, text, sound or video, see section 35.2-73 for telecommunications ordinance	C/P
telephone and other wired telecommunications	**4234**	Operate telephone networks - excludes switching stations	P
Telecommunications switching stations/exchanges	**4239**	Telecommunications switching stations and exchanges with no on-site employees	C
library or archive	**4242**	Provide library or archive services	P
data processing and management, hosting and related services	**4244**	Web hosting, ~~computer data storage~~, optical scanning, computer input preparation, microfilm imaging, excluding data centers as defined in section 35.2-113.	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 Use	LBCS #	Description	Approval Type
Public Utilities Service Minor	**4315, 4329, 4339, 4349**	Includes distribution or collection lines and appurtenances for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission that are necessary to support development within the immediate vicinity and involve only minor structures. Included in this use type are small facilities such as transformers, relay and booster devices, and well, water and sewer pump stations, and wireless communication antennas attached to existing buildings or structures.	P
electric substations	**4316**		C
Water treatment plants and utility facilities	**4331 - 4333,**	Water treatment plants, pumping stations and lift stations	C
Theater, dance or music establishment	**5110 & 5160**	Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers	P
Motion picture viewing and exhibition services	**5111**	Operate movie theaters (excluding drive-ins), film festival exhibitions	P
Promoter of sports, performing arts, similar events and management services	**5140 - 5150**	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Indoor auditorium or arena	**5170**	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	P
Museums and Other Special Purpose Recreational Institutions	**5200**	Public and private museums, historical sites, and similar establishments	P
Amusement or theme park establishment	**5310**	Operate a variety of attractions such as mechanical rides, water rides, games	C

Land Use	LBCS #	Description	Approval Type
Commercial Amusements	**5320, 5380, 5390**	Operate arcades and other commercial amusements as defined herein	P
Country Club	**5340 & 6830**	Operate private country clubs, with tennis courts and golf courses along with dining facilities and other recreational facilities; includes civic, social and fraternal organizations without dwellings	P
fitness and recreational sports center	**5371**	Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club, indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building	P
outdoor recreation	**5372, 5373 & 5374**	Includes golf courses, archery ranges, outdoor volleyball, tennis, or swimming facilities, recreational courts, recreational day camp and horseback riding (excludes automobile, dog and horse racing)	C
shooting ranges, indoor	**5375**		C
Natural and other Recreational Parks	**5500**	All parks without special economic functions, other than limited concessions	P
Nursery or preschool	**6110**		P
Grade school	**6120**	Comprises all public, private, and specialty schools between the preschool and university level; includes adult education services not addressed elsewhere. See district use standards.	P
College or university	**6130**	See district use standards.	P
general technical schools	**6141-6143, 6145, 6147**	Offer courses in office procedures, administrative skills, and basic office skills; dance, art, drama, and music; athletic activities. See district use standards.	P
driving education	**6144**		P

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

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

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

(Remainder of Page Intentionally Left Blank)

4. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by amending Section 35.2-47.2 of Article IV of Chapter 35.2 as follows:

Sec. 35.2-47.2. - Authorized uses.

(a) The uses authorized by Exhibit IV-17 may be established in accordance with the procedures established in Article II, the district standards in this article, the site development standards established in Article VI and specific use standards established in Article VII as well as other applicable rules and regulations.

(b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.

(c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.

(d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

Exhibit IV-17: Authorized Uses in B-4 District

Land Use	LBCS #	Description	Approval Type
single-household attached (townhouse)	**1140S**	Each unit on a separate lot; fire wall may protrude from roof or roofs may be staggered	P
Multi-household structures	**1200S**	Includes triplexes, four-plexes, and other multi-household dwellings	P
Mixed-use residential structures (see district regulations for limitations)	**1201S**	Typically commercial uses on lower floors and residential uses on upper floors	P
Housing Services	**1200**	Housing and custodial services for those who cannot care for themselves. Includes nursing and retirement homes, congregate living, assisted and continuing care living, but excludes rehab uses in LBCS #6520)	P
Bed & Breakfast and Tourist Homes	**1310**	Guest rooms in a private home or accessory building to a private home	P

Land Use	LBCS #	Description	Approval Type
boarding house	**1321**	Non-transient lodging that may include meals and is owner occupied	P
rooming house	**1322**	Transient or non-transient lodging that may include meals	P
dormitory, sorority or fraternity house	**1323**	Allowed only as accessory uses to and owned by a college or university	C
Hotel, motel, or tourist court	**1330**	Hotels that do not have gambling services; includes extended-stay hotels	P
Short Term Rental	**1350**	Provision of lodging for fewer than thirty (30) consecutive days. (See Section 35.2-71.16)	P
bicycles	**2113b**	New or used bicycle sales, rental and repair	P
boat or marine craft dealer	**2114**	New or used boats sales, rental and related repair services	P
parts, accessories, or tires	**2115**	Automotive parts and supply stores, automotive stereo stores.	P
gasoline service	**2116**	Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair	C
light auto repair	**2117a**	Oil change, light auto repair and car wash. May include gasoline and other related sales.	C
heavy auto repair	**2117b**	Auto repair, paint and body shops. May include gasoline and other retail sales.	C

Land Use	LBCS #	Description	Approval Type
furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and appliances	**2121-2125**	Furniture, flooring, bedding stores; home building and repair supplies, painting supplies, farm goods, lighting supply, window treatment; nursery and garden products predominantly grown elsewhere, power equipment sales or services; large variety stores; household-type appliances, television, stereos, including repair shops and cell phone stores.	P
computer and software	**2131**	Computers and prepackaged software including repair, support, and training	P
camera and photographic supplies; clothing, jewelry, luggage, shoes, clocks, sewing; sporting goods, toy and hobby, and musical instruments; mixed media, school and office supplies	**2132-2135**	Primarily retail cameras and photographic supplies or retail with repair and film developing; clothing (including shoe repair and tailoring, sporting goods, toys, musical instruments, kitchen goods, books, magazines, music, videos, stationary, greeting cards, seasonal decorations, office and school supplies.	P
florist, art supplies, tobacco products	**2141-2143**	Florists, art supplies and art dealers, frame shops, tobacco products	P
art galleries	**2142b**	Excludes art supply sales and retail framing services	P
mail order or direct selling establishment	**2144**	Retailing other than through locations where shoppers physically visit	P
antique shop	**2145**	Antique shops, (excludes flea markets, thrift stores and pawn shops)	P

Land Use	LBCS #	Description	Approval Type
flea markets and thrift stores	**2145b**	Flea markets and thrift stores	P
grocery store, supermarket, or bakery, convenience store, specialty food stores	**2151-2154**	Included are grocery stores, convenience stores, meat, seafood and produce markets, coffee, confections, variety goods and general stores, and delicatessens. Excludes stores with fuel pumps (see 2116 for fuel sales).	P
beer, wine, and liquor store	**2155**		P
Health and personal care	**2160**	Retail prescription or nonprescription drugs; retail cosmetics, perfumes, toiletries; prescription or nonprescription eyeglasses; prescription or nonprescription health and convalescent aids; medical devices, retail food supplement products such as vitamins, nutrition supplements, and body enhancing supplements.	P
Markets for farm produce or crafts	**2199**	Markets and truck gardens.	C
Bank, credit union, or savings institution	**2210**	Central banking functions	P
credit card and other financing	**2221**	Credit card, sales financing, unsecured consumer lending, real estate credit, mortgages, international trade financing	P
pawn shops	**2222**		P
short-term loans	**2223**	Pay-day lenders and other businesses providing loans with terms of 45 days or less	P

Land Use	LBCS #	Description	Approval Type
precious metal buyers	**2224**	Businesses providing cash for gold and other precious metals or gems (excludes retail jewelers)	P
Investment banking, securities, and brokerages; insurance; fund, trust, or other financial establishment	**2230-2250**	Securities underwriting, brokering, exchange services, managing portfolios; Insurance underwriting, selling insurance; manage assets on behalf of shareholders or beneficiaries	P
Real estate services	**2310**	Sell or lease real estate such as buildings, manufactured home sites and vacant lots; includes real estate appraisers and realtor offices	P
Property management services	**2320**	Manage real property for others	P
recreational goods rental	**2333**	Rent skis, canoes, bicycles, sailboats, motorcycles	P
Professional offices	**2411-2014**	Title abstract, lawyers, notaries, accountants, bookkeeping, payroll services, architects, engineers, surveyors, graphic design, interior design and industrial design	P
consulting services (management, environmental technical)	**2415**	Advise and assist businesses on management, scientific, and technological issues	P
scientific research and development services	**2416**	Conduct research or analyze in the physical, engineering, cognitive, or life sciences in laboratories or offices.	P

Land Use	LBCS #	Description	Approval Type
advertising, media and photography services	**2417**	Includes advertising, marketing and public relations agencies, photographic studios and photographic services.	P
veterinary services	**2418**	Veterinary medicine, testing services for veterinary practitioners	P
other professional offices	**2419, 6810, 6820**	Includes advertising and media services intellectual property rights, franchising, labor, political or business organizations, and uses with similar impacts	P
office administrative services	**2421**	Office administration such as billing, record keeping, personnel, organizational planning	P
facilities support services	**2422**	Provide operating staff for support services within a client's facilities, including janitorial, security, laundry services, etc.	P
employment agency	**2423a**	Provide employee placement, temporary help	P
copy center, private mail center, other business support services	**2424**	Provide document preparation, telephone answering, telemarketing, court reporting, steno typing, FAX, internet access, small signs and banners	P
collection agency	**2425**	Collect payments, compile credit information, repossess tangible assets	P
Travel arrangement and reservation services	**2430**	Promote or sell travel, includes convention and visitors' bureaus	P

Land Use	LBCS #	Description	Approval Type
Investigation and security services	**2440**	Provide detective, guard and patrol services, picking up and delivery of money, selling of security systems, remote monitoring of security systems, locksmiths	P
Restaurants, cafeterias, snack bars & catering	**2510-2530 &2560**	Provide food and drinks to patrons - see district specific use regulations for limitations. Includes banquet, assembly and reception halls. See district standards.	P
Mobile food services	**2550**	Prepare and serve meals and snacks for immediate consumption from motorized vehicles	P
Food service contractor and vending machine operators	**2570 & 2580**	Provide food services at institutional, governmental, commercial, or industrial locations based on contracts. Retail merchandise through vending machines that they service	P
Personal care	**2610**	Hair, nail, and skin care and related personal care, barbers, beauty shops, dieting and weight loss, tanning, hair removal, hair weaving, ear piercing and similar services	P
laundromat and dry cleaning	**2621 & 2622**	Includes Laundromats, dry cleaners, diaper services as well as other commercial laundry services	P
Photofinishing	**2630**	Primarily engaged in developing film or making slides, etc.	P
Parking lot and parking garage	**2640**	See district standards	P

Land Use	LBCS #	Description	Approval Type
licensed massage therapist	**2651**		P
tattoo parlor	**2652**	Tattoos by a licensed professional	P
adult retail establishment	**2653**	Stores primarily selling adult oriented products, including books, videos, magazines, toys, lingerie and other sexually-oriented goods	P
Pet or pet supply store	**2710**	Retail pets, pet foods, pet supplies	P
animal services	**2721**	grooming and training	P
Food and beverages	**3110**	Includes bakery and candy establishments that produce for later consumption; ice manufacturing; dairies; bottling plants; and peanut and coffee roasting	P
Furniture and related products	**3230**	Includes manufacture and repair of furniture, upholstery, mattresses, window blinds, window shades, awnings cabinets, fixtures	P
Office and warehousing	**3610**	Storage of goods related to on-site office or retail use	P
rail passenger transportation	**4121**	Passenger stations only	P
local transit systems—bus, special needs, sightseeing, taxi and limousine services	**4133 - 4134 & 4136 - 4137**	Single-mode local and non-local transit systems other than rail; excludes transit stops, which are allowed in all districts. Includes sightseeing, taxi and limousine services	P

Land Use	LBCS #	Description	Approval Type
marine and sightseeing transportation	**4151**	Provide water transportation, including scenic and sightseeing, for passengers	P
national post office	**4181**		P
retail courier and package delivery	**4182**	Retail courier, package drop-off and mail services	P
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

Land Use	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, excluding data centers as defined in section 35.2-113.	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 Use	LBCS #	Description	Approval Type
Water treatment plants and utility facilities	**4331 - 4333,**	Water treatment plants, pumping stations and lift stations	C
Theater, dance or music establishment	**5110 & 5160**	Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers	P
Motion picture viewing and exhibition services	**5111**	Operate movie theaters (excluding drive-ins), film festival exhibitions	P
Promoter of sports, performing arts, similar events and management services	**5140 - 5150**	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Indoor auditorium or arena	**5170**	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	C
Outdoor auditorium/arenas	**5180**	Outdoor arenas, theaters and stadiums	C
Museums and Other Special Purpose Recreational Institutions	**5200**	Public and private museums, historical sites, and similar establishments	P
Amusement or theme park establishment	**5310**	Operate a variety of attractions such as mechanical rides, water rides, games	C
Commercial Amusements	**5320, 5380, 5390**	Operate arcades and other commercial amusements as defined herein	C

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

Land Use	LBCS #	Description	Approval Type
	6145, 6147	dance, art, drama, and music; athletic activities. See district use standards.	
Other Government Functions	**6300**	Other government owned establishments not classified elsewhere such as defense and national guard establishments	C
Public Safety	**6400**	Government-owned establishments providing fire and rescue, police, and emergency response services	P
clinic	**6511 & 6567**	Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and veterans' affairs services	P
outpatient care clinic	**6512**	Provide outpatient family planning services and outpatient care	P
medical or diagnostic laboratory; blood/organ bank	**6513 - 6514**	Provide analytic or diagnostic services including medical imaging	P
group home small	**6522**	Fewer than five (5) aged or infirm individuals or fewer than nine (9) individuals with mental, intellectual or developmental disabilities	P
group home large	**6523**	Five or more aged or infirm individuals, or nine (9) or more individuals with mental, intellectual or developmental disabilities	P
Hospital	**6530**		C
child and adult day care	**6562**	Provide day care for children and adults	

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

Land Use	LBCS #	Description	Approval Type
Greenhouse - no on-premises sales	**9141**	Includes fruit and nut trees with production limited to retail sales	P
Greenhouse - sales of products grown on premises	**9142**		P
Greenhouse - sales of products and related accessory products	**9143**		P
Animal Production	**9300**	Keep, graze, breed or feed animals (see standards in section 35.2-71.7)	P
tent revival meetings/ transient amusements	**9921**	Includes temporary carnivals and circuses sponsored by non-profit organizations (see section 35.2-72.23)	P
temporary outdoor promotional attractions	**9922**	Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see section 35.2-72.23)	P
traditional neighborhood development	**9952**	See section 35.2-82	C
large scale retail establishments	**9954**	See section 35.2-84	P
cluster commercial development	**9955**	See section 35.2-85	C

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

Sec. 35.2-48.2. - Authorized uses.

(a) The uses authorized by Exhibit IV-19 may be established in accordance with the procedures established in Article II, the district standards in this article, the site development standards established in Article VI and specific use standards established in Article VII as well as other applicable rules and regulations.

(b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.

(c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.

(d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

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

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

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

Land Use	LBCS #	Description	Approval Type
parts, accessories, or tires	**2115**	Automotive parts and supply stores, automotive stereo stores.	P
gasoline service	**2116**	Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair	P
light auto repair	**2117a**	Oil change, light auto repair and car wash. May include gasoline and other related sales.	P
heavy auto repair	**2117b**	Auto repair, paint and body shops. May include gasoline and other retail sales.	P
furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and appliances	**2121-2125**	Furniture, flooring, bedding stores; home building and repair supplies, painting supplies, farm goods, lighting supply, window treatment; nursery and garden products predominantly grown elsewhere, power equipment sales or services; large variety stores; household-type appliances, television, stereos, including repair shops and cell phone stores.	P
lumber yard and building materials; heating and plumbing equipment; heavy equipment	**2126-2128**	Lumber yards and heavy building materials; heating and plumbing equipment retailers; for heating and plumbing contractors who install or service, use the appropriate construction category; construction equipment and vehicles; includes authorized storage (3650)	P
computer and software	**2131**	Computers and prepackaged software including repair, support, and training	P
camera and photographic supplies; clothing, jewelry, luggage, shoes, clocks, sewing; sporting goods, toy and hobby, and musical instruments; mixed media, school and office supplies	**2132-2135**	Primarily retail cameras and photographic supplies or retail with repair and film developing; clothing (including shoe repair and tailoring, sporting goods, toys, musical instruments, kitchen goods, books, magazines, music, videos, stationary, greeting cards, seasonal decorations, office and school supplies.	P

Land Use	LBCS #	Description	Approval Type
florist, art supplies, tobacco products	**2141-2143**	Florists, art supplies and art dealers, frame shops, tobacco products	P
art galleries	**2142b**	Excludes art supply sales and retail framing services	P
mail order or direct selling establishment	**2144**	Retailing other than through locations where shoppers physically visit	P
antique shop	**2145**	Antique shops, (excludes flea markets, thrift stores and pawn shops)	P
flea markets and thrift stores	**2145b**	Flea markets and thrift stores	P
grocery store, supermarket, or bakery, convenience store, specialty food stores	**2151-2154**	Included are grocery stores, convenience stores, meat, seafood and produce markets, coffee, confections, variety goods and general stores, and delicatessens. Excludes stores with fuel pumps (see 2116 for fuel sales).	P
beer, wine, and liquor store	**2155**		P
Health and personal care	**2160**	Retail prescription or nonprescription drugs; retail cosmetics, perfumes, toiletries; prescription or nonprescription eyeglasses; prescription or nonprescription health and convalescent aids; medical devices, retail food supplement products such as vitamins, nutrition supplements, and body enhancing supplements.	P
Markets for farm produce or crafts	**2199**	Markets and truck gardens.	P
Bank, credit union, or savings institution	**2210**	Central banking functions	P
credit card and other financing	**2221**	Credit card, sales financing, unsecured consumer lending, real estate credit, mortgages, international trade financing	P

Land Use	LBCS #	Description	Approval Type
pawn shops	**2222**		P
short-term loans	**2223**	Pay-day lenders and other businesses providing loans with terms of 45 days or less	P
precious metal buyers	**2224**	Businesses providing cash for gold and other precious metals or gems (excludes retail jewelers)	P
Investment banking, securities, and brokerages; insurance; fund, trust, or other financial establishment	**2230-2250**	Securities underwriting, brokering, exchange services, managing portfolios; Insurance underwriting, selling insurance; manage assets on behalf of shareholders or beneficiaries	P
Real estate services	**2310**	Sell or lease real estate such as buildings, manufactured home sites and vacant lots; includes real estate appraisers and realtor offices	P
Property management services	**2320**	Manage real property for others	P
vehicles	**2331 & 2332**	Lease passenger cars, trucks, trailers, RVs, buses and aircraft; drivers not provided	P
recreational goods rental	**2333**	Rent skis, canoes, bicycles, sailboats, motorcycles	P
commercial, industrial or consumer machinery and equipment rental	**2334 - 2335**	Rent or lease: a) office machinery and equipment; heavy equipment without operators used for construction, well-drilling; other machinery and equipment for uses such as manufacturing or telecommunications; operators not included (note: see 2337 for heavy equipment leasing) b) personal and household-type goods and a range of equipment geared toward consumers	P
Professional offices	**2411-2014**	Title abstract, lawyers, notaries, accountants, bookkeeping, payroll services, architects,	P

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

Land Use	LBCS #	Description	Approval Type
collection agency	**2425**	Collect payments, compile credit information, repossess tangible assets	P
Travel arrangement and reservation services	**2430**	Promote or sell travel, includes convention and visitors' bureaus	P
Investigation and security services	**2440**	Provide detective, guard and patrol services, picking up and delivery of money, selling of security systems, remote monitoring of security systems, locksmiths	P
Services to buildings and dwellings	**2450**	Provide pest control, janitorial services, landscaping, carpet cleaning, etc. (2451-2454)	P
packing, crating	**2455**		P
Restaurants, cafeterias, snack bars & catering	**2510-2530 &2560**	Provide food and drinks to patrons - see district specific use regulations for limitations. Includes banquet, assembly and reception halls. See district standards.	P
Mobile food services	**2550**	Prepare and serve meals and snacks for immediate consumption from motorized vehicles	P
Food service contractor and vending machine operators	**2570 & 2580**	Provide food services at institutional, governmental, commercial, or industrial locations based on contracts. Retail merchandise through vending machines that they service	P
Personal care	**2610**	Hair, nail, and skin care and related personal care, barbers, beauty shops, dieting and weight loss, tanning, hair removal, hair weaving, ear piercing and similar services	P
laundromat and dry cleaning	**2621 & 2622**	Includes Laundromats, dry cleaners, diaper services as well as other commercial laundry services	P
linen and uniform supply	**2623**		P

Land Use	LBCS #	Description	Approval Type
Photofinishing	**2630**	Primarily engaged in developing film or making slides, etc.	P
Parking lot and parking garage	**2640**	See district standards	P
licensed massage therapist	**2651**		P
tattoo parlor	**2652**	Tattoos by a licensed professional	P
adult retail establishment	**2653**	Stores primarily selling adult oriented products, including books, videos, magazines, toys, lingerie and other sexually-oriented goods	P
Pet or pet supply store	**2710**	Retail pets, pet foods, pet supplies	P
animal services	**2721**	grooming and training	P
animal boarding	**2722**	sitting and boarding	P
pet cemetery	**2723**		P
Food and beverages	**3110**	Includes bakery and candy establishments that produce for later consumption; ice manufacturing; dairies; bottling plants; and peanut and coffee roasting	P
Textiles, leather and leather substitute products	**3130 & 3140**	Textile mills, apparel manufacturers and canvas making; dying plants and dry cleaning plants; leather and leather substitutes such as rubber footwear (excluding leather tanning)	P
Furniture and related products	**3230**	Includes manufacture and repair of furniture, upholstery, mattresses, window blinds, window shades, awnings cabinets, fixtures	P
Signs	**3440**	Manufacturing of signs to be erected or installed (excludes banner printing)	P

Land Use	LBCS #	Description	Approval Type
Blacksmith		Creation of objects from wrought iron steel, such as gates, railings, furniture, and other functional and decorative items	P
Wholesale Trade Establishment	**3500**	Normally operate from a warehouse or office, selling or arranging the purchase of goods to other businesses	P
Office and warehousing	**3610**	Storage of goods related to on-site office or retail use	P
Warehousing	**3620**	Storage of goods as the principal use; includes mini-warehouses, self-storage facilities and moving companies	P
rail passenger transportation	**4121**	Passenger stations only	P
local transit systems—bus, special needs, sightseeing, taxi and limousine services	**4133 - 4134 & 4136 - 4137**	Single-mode local and non-local transit systems other than rail; excludes transit stops, which are allowed in all districts. Includes sightseeing, taxi and limousine services	P
towing and other road and ground services	**4138**	Tow vehicles	P
Truck and freight transportation services	**4140**	Provide over-the-road transportation of cargo using motor vehicles and temporary storage	C
national post office	**4181**		P
retail courier and package delivery	**4182**	Retail courier, package drop-off and mail services	P
Courier and messenger services	**4190**	Provide air, surface, or combined courier delivery services of Parcels and messages (excludes retail package drop-off and local courier services	P
Publishing	**4210 & 4221**	Issue copies of works for which they usually possess copyright, including printing plants,	P

Land Use	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, excluding data centers as defined in section 35.2-113.	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 Use	LBCS #	Description	Approval Type
		nature which are not otherwise reviewed and approved by the Virginia State Corporation Commission. All overhead transmission lines are included in this definition.	
Public Utilities Service Minor	**4315, 4329, 4339, 4349**	Includes distribution or collection lines and appurtenances for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission that are necessary to support development within the immediate vicinity and involve only minor structures. Included in this use type are small facilities such as transformers, relay and booster devices, and well, water and sewer pump stations, and wireless communication antennas attached to existing buildings or structures.	P
electric substations	**4316**		C
Water treatment plants and utility facilities	**4331 - 4333,**	Water treatment plants, pumping stations and lift stations	C
recycling collection centers	**4349**	Drop-off facilities for the collection of recycled goods	P
Theater, dance or music establishment	**5110 & 5160**	Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers	P
Motion picture viewing and exhibition services	**5111**	Operate movie theaters (excludes drive-ins), film festival exhibitions	P
Promoter of sports, performing arts, similar events and management services	**5140 - 5150**	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Indoor auditorium or arena	**5170**	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	C

Land Use	LBCS #	Description	Approval Type
Outdoor auditorium/arenas	**5180**	Outdoor arenas, stadiums and theaters	C
Museums and Other Special Purpose Recreational Institutions	**5200**	Public and private museums, historical sites, and similar establishments	P
Amusement or theme park establishment	**5310**	Operate a variety of attractions such as mechanical rides, water rides, games	C
Commercial Amusements	**5320, 5380, 5390**	Operate arcades and other commercial amusements as defined herein	P
Country Club	**5340 & 6830**	Operate private country clubs, with tennis courts and golf courses along with dining facilities and other recreational facilities; includes civic, social and fraternal organizations without dwellings	P
fitness and recreational sports center	**5371**	Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club, indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building	P
outdoor recreation	**5372, 5373 & 5374**	Includes for profit golf courses, archery ranges, outdoor volleyball, tennis, or swimming facilities, recreational courts, recreational day camp and horseback riding	P
shooting ranges, indoor	**5375**		C
Camps, Camping, and Related Establishments	**5400**	Operate sites to accommodate campers and their equipment, provide overnight recreational camps, may provide cabins, food services, washrooms, spaces for overnight parking or recreational vehicles	C
Natural and other Recreational Parks	**5500**	All parks without special economic functions, other than limited concessions	P
Nursery or preschool	**6110**		P

Land Use	LBCS #	Description	Approval Type
Grade school	**6120**	Comprises all public, private, and specialty schools between the preschool and university level; includes adult education services not addressed elsewhere. See district use standards.	P
College or university	**6130**	See district use standards.	P
general technical schools	**6141-6143, 6145, 6147**	Offer courses in office procedures, administrative skills, and basic office skills; dance, art, drama, and music; athletic activities	P
driving education	**6144**		P
Other Government Functions	**6300**	Other government owned establishments not classified elsewhere such as defense and national guard establishments	P
Public Safety	**6400**	Government-owned establishments providing fire and rescue, police, and emergency response services	P
clinic	**6511 & 6567**	Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and veterans' affairs services	P
outpatient care clinic	**6512**	Provide outpatient family planning services and outpatient care	P
abortion clinic	6512a	Abortion clinics – as defined in Section 35.2-113 (see standards in Section 35.2-72.28)	C
medical or diagnostic laboratory; blood/organ bank	**6513 - 6514**	Provide analytic or diagnostic services including medical imaging	P
group home small	**6522**	Fewer than five (5) aged or infirm individuals or fewer than nine (9) individuals with	P

Land Use	LBCS #	Description	Approval Type
		mental, intellectual or developmental disabilities	
group home large	**6523**	Five or more aged or infirm individuals, or nine (9) or more individuals with mental, intellectual or developmental disabilities	P
Hospital	**6530**		P
child and adult day care	**6562**	Provide day care for children and adults	
home	**6562a**	Day care for fewer than six (6) individuals in a residence	P
small		Day care for six (6) to twelve (12) individuals in a residence	P
large	**6562c**	Provide care for more than 12 individuals	P
Religious Institutions	**6600**	Churches, temples, synagogues, mosques, convents and monasteries	P
Death Care Services	**6700**	Funeral homes, crematories, cemeteries	
Funeral home and services	**6710**	Includes funeral homes combined with crematories	P
free-standing cemetery	**6722**		P
columbarium	**6724**		P
Construction-Related Businesses	**7000**	Contractors who can build or demolish buildings, leveling, earthmoving, excavating, land drainage; should reflect the location of the establishment and not where it is performing its services. This category also includes the manufacture of industrial buildings, manufactured homes, modular homes, storage buildings and similar structures. Note that district standards may limit or preclude manufacturing, outdoor	P

Land Use	LBCS #	Description	Approval Type
		operations, outdoor storage of commercial vehicles and materials.	
Vegetable farming or growing	**9120**	Includes private fields and community gardens with production limited to retail sales	P
Commercial orchards	**9130**	Includes fruit and nut trees with production limited to retail sales	P
Greenhouse - no on-premises sales	**9141**	Commercial greenhouse production	P
Greenhouse - sales of products grown on premises	**9142**		P
Greenhouse - sales of products and related accessory products	**9143**		P
Animal Production	**9300**	Keep, graze, breed or feed animals (see standards in section 35.2-71.7)	P
tent revival meetings/transient amusements	**9921**	Includes temporary carnivals and circuses sponsored by non-profit organizations (see section 35.2-72.23)	P
temporary outdoor promotional attractions	**9922**	Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see section 35.2-72.23)	P
traditional neighborhood development	**9952**	See section 35.2-82	C
large scale retail establishments	**9954**	See section 35.2-84	P
cluster commercial development	**9955**	See section 35.2-85	C
flex space development	**9956**	See section 35.2-86	C
corporate campus	**9957**	See section 35.2-87	C

Land Use	LBCS #	Description	Approval Type
Billboards - only existing billboards allowed per section 35.2-64.16	**9990**	Billboards and other signs advertising goods and services not available on the site where the sign is located	P

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

Sec. 35.2-50.2. - Authorized uses.

(a) The uses authorized by Exhibit IV-23 may be established in accordance with the procedures established in Article II, the district standards in this article, the site development standards established in Article VI and specific use standards established in VII as well as other applicable rules and regulations.

(b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.

(c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.

(d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

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

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

Land Use	LBCS #	Description	Approval Type
single-household semi-detached	**1122S**	One of two dwellings separated by a party wall, on abutting lots	P
single-household attached (townhouse)	**1140S**	Each unit on a separate lot; fire wall may protrude from roof or roofs may be staggered	P
Multi-household structures	**1200S**	Includes triplexes, four-plexes, and other multi-household dwellings	P
Mixed-use residential structures	**1201S**	Typically commercial uses on lower floors and residential uses on upper floors	P
Housing Services	**1200**	Housing and custodial services for those who cannot care for themselves. Includes nursing and retirement homes, congregate living, assisted and continuing care living, but excludes rehab uses in LBCS #6520)	P
Bed & Breakfast and Tourist Homes	**1310**	Guest rooms in a private home or accessory building to a private home	P
boarding house	**1321**	Non-transient lodging that may include meals and is owner occupied	P
rooming house	**1322**	Transient or non-transient lodging that may include meals	P
dormitory, sorority or fraternity house	**1323**	Allowed only as accessory uses to and owned by a college or university	P
Hotel, motel, or tourist court	**1330**	Hotels that do not have gambling services; includes extended-stay hotels	P

Land Use	LBCS #	Description	Approval Type
Short Term Rental	**1350**	Provision of lodging for fewer than thirty (30) consecutive days. (See Section 35.2-71.16)	P
car, motorcycle, manufactured homes or RV dealer	**2111-2113**	New or used automobiles, light trucks, motorcycles, RV's, manufactured homes, and buses	P
bicycles	**2113b**	New or used bicycle sales, rental and repair	P
boat or marine craft dealer	**2114**	New or used boats sales, rental and related repair services	P
parts, accessories, or tires	**2115**	Automotive parts and supply stores, automotive stereo stores.	P
gasoline service	**2116**	Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair	P
light auto repair	**2117a**	Oil change, light auto repair and car wash. May include gasoline and other retail sales	P
heavy auto repair	**2117b**	Auto repair, paint and body shops. May include gasoline and other retail sales.	P
furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and appliances	**2121-2125**	Furniture, flooring, bedding stores; home building and repair supplies, painting supplies, farm goods, lighting supply, window treatment; nursery and garden products predominantly grown elsewhere, power equipment sales or services; large variety stores; household-type appliances, television, stereos, including repair shops and cell phone stores.	P

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

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

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

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

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

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

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

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

Land Use	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, excluding data centers as defined in section 35.2-113.	P
data center	**4244a**	Data centers as defined in section 35.2-113 (see standards in section 35.2-72.29)	C
Public Utilities Services, Major	**4315, 4329,**	Includes transmission lines for water, wastewater, stormwater, electricity, natural	C

Land Use	LBCS #	Description	Approval Type
	4339, 4349	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.	
Public Utilities Service Minor	**4315, 4329, 4339, 4349**	Includes distribution or collection lines and appurtenances for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission that are necessary to support development within the immediate vicinity and involve only minor structures. Included in this use type are small facilities such as transformers, relay and booster devices, and well, water and sewer pump stations, and wireless communication antennas attached to existing buildings or structures.	P
power generation	**4315**		C
electric substations	**4316**		P
Water treatment plants and utility facilities	**4331 - 4333,**	Water treatment plants, pumping stations and lift stations	P
recycling collection centers	**4349**	Drop-off facilities for the collection of recycled goods	P

Land Use	LBCS #	Description	Approval Type
Theater, dance or music establishment	**5110 & 5160**	Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers	P
Motion picture viewing and exhibition services	**5111**	Operate movie theaters, drive-ins, film festival exhibitions (Note: drive-in theaters limited to B-5 district)	P
Promoter of sports, performing arts, similar events and management services	**5140 - 5150**	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Indoor auditorium or arena	**5170**	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	C
Outdoor auditorium/arenas	**5180**	Outdoor arenas, stadiums and theaters	C
Museums and Other Special Purpose Recreational Institutions	**5200**	Public and private museums, historical sites, and similar establishments	P
Amusement or theme park establishment	**5310**	Operate a variety of attractions such as mechanical rides, water rides, games	C
Commercial Amusements	**5320, 5380, 5390**	Operate arcades and other commercial amusements as defined herein	P
Country Club	**5340 & 6830**	Operate private country clubs, with tennis courts and golf courses along with dining facilities and other recreational facilities; includes civic, social and fraternal organizations without dwellings	P

Land Use	LBCS #	Description	Approval Type
fitness and recreational sports center	**5371**	Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club, indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building	P
outdoor recreation	**5372, 5373 & 5374**	Includes for profit golf courses, archery ranges, outdoor volleyball, tennis, or swimming facilities, recreational courts, recreational day camp and horseback riding	P
shooting ranges, indoor	**5375**		C
Camps, Camping, and Related Establishments	**5400**	Operate sites to accommodate campers and their equipment, provide overnight recreational camps, may provide cabins, food services, washrooms, spaces for overnight parking or recreational vehicles	C
Natural and other Recreational Parks	**5500**	All parks without special economic functions, other than limited concessions	P
Nursery or preschool	**6110**		P
Grade school	**6120**	Comprises all public, private, and specialty schools between the preschool and university level; includes adult education services not addressed elsewhere	P
College or university	**6130**		P
general technical schools	**6141-6143, 6145, 6147**	Offer courses in office procedures, administrative skills, and basic office skills; dance, art, drama, and music; athletic activities	P

Land Use	LBCS #	Description	Approval Type
driving education	**6144**		P
flight training	**6146**	Offer aviation and flight training	P
Other Government Functions	**6300**	Other government owned establishments not classified elsewhere such as defense and national guard establishments	P
Public Safety	**6400**	Government-owned establishments providing fire and rescue, police, and emergency response services	P
clinic	**6511 & 6567**	Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and veterans affairs services	P
outpatient care clinic	**6512**	Provide outpatient family planning services and outpatient care	P
medical or diagnostic laboratory; blood/organ bank	**6513 - 6514**	Provide analytic or diagnostic services including medical imaging	P
group home small	**6522**	Fewer than five (5) aged or infirm individuals or fewer than nine (9) individuals with mental, intellectual or developmental disabilities	P
group home large	**6523**	Five or more aged or infirm individuals, or nine (9) or more individuals with mental, intellectual or developmental disabilities	P
Hospital	**6530**		P

Land Use	LBCS #	Description	Approval Type
child and youth services	**6561**	Offer services such as adoption, foster care, drug prevention services	P
child and adult day care	**6562**	Provide day care for children and adults	
home	**6562a**	Day care for fewer than six (6) individuals in a residence	P
small	**6562b**	Day care for six (6) to twelve (12) individuals in a residence	P
large	**6562c**	Provide care for more than 12 individuals	P
care services community food services	**6563 - 6566**	Includes community food services, emergency and relief services, services for the elderly and disabled other family services; does not on-site provision of housing	P
Religious Institutions	**6600**	Churches, temples, synagogues, mosques, convents and monasteries	P
Funeral home and services	**6710**	Includes funeral homes combined with crematories	P
free-standing cemetery	**6722**		P
columbarium	**6724**		P
Construction-Related Businesses	**7000**	Contractors who can build or demolish buildings, leveling, earthmoving, excavating, land drainage; should reflect the location of the establishment and not where it is performing its services. This category also includes the manufacture of industrial	P

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

Land Use	LBCS #	Description	Approval Type
traditional neighborhood development	**9952**	See section 35.2-82	C
large scale retail establishments	**9954**	See section 35.2-84	P
cluster commercial development	**9955**	See section 35.2-85	C
flex space development	**9956**	See section 35.2-86	C
corporate campus	**9957**	See section 35.2-87	C
Billboards	**9990**	Billboards and other signs advertising goods and services not available on the site where the sign is located	P

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7. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by amending Section 35.2-51.2 of Article IV of Chapter 35.2 as follows:

Sec. 35.2-51.2. - Authorized uses.

(a) The uses authorized by Exhibit IV-24 may be established in accordance with the procedures established in Article II, the district standards in this article, the site development standards established in Article VI and specific use standards established in Article VII, as well as other applicable rules and regulations.

(b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.

(c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.

(d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

Exhibit IV-24: Authorized Uses in I-1 District

Land Use	LBCS #	Description	I-1
Hotel, motel, or tourist court	**1330**	Hotels that do not have gambling services; includes extended-stay hotels	C
consulting services (management, environmental technical)	**2415**	Advise and assist businesses on management, scientific, and technological issues	P
scientific research and development services	**2416**	Conduct research or analyze in the physical, engineering, cognitive, or life sciences in laboratories or offices.	P
advertising, media and photography services	**2417**	Includes advertising, marketing and public relations agencies, photographic studios and photographic services.	P
office administrative services	**2421**	Office administration such as billing, record keeping, personnel, organizational planning	P
facilities support services	**2422**	Provide operating staff for support services within a client's facilities, including janitorial, security, laundry services, etc.	P

Land Use	LBCS #	Description	I-1
copy center, private mail center, other business support services	**2424**	Provide document preparation, telephone answering, telemarketing, court reporting, steno typing, FAX, internet access, small signs and banners	P
Restaurants, cafeterias, snack bars & catering	**2510-2530 & 2560**	Provide food and drinks to patrons - see district specific use regulations for limitations. Includes banquet, assembly and reception halls. See district standards.	C
Mobile food services	**2550**	Prepare and serve meals and snacks for immediate consumption from motorized vehicles	P
Parking lot and parking garage	**2640**	See district standards	P
Food and beverages	**3110**	Includes bakery and candy establishments that produce for later consumption; ice manufacturing; dairies; bottling plants; and peanut and coffee roasting	
Textiles, leather and leather substitute products	**3130 & 3140**	Textile mills, apparel manufacturers and canvas making; dying plants and dry cleaning plants; leather and leather substitutes such as rubber footwear (excluding leather tanning)	P
Machinery, electrical equipment, appliance, and components manufacturing	**3350 & 3360**	Make machinery for particular applications, such as construction, ventilation, heating and cooling; manufacture computers, communication equipment, lighting equipment, batteries, motors, appliances, household goods and medical equipment	P
Jewelry and silverware, sporting goods, toys, games and office supplies	**3410-3430**	Jewelry, silverware, sporting goods, toys, musical instruments, office supplies, including inks. Excludes paper mills and businesses primarily engaged in on-premises retail sales	P

Land Use	LBCS #	Description	I-1
Signs	**3440**	Manufacturing of signs to be erected or installed (excludes banner printing)	P
Office and warehousing	**3610**	Storage of goods related to on-site office or retail use	P
Air transportation	**4110**	Provide transportation for passengers or cargo using aircraft (see section 35.2-72.10 for rules related to heliports and helipads)	C
rail passenger transportation	**4121**	Passenger stations only	P
Publishing	**4210 & 4221**	Issue copies of works for which they usually possess copyright, including printing plants, motion picture and audio publishing. Includes newspaper publishing, greeting card printing and lithography	P
Motion pictures and sound 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

Land Use	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, excluding data centers as defined in section 35.2-113.	P
data center	**4244a**	Data centers as defined in section 35.2-113 (see standards in section 35.2-72.29)	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 Use	LBCS #	Description	I-1
		communication antennas attached to existing buildings or structures.	
power generation	**4315**		
electric substations	**4316**		P
Water treatment plants and utility facilities	**4331-4333**	Water treatment plants, pumping stations and lift stations	P
recycling collection centers	**4349**	Drop-off facilities for the collection of recycled goods	P
Promoter of sports, performing arts, similar events and management services	**5140-5150**	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Indoor auditorium or arena	**5170**	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	C
Outdoor auditorium/arenas	**5180**	Outdoor arenas, stadiums and theaters	C
fitness and recreational sports center	**5371**	Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club, indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building	C
shooting ranges, indoor	**5375**		C
Camps, Camping, and Related Establishments	**5400**	Operate sites to accommodate campers and their equipment, provide overnight recreational camps, may	

Land Use	LBCS #	Description	I-1
		provide cabins, food services, washrooms, spaces for overnight parking or recreational vehicles	
Natural and other Recreational Parks	**5500**	All parks without special economic functions, other than limited concessions	C
Public Safety	**6400**	Government-owned establishments providing fire and rescue, police, and emergency response services	P
Animal Production	**9300**	Keep, graze, breed or feed animals (see standards in section 35.2-71.7)	P
tent revival meetings/transient amusements	**9921**	Includes temporary carnivals and circuses sponsored by non-profit organizations	P
flex space development	**9956**	See section 35.2-86	P
corporate campus	**9957**	See section 35.2-87	P

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8. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by amending Section 35.2-52.2 of Article IV of Chapter 35.2 as follows:

Sec. 35.2-52.2. - Authorized uses.

(a) The uses authorized by Exhibit IV-26 may be established in accordance with the procedures established in Article II, the district standards in this article, the site development standards established in Article VI and specific use standards established in Article VII, as well as other applicable rules and regulations.

(b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.

(c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.

(d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

Exhibit IV-26: Authorized Uses in I-2 District

Land Use	LBCS #	Description	Approval Type
light auto repair	**2117a**	Oil change, light auto repair and car wash. May include gasoline and other retail sales.	P
heavy auto repair	**2117b**	Auto repair, paint and body shops. May include gasoline and other retail sales.	P
lumber yard and building materials; heating and plumbing equipment; heavy equipment	**2126-2128**	Lumber yards and heavy building materials; heating and plumbing equipment retailers; for heating and plumbing contractors who install or service, use the appropriate construction category; construction equipment and vehicles; includes authorized storage (3650)	P
mail order or direct selling establishment	**2144**	Retailing other than through locations where shoppers physically visit	P
commercial, industrial or consumer machinery and equipment rental	**2334-2335**	Rent or lease: a) office machinery and equipment; heavy equipment without operators used for construction, well-drilling; other machinery and equipment for uses such as manufacturing or	P

Land Use	LBCS #	Description	Approval Type
		telecommunications; operators not included (note: see 2337 for heavy equipment leasing) b) personal and household-type goods and a range of equipment geared toward consumers	
heavy equipment rental	**2337**	Includes construction vehicles with gross weights exceeding 26,000 pounds and agricultural vehicles	P
Services to buildings and dwellings	**2450**	Provide pest control, janitorial services, landscaping, carpet cleaning, etc. (2451-2454)	P
packing, crating	**2455**		P
Mobile food services	**2550**	Prepare and serve meals and snacks for immediate consumption from motorized vehicles	P
Food service contractor and vending machine operators	**2570 & 2580**	Provide food services at institutional, governmental, commercial, or industrial locations based on contracts. Retail merchandise through vending machines that they service	P
linen and uniform supply	**2623**		P
Parking lot and parking garage	**2640**	See district standards	P
Food and beverages	**3110**	Includes bakery and candy establishments that produce for later consumption; ice manufacturing; dairies; bottling plants; and peanut and coffee roasting	P
Tobacco manufacturing	**3120**		P

Land Use	LBCS #	Description	Approval Type
Textiles, leather and leather substitute products	**3130 & 3140**	Textile mills, apparel manufacturers and canvas making; dying plants and dry cleaning plants; leather and leather substitutes such as rubber footwear (excluding leather tanning)	P
Wood products	**3210**	Except furniture	P
Paper and printing materials	**3220**	Manufactures paper and offer printing-related products	P
Furniture and related products	**3230**	Includes manufacture and repair of furniture, upholstery, mattresses, window blinds, window shades, awnings cabinets, fixtures	P
Chemicals, plastic and rubber products; non-metallic mineral products, primary metal manufacturing; transportation equipment manufacture	**3320-3340 & 3370**	Manufacture inorganic chemicals, plastic or rubber products, adhesives, pharmaceuticals, wax products, insulation, bricks, ceramics, glass, cement, concrete, statuary, stone products, basic metal products, such as bars, rods, wires, and castings or finished products; produce equipment for transporting people and goods	P
Machinery , electrical equipment, appliance, and components manufacturing	**3350 & 3360**	Make machinery for particular applications, such as construction, ventilation, heating and cooling; manufacture computers, communication equipment, lighting equipment, batteries, motors, appliances, household goods and medical equipment	P
Transportation equipment and automobiles	**3370**	Produce equipment for transporting people and goods. Although transportation equipment is a type of machinery, assembly tends to be distinct from the production processes common in the machinery manufacturing subsector, so these establishments are classified separately.	P

Land Use	LBCS #	Description	Approval Type
Jewelry and silverware, sporting goods, toys, games and office supplies	**3410-3430**	Jewelry, silverware, sporting goods, toys, musical instruments, office supplies, including inks. Excludes paper mills and businesses primarily engaged in on-premises retail sales	P
Signs	**3440**	Manufacturing of signs to be erected or installed (excludes banner printing)	P
Blacksmith		Creation of objects from wrought iron steel, such as gates, railings, furniture, and other functional and decorative items	P
Wholesale Trade Establishment	**3500**	Normally operate from a warehouse or office, selling or arranging the purchase of goods to other businesses	P
Office and warehousing	**3610**	Storage of goods related to on-site office or retail use	P
Warehousing	**3620**	Storage of goods as the principal use; includes mini-warehouses, self-storage facilities and moving companies	P
Air transportation	**4110**	Provide transportation for passengers or cargo using aircraft, excludes air courier (see 4160)	P
rail passenger transportation	**4121**	Passenger stations only	P
local transit systems—bus, special needs, sightseeing, taxi and limousine services	**4133-4134 & 4136-4137**	Single-mode local and non-local transit systems other than rail; excludes transit stops, which are allowed in all districts. Includes sightseeing, taxi and limousine services	P

Land Use	LBCS #	Description	Approval Type
school and employee bus transportation	**4135**	Maintain and dispatch buses and other motor vehicles to transport pupils or employees	P
towing and other road and ground services	**4138**	Tow vehicles	P
Truck and freight transportation services	**4140**	Provide over-the-road transportation of cargo using motor vehicles and temporary storage	P
retail courier and package delivery	**4182**	Retail courier, package drop-off and mail services	P
Courier and messenger services	**4190**	Provide air, surface, or combined courier delivery services of Parcels and messages (excludes retail package drop-off and local courier services	P
Publishing	**4210 & 4221**	Issue copies of works for which they usually possess copyright, including printing plants, motion picture and audio publishing. Includes newspaper publishing, greeting card printing and lithography	P
Motion pictures and sound 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

Land Use	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, excluding data centers as defined in section 35.2-113.	P
data center	**4244a**	Data centers as defined in section 35.2-113 (see standards in section 35.2-72.29)	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 Use	LBCS #	Description	Approval Type
	4339, 4349	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.	
power generation	**4315**		C
electric substations	**4316**		P
Water treatment plants and utility facilities	**4331-4333**	Water treatment plants, pumping stations and lift stations	P
recycling collection centers	**4349**	Drop-off facilities for the collection of recycled goods	P
Promoter of sports, performing arts, similar events and management services	**5140-5150**	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Indoor auditorium or arena	**5170**	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	C
Outdoor auditorium/arenas	**5180**	Outdoor arenas, stadiums and theaters	C
Fitness, recreational sports, gym, athletic club	**5370**	Operate fitness and recreational sports facilities or provide services for fitness or recreational sports teams, clubs, or individual activities	C
fitness and recreational sports center	**5371**	Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club,	C

Land Use	LBCS #	Description	Approval Type
		indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building	
shooting ranges, indoor	**5375**		C
Natural and other Recreational Parks	**5500**	All parks without special economic functions, other than limited concessions	C
Other Government Functions	**6300**	Other government owned establishments not classified elsewhere such as defense and national guard establishments	C
Public Safety	**6400**	Government-owned establishments providing fire and rescue, police, and emergency response services	P
Construction-Related Businesses	**7000**	Contractors who can build or demolish buildings, leveling, earthmoving, excavating, land drainage; should reflect the location of the establishment and not where it is performing its services. This category also includes the manufacture of industrial buildings, manufactured homes, modular homes, storage buildings and similar structures. Note that district standards may limit or preclude manufacturing, outdoor operations, outdoor storage of commercial vehicles and materials.	P
Greenhouse - no on-premises sales	**9141**	Commercial greenhouse production	P
Greenhouse - sales of products grown on premises	**9142**		P

Land Use	LBCS #	Description	Approval Type
Greenhouse - sales of products and related accessory products	**9143**		P
Animal Production	**9300**	Keep, graze, breed or feed animals (see standards in section 35.2-71.7)	P
tent revival meetings/transient amusements	**9921**	Includes carnivals and circuses	C
flex space development	**9956**	See section 35.2-86	P
corporate campus	**9957**	See section 35.2-87	P
Billboards	**9990**	Billboards and other signs advertising goods and services not available on the site where the sign is located	P

(Remainder of Page Intentionally Left Blank)

9. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by amending Section 35.2-53.2 of Article IV of Chapter 35.2 as follows:

Sec. 35.2-53.2. - Authorized uses.

(a) The uses authorized by Exhibit IV-28 may be established in accordance with the procedures established in Article II, the district standards in this article, the site development standards established in Article VI and specific use standards established in Article VII, as well as other applicable rules and regulations.

(b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.

(c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.

(d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

Exhibit IV-28: Authorized Uses in I-3 District

Land Use	LBCS #	Description	Approval Type
gasoline service serving fleet vehicles - no retail authorized	**2116**	Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair	C
light auto repair	**2117a**	Oil change, light auto repair and car wash. May include gasoline and other retail sales	P
heavy auto repair	**2117b**	Auto repair, paint and body shops. May include gasoline and other retail sales.	P
lumber yard and building materials; heating and plumbing equipment; heavy equipment	**2126-2128**	Lumber yards and heavy building materials; heating and plumbing equipment retailers; for heating and plumbing contractors who install or service, use the appropriate construction category; construction equipment and vehicles; includes authorized storage (3650)	P
mail order or direct selling establishment	**2144**	Retailing other than through locations where shoppers physically visit	P

Land Use	LBCS #	Description	Approval Type
commercial, industrial or consumer machinery and equipment rental	**2334-2335**	Rent or lease: a) office machinery and equipment; heavy equipment without operators used for construction, well-drilling; other machinery and equipment for uses such as manufacturing or telecommunications; operators not included (note: see 2337 for heavy equipment leasing) b) personal and household-type goods and a range of equipment geared toward consumers	P
heavy equipment rental	**2337**	Includes construction vehicles with gross weights exceeding 26,000 pounds and agricultural vehicles	P
Services to buildings and dwellings	**2450**	Provide pest control, janitorial services, landscaping, carpet cleaning, etc. (2451-2454)	P
packing, crating	**2455**		P
Mobile food services	**2550**	Prepare and serve meals and snacks for immediate consumption from motorized vehicles	P
Food service contractor and vending machine operators	**2570 & 2580**	Provide food services at institutional, governmental, commercial, or industrial locations based on contracts. Retail merchandise through vending machines that they service	P
linen and uniform supply	**2623**		P
Parking lot and parking garage	**2640**	See district standards	P
Food and beverages	**3110**	Includes bakery and candy establishments that produce for later consumption; ice manufacturing; dairies; bottling plants; and peanut and coffee roasting	P

Land Use	LBCS #	Description	Approval Type
Tobacco manufacturing	**3120**		P
Textiles, leather and leather substitute products	**3130 & 3140**	Textile mills, apparel manufacturers and canvas making; dying plants and dry cleaning plants; leather and leather substitutes such as rubber footwear (excluding leather tanning)	P
Wood products	**3210**	Except furniture	P
Paper and printing materials	**3220**	Manufactures paper and offer printing-related products	P
Furniture and related products	**3230**	Includes manufacture and repair of furniture, upholstery, mattresses, window blinds, window shades, awnings cabinets, fixtures	P
liquid petroleum gas storage/sales	**3311**	This category addresses wholesale services and does not apply to incidental sales for home use	P
Chemicals, plastic and rubber products; non-metallic mineral products, primary metal manufacturing; transportation equipment manufacture	**3320-3340 & 3370**	Manufacture inorganic chemicals, plastic or rubber products, adhesives, pharmaceuticals, wax products, insulation, bricks, ceramics, glass, cement, concrete, statuary, stone products, basic metal products, such as bars, rods, wires, and castings or finished products; produce equipment for transporting people and goods	P
Machinery, electrical equipment, appliance, and components manufacturing	**3350 & 3360**	Make machinery for particular applications, such as construction, ventilation, heating and cooling; manufacture computers, communication equipment, lighting equipment, batteries, motors, appliances, household goods and medical equipment	P

Land Use	LBCS #	Description	Approval Type
Transportation equipment and automobiles	**3370**	Produce equipment for transporting people and goods. Although transportation equipment is a type of machinery, assembly tends to be distinct from the production processes common in the machinery manufacturing subsector, so these establishments are classified separately.	P
Jewelry and silverware, sporting goods, toys, games and office supplies	**3410-3430**	Jewelry, silverware, sporting goods, toys, musical instruments, office supplies, including inks. Excludes paper mills and businesses primarily engaged in on-premises retail sales	P
Signs	**3440**	Manufacturing of signs to be erected or installed (excludes banner printing)	P
Blacksmith		Creation of objects from wrought iron steel, such as gates, railings, furniture, and other functional and decorative items	P
Wholesale Trade Establishment	**3500**	Normally operate from a warehouse or office, selling or arranging the purchase of goods to other businesses	P
Office and warehousing	**3610**	Storage of goods related to on-site office or retail use	P
Warehousing	**3620**	Storage of goods as the principal use; includes mini-warehouses, self-storage facilities and moving companies	P
Underground Petroleum Storage	**3640**	An area used for bulk storage of oil and other petrochemicals in underground tanks	P
Air transportation	**4110**	Provide transportation for passengers or cargo using aircraft, excludes air courier (see 4160)	P

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

Land Use	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, excluding data centers as defined in section 35.2-113.	P
data center	**4244a**	Data centers as defined in section 35.2-113 (see standards in section 35.2-72.29)	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

Land Use	LBCS #	Description	Approval Type
		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.	
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 communication antennas attached to existing buildings or structures.	P
power generation	**4315**		C
electric substations	**4316**		P
Water treatment plants and utility facilities	**4331-4333**	Water treatment plants, pumping stations and lift stations	P
Wastewater treatment plants	**4348**		C
solid waste collection, combustion, landfills or separation/sorting of recyclable materials from non-hazardous waste streams	**4343-4347**	Collect or haul hazardous waste, non-hazardous waste, or recyclable materials, operate waste transfer stations; landfill, incineration or composing of non-hazardous solid waste, recycling facilities; septic tank installation and maintenance	C

Land Use	LBCS #	Description	Approval Type
recycling collection centers	**4349**	Drop-off facilities for the collection of recycled goods	P
Indoor auditorium or arena	**5170**	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	C
Outdoor auditorium/arenas	**5180**	Outdoor arenas, stadiums and theaters	C
Fitness, recreational sports, gym, athletic club	**5370**	Operate fitness and recreational sports facilities or provide services for fitness or recreational sports teams, clubs, or individual activities	
Natural and other Recreational Parks	**5500**	All parks without special economic functions, other than limited concessions	C
Other Government Functions	**6300**	Other government owned establishments not classified elsewhere such as defense and national guard establishments	C
Construction-Related Businesses	**7000**	Contractors who can build or demolish buildings, leveling, earthmoving, excavating, land drainage; should reflect the location of the establishment and not where it is performing its services. This category also includes the manufacture of industrial buildings, manufactured homes, modular homes, storage buildings and similar structures. Note that district standards may limit or preclude manufacturing, outdoor operations, outdoor storage of commercial vehicles and materials.	P
Greenhouse - no on-premises sales	**9141**	Commercial greenhouse production	P

Land Use	LBCS #	Description	Approval Type
Greenhouse - sales of products grown on premises	**9142**		P
Greenhouse - sales of products and related accessory products	**9143**		P
Animal Production	**9300**	Keep, graze, breed or feed animals (see standards in section 35.2-71.7)	P
tent revival meetings/transient amusements	**9921**	Includes temporary carnivals and circuses sponsored by non-profit organizations	P
Billboards	**9990**	Billboards and other signs advertising goods and services not available on the premises of the sign	P

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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) Prior to the approval of a conditional use permit the following shall be provided:

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-Medium Density Residential District, R-3, Medium Density Residential District, or R-4, High Density Residential District.

2. A vegetative evergreen buffer compliant with section 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 section 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 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.

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

APPENDIX A: - TABLE OF AUTHORIZED LAND USES

Land Use	LBCS #	Description	RC	R-1	R-2	R-3	R-4	B-1	B-3	B-4	B-5	IN-1	IN-2	I-1	I-2	I-3
RESIDENCE OR ACCOMMODATION FUNCTIONS	**1000**	Homes, apartments, housing for the elderly, and hotels														
Detached Units	**1110S**															
single-household detached	**1111S**	Typical single-household dwelling	P	P	P	P	P	P	P		C		P			
modular home	**1114S**	A prefabricated home without axles or frames (see definitions)	P	P	P	P	P	P	P		C		P			
manufactured home	**1115S**	A structure, transportable in one (1) or more sections, built after 1978 on a permanent chassis, and designed for use with or without a permanent foundation when connected to the required utilities (see definitions)	C								C		C			
manufactured home community	**1116S**	Includes manufactured home subdivision and manufactured home parks with 5 or more lots or sites (see definitions)		C	C	C	C						C			
Attached Units	**1120S**															
Two-household (duplex)	**1121S**	A building located on one (1) zoning lot				P	P	C	C		C		P			

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Land Use	LBCS #	Description	RC	R-1	R-2	R-3	R-4	B-1	B-3	B-4	B-5	IN-1	IN-2	I-1	I-2	I-3
wireless telecommunications transmission	**4233**	Operate, maintain or provide access to facilities for the transmission of voice, data, text, sound or video, see section 35.2-73 for telecommunications ordinance	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P
telephone and other wired telecommunications	**4234**	Operate telephone networks - excludes switching stations	P	P	P	P	P	P	P	P	P		P	P	P	P
Telecommunications switching stations/exchanges	**4239**	Telecommunications switching stations and exchanges with no on-site employees	C	C	C	C	C	C	C	C	C	C	P	C	P	P
Information services and data processing and management industries	**4240**	News syndicates and information data processing and management services														
library or archive	**4242**	Provide library or archive services		C	C	P	P	P	P	P	P		P	P	P	P
news syndicate	**4243**	Supply information such as news reports, articles, pictures and features to the news media								P	P		P	P	P	P
data processing and management, hosting and related services	**4244**	Web hosting, ~~computer data storage~~, optical scanning, computer input preparation, microfilm imaging, excluding data centers as defined in section 35.2-113.						P	P	P	P		P	P	P	P
data center	**4244a**	Data centers as defined in section 35.2-113 (see standards in section 35.2-72.29)											C	C	C	C

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
Utilities and Utility Services	**4300**	Provide utility services such as electric power, gas, water and sewage removal. Note that City-owned utilities are not subject to zoning district use standards														
Public Utilities Services, Major	**4315, 4329, 4339**	Includes transmission lines for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission of a regional nature and normally entail the construction of new buildings or structures such as electrical switching facilities and stations or substations, electric, gas, and other utility transmission lines of a regional nature which are not otherwise reviewed and approved by the Virginia State Corporation Commission. All overhead transmission lines are included in this definition.	C	C	C	C	C	C	C	C	C	C	C	C	P	P
Public Utilities Services, Minor	**4315, 4329, 4339**	Includes distribution or collection lines and appurtenances for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission that are necessary to support development within the immediate vicinity and involve only minor structures. Included in this use type are small facilities such as transformers, relay and booster devices, and well, water and sewer pump stations, and wireless communication	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Land Use	LBCS #	Description	RC	R-1	R-2	R-3	R-4	B-1	B-3	B-4	B-5	IN-1	IN-2	I-1	I-2	I-3
		antennas attached to existing buildings or structures.														
Electric power	**4310**	Provide electric power generation, transmission, control, and distribution														
power generation	**4315**												C		C	C
electric substations	**4316**		C	C	C	C	C	C	C	C	C	C	P	P	P	P
Water treatment plants and utility facilities	**4331 - 4333,**	Water treatment plants, pumping stations and lift stations	C	C	C	C	C	C	C	C	C	C	P	P	P	P
Solid waste, and related services	**4340**	Collect, treat, and dispose of waste materials														
hazardous waste processing, storage, treatment or disposal	**4341 & 4342**	Operate treatment and disposal facilities for hazardous waste, combine, collect, or haul hazardous waste materials, including businesses cleaning contaminated buildings, soil or groundwater														
solid waste collection, combustion, landfills or separation/sorting of recyclable materials from non-hazardous waste streams	**4343 - 4347**	Collect or haul hazardous waste, non-hazardous waste, or recyclable materials, operate waste transfer stations; landfill, incineration or composing of non-hazardous solid waste, recycling facilities; septic tank installation and maintenance														C

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
Wastewater treatment plants	**4348**		C													C
recycling collection centers	**4349**	Drop-off facilities for the collection of recycled goods									P		P	P	P	P
ARTS, ENTERTAINMENT, AND RECREATION	**5000**															
Performing Arts or Supporting Establishments	**5100**	Produce or organize and promote live presentations, excludes nightclubs														
Theater, dance or music establishment	**5110 & 5160**	Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers						P	P	P	P		P			
Motion picture viewing and exhibition services	**5111**	Operate movie theaters (excluding drive-ins), film festival exhibitions							P	P	P		P			
Promoter of sports, performing arts, similar events and management services	**5140 - 5150**	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers						P	P	P	P		P	P	P	
Indoor auditorium or arena	**5170**	Indoor auditoriums, arenas, conference centers, or multipurpose facilities							C	C	C		C	C	C	C
Outdoor auditorium/arenas	**5180**	Outdoor arenas and theaters								C	C		C	C	C	C

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
Museums and Other Special Purpose Recreational Institutions	**5200**	Public and private museums, historical sites, and similar establishments	C	C	C	P	P	P	P	P	P		P			
Amusement, Sports, or Recreation Establishment	**5300**	Operate facilities offering activities and provide services														
Amusement or theme park establishment	**5310**	Operate a variety of attractions such as mechanical rides, water rides, games							C	C	C		C			
Commercial Amusements	**5320, 5380, 5390**	Operate arcades and other commercial amusements as defined herein							P	C	P		P			
Country Club	**5340 & 6830**	Operate private country clubs, with tennis courts and golf courses along with dining facilities and other recreational facilities; includes civic, social and fraternal organizations without dwellings		C	C	C	C	P	P	P	P		P			
Fitness, recreational sports, gym, athletic club	**5370**	Operate fitness and recreational sports facilities or provide services for fitness or recreational sports teams, clubs, or individual activities														
fitness and recreational sports center	**5371**	Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club, indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building				C	C	P	P	P	P		P	C	C	

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
outdoor recreation	**5372, 5373 & 5374**	Includes golf courses, outdoor volleyball, tennis, or swimming facilities, recreational courts, recreational day camp and horseback riding. Excludes automobile, dog and horse racing facilities. May include lighted outdoor facilities.		C	C	C	C	C	C	C	P		P			
shooting ranges, indoor	**5375**								C	C	C		C	C	C	
shooting ranges, outdoor	**5376**		C													
Camps, Camping, and Related Establishments	**5400**	Operate sites to accommodate campers and their equipment, provide overnight recreational camps, may provide cabins, food services, washrooms, spaces for overnight parking or recreational vehicles									C		C			
Natural and other Recreational Parks	**5500**	All parks without special economic functions, other than limited concessions	P	P	P	P	P	P	P	P	P	P	P	P	P	P
EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE, AND OTHER INSTITUTIONS	**6000**	Note that City-owned facilities are not subject to zoning district use standards														
Educational Services	**6100**	Offer teaching and learning														
Nursery or preschool	**6110**	See district standards		P	P	P	P	P	P	P	P	P	P			

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
Grade school	**6120**	Comprises all public, private, and specialty schools between the preschool and university level; includes adult education services not addressed elsewhere. See district standards		P	P	P	P	P	P	P	P	P	P			
College or university	**6130**	See district standards		P	P	P	P	P	P	P	P	P	P			
Technical, trade, or other specialty school	**6140 & 6568**	Offer vocational and technical training as well as vocational rehabilitation services														
general technical schools	**6141-6143, 6145, 6147**	Offer courses in office procedures, administrative skills, and basic office skills; dance, art, drama, and music; athletic activities				C	C		P	C	P	P	P			
driving education	**6144**								P		P		P			
flight training	**6146**	Offer aviation and flight training											P			
Other Government Functions	**6300**	Other government owned establishments not classified elsewhere such as defense and national guard establishments								C	P		P		C	C
Public Safety	**6400**	Government-owned establishments providing fire and rescue, police, and emergency response services	P	P	P	P	P	P	P	P	P	P	P	P	P	
Health and Human Services	**6500**	Provide health care, social assistance, and														

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
		associated services														
Ambulatory or outpatient care services	**6510**	Offer health care services directly to patients without providing inpatient services														
clinic	**6511 & 6567**	Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and veterans affairs services						P	P	P	P	P	P			
outpatient care clinic	**6512**	Provide outpatient family planning services and outpatient care						P	P	P	P	P	P			
abortion clinic	**6512a**	Abortion clinics as defined in Section 35.2-113							C		C		C			
medical or diagnostic laboratory; blood/organ bank	**6513 - 6514**	Provide analytic or diagnostic services including medical imaging							P	P	P	P	P			
Nursing, supervision and other rehabilitative services, except	**6520**	Provide inpatient nursing and rehabilitative services and can accommodate patients for extended care, includes alcoholism or drug addiction rehabilitation, mental health Halfway Houses, group homes, and psychiatric convalescent homes see 1200 for nursing homes and long-term congregate care														
halfway house	**6521**	Residential services for pre- or post-release of convicted individuals														

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
group home small	**6522**	Fewer than five (5) aged or infirm individuals or fewer than nine (9) individuals with mental, intellectual or developmental disabilities	P	P	P	P	P	P	P	P	P	P	P			
group home large	**6523**	Five or more aged or infirm individuals, or nine (9) or more individuals with mental, intellectual or developmental disabilities	C	C	C	C	C	P	P	P	P	C	P			
rehabilitation centers	**6524**	See sanitarium for definition														
Hospital	**6530**			C	C	C	C	C	C	C	P		P			
Social assistance, welfare, and charitable services	**6560**	Provide social assistance directly to individuals, do not offer residential or accommodation services														
child and youth services	**6561**	Offer services such as adoption, foster care, drug prevention services										P	P			
child and adult day care	**6562**	Provide day care for children and adults														
home	**6562a**	Day care for fewer than six (6) individuals in a residence	P	P	P	P	P	P	P	P	P	P	P			
small	**6562b**	Day care for six (6) to twelve (12) individuals in a residence		C	C	C	C	P	P	P	P	P	P			0
large	**6562c**	Provide care for more than 12 individuals		C	C	C	C	P	P	P	P	P	P			

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
care services community food services	**6563 - 6566**	Includes community food services, emergency and relief services, services for the elderly and disabled other family services; does not include on-site provision of housing										P	P			
Religious Institutions	**6600**	Churches, temples, synagogues, mosques, convents and monasteries		C	C	C	C	P	P	P	P	P	P			
Death Care Services	**6700**	Funeral homes, crematories, cemeteries, undertakers														
Funeral home and services	**6710**	Includes funeral homes combined with crematories						P	P	P	P		P			
Cemetery or cremation services	**6720**															
free-standing cemetery	**6722**			C	C	C	C	C	P		P		P			
columbarium	**6724**			C	C	C	C	C	C	P	P		P			
CONSTRUCTION-RELATED BUSINESSES	**7000**	Contractors who can build or demolish buildings, leveling, earthmoving, excavating, land drainage; should reflect the location of the establishment and not where it is performing its services. This category also includes the manufacture of industrial buildings, manufactured homes, modular homes, storage buildings and similar structures. Note that district standards may							P	P	P		P		P	P

Land Use	LBCS #	Description	RC	R-1	R-2	R-3	R-4	B-1	B-3	B-4	B-5	IN-1	IN-2	I-1	I-2	I-3
		limit or preclude manufacturing, outdoor operations, outdoor storage of commercial vehicles and materials.														
AGRICULTURE, FORESTRY, FISHING, AND HUNTING	**9000**	Grow crops, raise animals, harvest timber, and harvest fish and other animals, may be described as farms, greenhouses, nurseries, or hatcheries														
Crop Production	**9100**															
Vegetable farming or growing	**9120**	Includes private fields and community gardens	P	P	P	P	P	P	P	P	P	P	P			
Commercial orchards	**9130**	Includes fruit and nut trees for commercial production	P	P	P	P	P	P	P		P	P	P			
Greenhouse Production	**9140**															
Greenhouse - no on-premises sales	**9141**	Commercial greenhouse production	P	P	P	P	P		P	P	P		P		P	P
Greenhouse - sales of products grown on premises	**9142**		P						P	P	P		P		P	P
Greenhouse - sales of products and related accessory products	**9143**								P	P	P		P		P	P
Animal Production	**9300**	Keep, graze, breed or feed animals (see	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Land Use	LBCS #	Description	RC	R-1	R-2	R-3	R-4	B-1	B-3	B-4	B-5	IN-1	IN-2	I-1	I-2	I-3
		district standards)														
Unclassifiable or No Function	**9900**	Temporary placeholder until a code can be assigned														
Temporary uses	**9920**															
tent revival meetings/transient amusements	**9921**	Includes temporary carnivals and circuses (see section 35.2-72.23)		P	P	P	P	P	P	P	P		P	P	P	P
temporary outdoor promotional attractions	**9922**	Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see section 35.2-72.23)							P	P	P		P			
Land Use Development Patterns	**9950**															
residential cluster development	**9951**	See section 35.2-80		P	P	P	P									
traditional neighborhood development	**9952**	See section 35.2-82		C	C	C	C	C	C	C	C		C			
planned unit development	**9953**	See section 35.2-83		C	C	C	C									
large scale retail establishments	**9954**	See section 35.2-84							P	P	P		P			
cluster commercial development	**9955**	See section 35.2-85						C	C	C	C		C			

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
flex space development	**9956**	See section 35.2-86									C		C	P	P	
corporate campus	**9957**	See section 35.2-87									C		C	P	P	
Billboards	**9990**	Billboards and other signs advertising goods and services not available on the site where the sign is located									P		P		P	P

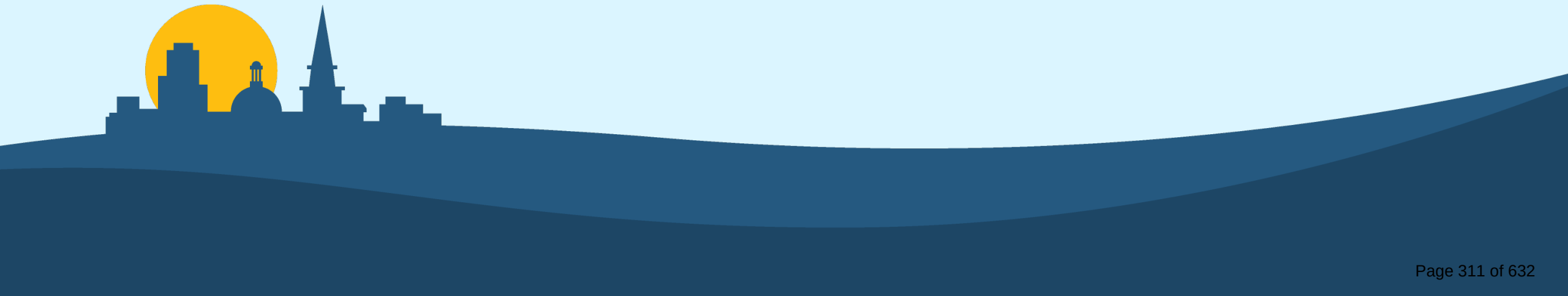
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12. That in accordance with § 38 – A (1) of the Charter for the City of Lynchburg, Virginia, this Ordinance shall be published by "pamphlet" by the Clerk of Council and shall become effective on August 17, 2026, which is no less than thirty (30) days from the adoption date of this Ordinance.

Adopted: July 14, 2026

Certified: Alicia Finney-Andrews
Clerk of Council

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.

THE CITY OF LYNCHBURG

PURPOSE & CONTEXT

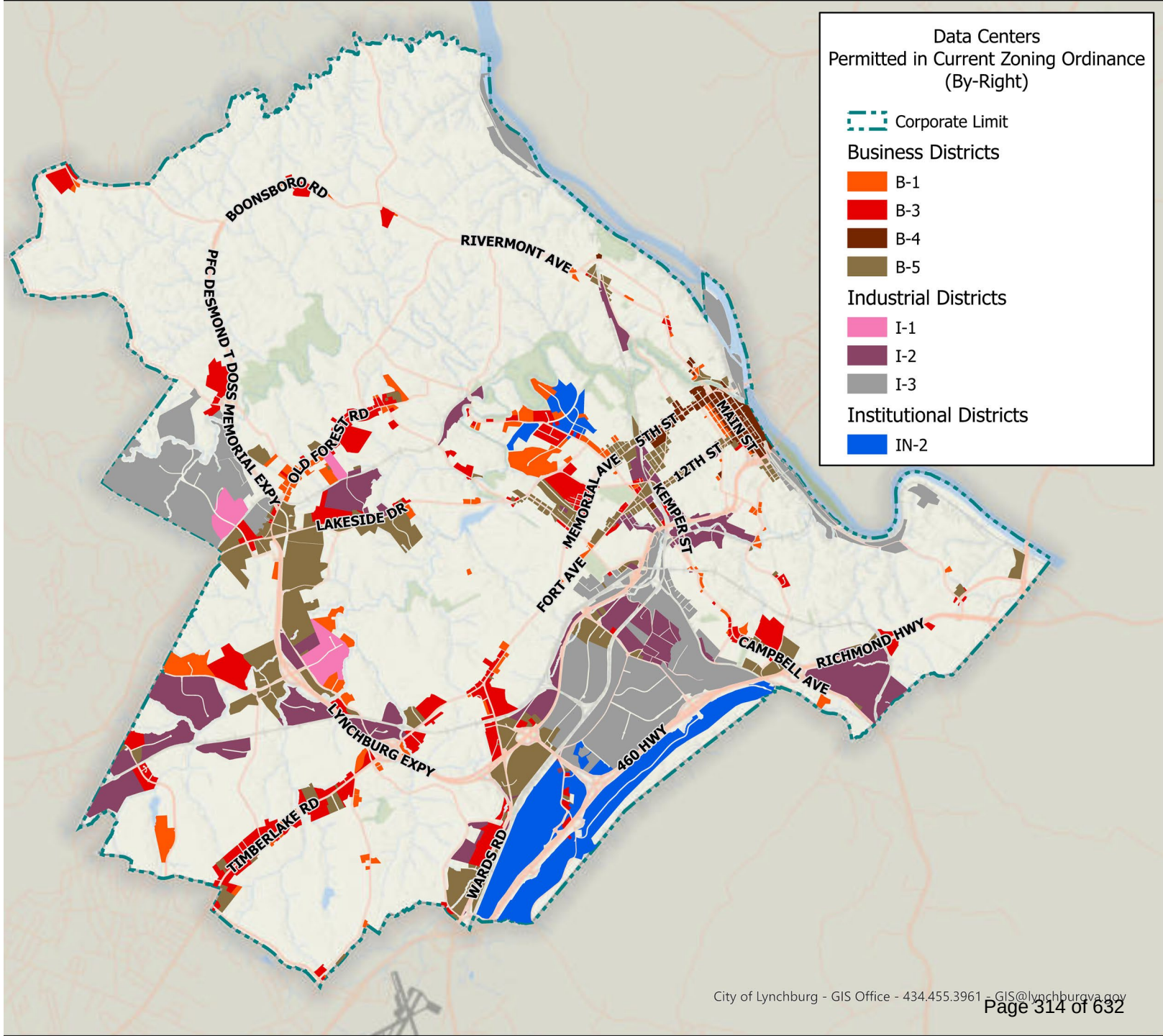
- Mitigate impact to residents, surrounding land uses
- Preserve Business Districts for true commercial uses
- **Evaluate data center proposals on a case-by-case basis in Industrial and IN-2, Institutional 2 Districts**

- 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.

THE CITY OF LYNCHBURG

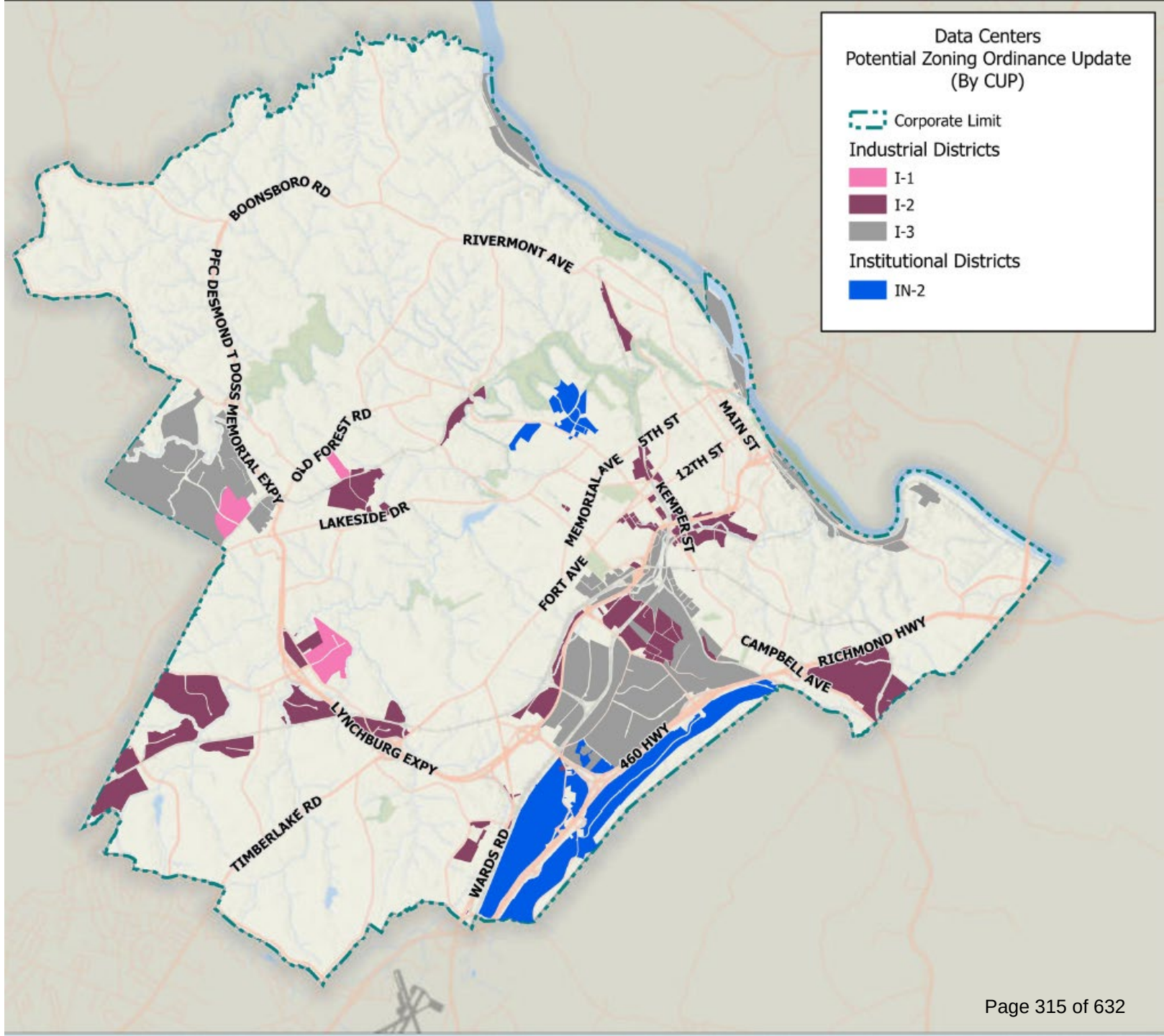
CURRENT CODE

- 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

Data Centers as defined in Section 35.2-113 of this article shall be a use permitted by Conditional Use Permit in the I-1, I-2, I-3, and IN-2 Districts



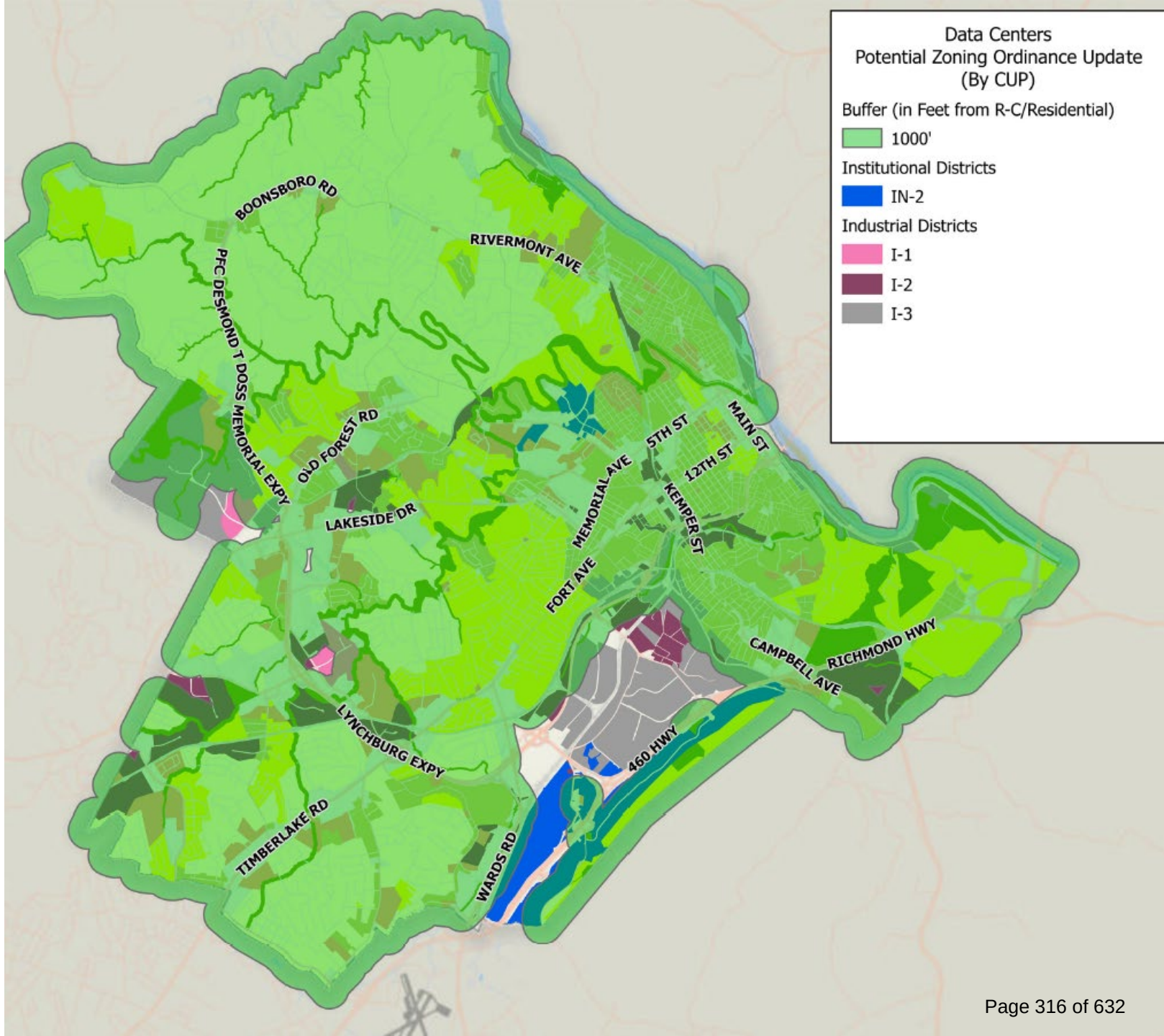
THE CITY OF LYNCHBURG

DRAFT UPDATES

As recommended Planning Commission: Data Centers as defined in Section 35.2-113 of this article 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.

THE CITY OF LYNCHBURG



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

THE CITY OF LYNCHBURG

THE CITY OF LYNCHBURG
COMMUNITY DEVELOPMENT
900 Church Street
Lynchburg, VA 24504

June 24, 2026

SUMMARY OF PROPOSED ZONING AMENDMENTS FOR DATA CENTERS

- Section 35.2-113 – Definitions:
  - Define Data Center – p. 8
- 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

    - 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

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981, BY AMENDING SECTION 35.2-113 OF ARTICLE XI OF CHAPTER 35.2, SECTION 35.2-45.2 OF ARTICLE IV OF CHAPTER 35.2, SECTION 35.2-46.2 OF ARTICLE IV OF CHAPTER 35.2, SECTION 35.2-47.2 OF ARTICLE IV OF CHAPTER 35.2, SECTION 35.2-48.2 OF ARTICLE IV OF CHAPTER 35.2, SECTION 35.2-50.2 OF ARTICLE IV OF CHAPTER 35.2, SECTION 35.2-51.2 OF ARTICLE IV OF CHAPTER 35.2, SECTION 35.2-52.2 OF ARTICLE IV OF CHAPTER 35.2, AND SECTION 35.2-53.2 OF ARTICLE IV OF CHAPTER 35.2, CREATING A NEW SECTION 35.2-72.29 OF ARTICLE VII OF CHAPTER 35.2, AND AMENDING APPENDIX A – TABLE OF AUTHORIZED LAND USES OF ARTICLE XI OF CHAPTER 35.2; WITH ALL OF THE SAME BEING CONNECTED TO CODIFYING ZONING REGULATIONS FOR DATA CENTERS IN THE CITY OF LYNCHBURG, VIRGINIA.

ORDINANCE: **#O-26-___**

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

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

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

Sec. 35.2-113. - Definitions.

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

1.		**Abortion clinic**: means a facility, other than a hospital, where any person administers to, or causes to be taken by a woman, any drug, medicine, or any other substance other than contraceptive methods that are approved by the U.S Food and Drug Administration, or use any instrument, device, or means, with intent to knowingly destroy the life of an embryo or fetus in his or her mother's womb, but in all cases excluding family planning services.
2.		**Abut**: To adjoin or touch at one or more points along a common boundary.
3.		**Accessible**: Dwellings that meet prescribed requirements for accessible housing. Mandatory requirements for accessible housing in the Department of Housing and Urban Development's program 202 and 811, section 504, and the Fair Housing Amendments Act requirements. Accessible features in dwellings include items such as wide doors, sufficient clear floor space for wheelchairs, lower countertop segments, lever and loop type handles on hardware, seats at bathing fixtures, grab bars in bathrooms, knee spaces under sinks and counters, audible and visual signals, switches and controls in easily reached locations, entrances free of steps and stairs, and an accessible route through the house. Most "accessible" features are permanently fixed in place and very apparent.
4.		**Accessory use or accessory**: A use conducted on the same zoning lot as the principal use to which it is

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

15.		**Antenna support structure**: Any building or other structure 30 feet in height or taller other than a tower which can be used for location of telecommunications facilities.
16.		**Apartment house**: See dwelling, multi-household.
17.		**Apartment**: A room or suite of two or more rooms, which is designed or intended for residential occupancy by, or which is occupied by, one household doing its cooking therein.
18.		**Applicant**: Any person who applies for any development approval.
19.		**Application or development application**: Means the process by which the owner, or the owner's legal representative, of a plot of land within the City submits a request to develop approval. Application includes all written documentation, verbal statements, and representations, in whatever form or forum, made by an applicant to the City concerning such a request.
20.		**Approach surface**: A surface, whose design standards are referenced in section 35.2-57.3, longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface, and at the same slope as the approach zone height limitation slope set forth in section 35.2-57.4 In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.
21.		**Approach, transitional, horizontal, and conical zones**: the airspace zones as set forth in section 35.2-57.4.
22.		**Arcade:** A public or private pedestrian walkway that is open to the street and covered by the upper floors of a building front.
23.		**Arterial or arterial street**: A public street currently classified in the comprehensive plan functional classification map as an arterial.
24.		**Automobile graveyard**: Any lot or place which is exposed to the weather and upon which more than five motor vehicles of any kind that are incapable of being operated and which it would not be economically practical to make operative, are placed, located or found. The movement or rearrangement of vehicles within an existing lot or facility does not render this definition inapplicable. The provisions established by this definition shall begin with the first day that the vehicle is placed on the subject property.
25.		**Automobile service station**: A location providing light automobile repairs as listed in LBCS functional use code 2117a. A building, lot, or both, in or upon which gasoline, oil, grease, batteries, tires and automobile accessories may be supplied and dispensed at retail, and where, in addition, the following services may be rendered and sales made, and no other: 1. Sales and servicing of spark plugs, batteries, and distributors and distributor parts. 2. Tire servicing and repair, but not recapping or regrooving. 3. Replacement of mufflers and tail pipes, water hoses, fan belts, brake fluid, light bulbs, fuses, floor mats, windshield wipers and wiper blades, grease

		retainers, wheel bearings, mirrors and the like. 4. Radiator cleaning and flushing. 5. Washing and polishing, and sale of automotive washing and polishing materials. 6. Greasing and lubrication. 7. Providing and repairing fuel pumps, oil pumps and lines. 8. Electrical system repairs 9. Adjusting and repairing brakes. 10. Minor motor adjustments not involving racing the motor. 11. Retail sales of convenience goods. 12. Virginia state inspection station. Uses permissible at an automobile service station do not include major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in operating condition or other work involving noise, glare, fumes, smoke or other characteristics to an extent greater than normally found in service stations.
26.		**Awning**: A permanent roof like structure that projects from the wall of a building, covered with any material designed and intended for protection from the weather or as a decorative embellishment including those types which can be retracted, folded, or collapsed against the face of the supporting building.
27.		**Banner**: A sign consisting of a piece of fabric or any other material, other than a flag or pennant, used to advertise a business, service, product, goods, special promotion, activity or event.
28.		**Base flood**: The flood having a one percent chance of being equaled or exceeded in any given year.
29.		**Base flood elevation**: The Federal Emergency Management Agency designated 100-year water surface elevation.
30.		**Basement:** Any area of the building having its floor sub-grade (below ground level) on all sides.
31.		**Bed and breakfast or tourist home**: A dwelling, occupied as such, in which sleeping accommodations in less than six rooms with not more than four persons per room are provided or offered for transient guests for compensation, under the management of the occupants of that dwelling for dwelling purposes. A tourist home or bed and breakfast shall not be deemed a home occupation.
32.		**Billboard or poster panel**: Any exterior sign or advertising structure or portion thereof, including any sign painted directly on any exterior wall, roof, or part of a building or other object, displaying any information other than the name and occupation of the user of the premises or the nature of the business conducted thereon or the products sold, manufactured, processed or available thereon.
33.		**Block face:** The edge of a block fronting on a street.
34.		**Block**: An area of land bounded by streets providing access to such area.

35.		**Board of Zoning Appeals**: The board appointed to review appeals made by individuals with regard to decisions of the Zoning Administrator in the interpretation of this ordinance as described in this ordinance and regulated by the Code of Virginia.
36.		**Boardinghouse or lodging house**: A residence where the owner resides in which, for compensation, lodging, or meals, or both, are furnished to transient or non-transient guests. A boardinghouse shall not be deemed a home occupation.
37.		**Boarding unit or lodging unit:** Any building or part thereof constituting a separate, independent transient accommodation that is physically separated from other such units so as to provide secure and private temporary accommodations.
38		**Buffer**: An area of land, including landscaping, or combination of landscaping berms, solid fences and/or walls that is located between land uses of different character and is intended to mitigate negative impacts of the more intense use.
39.		**Building, accessory**: A building subordinate to, and located on, the same zoning lot with a main building, the use of which is clearly incidental to that of the main building or to the principal use of the land, and which is not attached by any part of a common wall or a common roof to the main building.
40.		**Building envelope:** The area in which a building may be constructed, which is bounded by the minimum front, side and rear setbacks and the maximum building height.
41.		**Building group**: A group of two or more main buildings and any buildings accessory thereto occupying a single zoning lot.
42.		**Building line or setback**: A line drawn parallel to a lot line at a distance therefrom equal to the depth of a required setback.
43.		**Building mounted sign**: A permanently attached sign, erected or painted on the outside wall, window, or door of a building.
44.		**Building permit**: A document issued by the City of Lynchburg to permit the construction, erection of alteration of any structure.
45.		**Building, height of**: The vertical distance measured from the level of approved street grade opposite the middle of the front of the building to the highest point of roof surface of a flat roof; to the deck line of a mansard floor; and to the mean height level between eaves and ridge of a gable, hip or gambrel roof; except as otherwise provided in section 35.2-61.2.
46.		**Building, main**: The building in which is conducted the principal use of the zoning lot on which it is situated in any residential zone; any dwelling shall be deemed to be a main building on the zoning lot on which the same is located if the lot is used primarily for residential purposes.
47.		**Building, temporary**: Any structure which is intended to be used or occupied for only a limited time or which is not permanently supported by a foundation.
48.		**Building**: Any structure designed or intended for support, shelter, enclosure or protection of persons, animals, chattels or property.

49.		**Business district**: A zoning district whose designation begins with the letter "B".
50.		**Business incubator**: A facility that provides start-up or emerging businesses with space and shared office equipment, support and business development services, such as management and marketing assistance, for a limited period of time. A business incubator shall meet the following criteria: (1) It shall contain uses authorized in the applicable zoning district under one roof with a minimum of six tenant spaces. (2) Companies housed in a business incubator shall either provide services or support to existing basic industries, or shall conduct light manufacturing or distribution businesses. (3) Display rooms for retail sales shall not exceed ten percent of the gross floor area of the tenant space. (4) A tenant shall not be allowed to occupy the facility for more than 48 months.
51.		**Caliper**: Trunk diameter of a tree measured six inches from the ground. If the caliper is greater than four inches, the measurement is taken 12 inches from the ground.
52.		**Campus** : A designated area of land including the buildings and grounds of institutional uses such as schools, colleges, universities, senior living facilities, medical facilities and churches. A campus may be divided by public or private rights-of-way.
53.		**Care center**: A day nursery, nursery school, day camp, summer camp or other place where reception or care is provided with or without compensation, of persons of any age and the primary use of the facility where said reception or care is provided is not a residence.
54.		**Cemetery**: A place used for the permanent commercial interment of dead bodies or the cremated remains thereof. It may be either a burial park for earth interments, a mausoleum for vault or crypt interments, a columbarium for cinerary interments or a combination thereof.
55.		**Certificate of appropriateness (COA)**: The approval statement signed by the historic preservation commission chair and/or the secretary that certifies the appropriateness of a particular request for the construction, alteration, reconstruction, repair, restoration, or demolition of all or a part of any building or structure within a historic district, subject to the issuance of all other permits needed for the matter sought to be accomplished.
56.		**Certificate of Occupancy**: Authorization granted by the City for use of a lot or structure.
57.		**Changeable copy sign**: A sign, or part of a sign, with copy that can be changed by manual, mechanical, or electronic means. Copy may not change more than once every six seconds. Changeable copy signs include electronic message centers.
58.		**Channel enclosure**: Continuous c-shaped metal, or similar opaque material, surrounding three-quarters of the circumference of neon tubing of a sign.
59.		**Channel**: A natural or artificial depression of perceptible extent with a definite bed and banks to confine and conduct flowing water.

60.		**Civic uses:** Public or quasi-public uses serving the needs of the community that promote human interaction, such as: care centers, religious institutions, civic clubs and fraternal organizations, community swimming pools, libraries, museums, art galleries, public buildings, meeting halls, public or community recreational facilities, parks, schools and colleges.
61.		**Collector street**: A public street currently classified as a collector street in the functional classification map of the Comprehensive Plan.
62.		**Commercial amusement (temporary):** A temporary outdoor amusement center, bazaar, circus, carnival, or fair, either involving use of special purpose equipment or conducted by professional operators, or both, and where activities include such things as rides, exhibitions, food service, sales or small-scale games.
63.		**Commercial amusement**: The provision of entertainment or games of skill to the general public for a fee, including but not limited to a bowling alley, video arcade, dance hall, billiard parlor, golf driving range, skating rinks, swimming pools or miniature golf course. This use does not include circuses, carnivals, race tracks, or shooting ranges.
64.		**Commercial building**: A building used only for a commercial use.
65.		**Commercial recreation**: The provision of entertainment or games of skill to the general public for a fee, with higher noise and safety restrictions than a commercial amusement. A facility designed or used for shooting at targets with firearms and/or archery and which is completely enclosed within a building or structure. Does not include outdoor shooting or archery ranges.
66.		**Commercial use**: Any use involving in part or in whole the storage of merchandise, sale of merchandise, materials or services, but not including home occupations.
67.		**Community facility use**: A public use in private or public ownership run on a nonprofit basis. Examples are: churches, welfare centers, voluntary hospitals, or privately-endowed museums or libraries. Facilities of private, nonprofit membership organizations for use only by members thereof are also community facilities. Examples may be country clubs, golf courses or community swimming pools.
68.		**Comprehensive Zoning Map amendment**: An amendment to the official Zoning Map where any of the following conditions exist:(1) The area to be rezoned constitutes an entire neighborhood as defined in the Comprehensive Plan, or a group of such neighborhoods.(2) The area to be rezoned includes at least 400 acres of ground.(3) The area to be rezoned includes at least five lots, except where all of the said lots are included in a subdivision to be developed as a whole by one developer.
69.		**Community owned:** Facilities owned and operated by a public, non-profit or not-for-profit entity and open to the general public.
70.		**Concept Plan:** (1) A plan that establishes the general layout and intensity of proposed development in enough detail to demonstrate compliance with the applicable

		development approval criteria for discretionary approvals by the City Council. (2) A generalized, illustrative plan for the IN-1 and IN-2 districts, indicating how off site impacts such as traffic, water and sanitary sewer availability/capacity, stormwater management, lighting and noise are mitigated and providing an assessment of existing and future development of the institution's campus, including buildings, parking areas, recreational facilities, open space and access points to City streets.
71.		**Conditional use**: A permit to grant restricted use of property for uses other than those permitted by right.
72.		**Conditional zoning or zone**: A zoning district or portion thereof, which has been established pursuant to provisions this Zoning Ordinance and which is subject to reasonable conditions proffered in writing by the owner of the subject property and agreed to by the City Council in a zoning map amendment to which such conditions are applicable in addition to those regulations provided for that particular zoning district, or portion thereof, by the overall Zoning Ordinance.
73.		**Conical surface**: An imaginary surface, whose design standards are referenced in extending and sloping horizontally and vertically from the periphery of the horizontal surface of an airport flight path.
74.		**Conservation**: Any action designed to keep a structure, area containing structures, or places from being damaged, lost or wasted.
75.		**Construction sign**: A temporary sign that notifies the public of a specific building or development under construction or reconstruction or to be constructed or reconstructed within the next three months. The sign may also identify the architect, contractor, subcontractor and/or material supplier participating in construction on the property on which the sign is located.
76.		**Construction, start of**: The date the building permit was issued for new construction or substantial improvements, meaning the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date.
77.		**Contributing property**: Those properties which by reason of form, materials, architectural details and relation to surrounding properties contribute favorably to the general character of the historic district in which they are located.
78.		**Coverage, lot:** The proportion of a lot covered by the maximum horizontal projected area of a building and its accessory buildings, including overhangs and projections.
	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.
~~92.~~	93.	**Dwelling, cluster or cluster development**: A development pattern defined in Article VIII of this Zoning Ordinance characterized by small lots and the retention of common open space.
~~93.~~	94.	**Dwelling, detached**: A building containing only dwelling units surrounded by yards or other open area on the same zoning lot.
~~94.~~	95.	**Dwelling, group**: A building group consisting only of dwellings occupying a parcel of land in one ownership and having any yard or service area in common.

~~95.~~	96.	**Dwelling, multi-household for the elderly**: A building or portion thereof designed for or occupied by more than two families, and all living units of which are to be maintained under single ownership or management. This shall be interpreted to include a cooperative apartment house. Provided further, that all occupants of said residential units must be (a) persons 62 years of age or older; (b) married couples either of which is 62 years of age or older; or (c) handicapped persons under 62 years of age who have physical impairments which are expected to be of long-continued or indefinite duration, and which substantially impede the ability of such person to live independently.
~~96.~~	97.	**Dwelling, multi-household**: A building or portion thereof designed for or occupied by more than two families, and all living units of which are to be maintained under single ownership or management. This shall be interpreted to include cooperative apartment houses.
~~97.~~	98.	**Dwelling, semi-detached**: One of two buildings, arranged or designed as dwellings located on abutting lots, separated from each other by a party wall, without openings, extending from the cellar floor to the highest point of the roof along the dividing lot line, and separated from any other building or structures by space on all sides.
~~98.~~	99.	**Dwelling, single-household**: A building containing not more than one dwelling unit and occupied by not more than one household.
~~99.~~	100.	**Dwelling, townhouse, or row house**: One of a series of three or more attached dwelling units separated from one another by continuous vertical party walls without openings from basement floor to roof.
~~100.~~	101.	**Dwelling, two-household (duplex**): A building located on one zoning lot containing not more than two dwelling units, arranged one above the other, front to back, or side by side, and occupied by not more than two households.
~~101.~~	102.	**Easement**: A grant by a property owner of the use of a designated part of his land by another party for a specified purpose and for a specified time, which shall be included in the conveyance of land by such easement.
~~102.~~	103.	**Eave**: The underside of the projection of a roof beyond the outer wall of a building.
~~103.~~	104.	**Electrical engineer**: An electrical engineer licensed by the Commonwealth of Virginia.
~~104.~~	105.	**Electronic message center (EMC):** see digital sign
~~105.~~	106.	**Elevated building**: A non-basement building built to have the lowest floor elevated about the ground level by means of fill, solid foundation perimeter walls, pilings or columns (posts and piers).
~~106.~~	107.	**Encroachment , floodplain**: The advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.
~~107.~~	108.	**Encroachment lines**: The lateral limits or line drawn along each side of and generally parallel to a watercourse or body of water, to preserve the flood

		carrying capacity of the stream or other body of water and its floodplain, and to assure attainment of the basic objective of improvement plans that may be considered or proposed. Their location along a stream should be such that the floodways between them will effectively carry and discharge a flood not less than the magnitude of the 100-year flood.
~~108.~~	109.	**Enlargement, or to enlarge**: An addition to the floor area of an existing building, an increase in the size of any other structure, or an increase in that portion of a tract of land occupied by an existing use. To "enlarge" is to make an enlargement.
~~109.~~	110.	**Equal degree of encroachment**: A standard applied in determining the location of encroachment lines so that the hydraulic capacity of floodplain lands on each side of a channel are reduced by an equal amount when calculating the increases in flood stages due to floodplain encroachments.
~~110.~~	111.	**Evergreen tree**: A tree or shrub that has foliage that persists and stays green throughout the year.
~~111.~~	112.	**Existing tower**: A telecommunications tower that is in existence or is being constructed on December 9, 1997
~~112.~~	113.	**Extension, or to extend**: An increase in the amount of existing floor area used for an existing use within an existing building. To "extend" is to make an extension.
~~113.~~	114.	**Exterior architectural features**: The architectural style, general design and general arrangement of the exterior of a building, structure or object, including but not limited to the kind or texture of the building material and the type and style of all windows, doors, signs and other appurtenant architectural fixtures, details, features or elements.
~~114.~~	115.	**Façade**: The outer surface of a building.
~~115.~~	116.	**Fall zone**: That area within a prescribed radius (equal to the height of the tower) as measured from the base of a tower. A fall zone is based on physical phenomena that can result in a hazard beneath a tall structure and is the area within which there is a potential hazard from falling debris or collapsing material. A fall zone is distinct from a setback.
~~116.~~	117.	**Family day home**: A child day program offered in the residence of the provider or the home of any of the children in care for one through 12 children under the age of 13, exclusive of the provider's own children and any children who reside in the home, when at least one child receives care for compensation and meets the requirements of Article 63.2-100 of the Code of Virginia. The term shall not include any family-type facility which provides child care to not more than five children placed by order of any court of competent jurisdiction, or by any public welfare department or other government agency having responsibility of placing children for care.
~~117.~~	118.	**Final site plan**: A site plan that when approved in accordance with this ordinance enables an applicant to apply for a building permit.

~~118.~~	119.	**Fire district**: The territory defined and limited by the provisions of the BOCA Basic Building Code for the restriction of types of construction to ensure adequate fire protection.
~~119.~~	120.	**Flag pole**: A freestanding structure or a structure attached to a building or the roof of a building for the sole purpose of displaying flags.
~~120.~~	121.	**Flag**: Any fabric or any other flexible material attached to or designed to be flown from a flagpole or similar device.
~~121.~~	122.	**Flashing sign**: A sign that involves motion or rotation of any part of the structure, moving reflective disks, running animation or video, or displays an intermittent light or lights. Signs that display an on-premise message changed by electronic means or remote control, programmed or sequenced to change no more than once every six seconds shall not be considered a flashing sign.
~~122.~~	123.	**Flea market**: A market, whether held indoors or outdoors, where antiques, used household goods, curios and similar items are sold or traded by or on behalf of multiple vendors.
~~123.~~	124.	**Flood hazard area**: The maximum area of the 100-year floodplain (as defined in regulations for the national flood insurance program) which is likely to be flooded, or for which mudslides can be reasonably anticipated.
~~124.~~	125.	**Flood or flooding**: 1. A general or temporary condition or partial or complete inundation of normally dry land areas from: a. the overflow of inland or tidal waters; or, b. the unusual and rapid accumulation or runoff of surface waters from any source. 2. The collapse or subsistence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature such as flash flood or an abnormal tidal surge, or by some similarly unusual an unforeseeable event which results in flooding as defined in paragraph (1)a. of this definition.
~~125.~~	126.	**Floodplains**: The areas of land adjoining a watercourse that have in the past, or can be reasonably expected in the future, to be covered temporarily by flood waters.
~~126.~~	127.	**Flood-prone area**: Any land area susceptible to being inundated by water from any source.
~~127.~~	128.	**Floodproofing**: Combinations of structural provisions, changes or adjustments to properties and structures subject to flooding, primarily for the reduction or elimination of flood damages to properties, water and sanitary facilities, structures and contents of buildings in the regulatory floodplain.
~~128.~~	129.	**Floodway fringe**: That portion of the 100-year floodplain outside of the floodway.

~~129.~~	130.	**Floodway**: The channel of a river or other watercourse and those portions of the adjoining floodplains which are reasonably required to discharge the water of the 100-year flood (base flood), without causing a more than one-foot rise at any point in the City as shown in the City's flood insurance study published by the Federal Emergency Management Agency.
~~130.~~	131.	**Floor area**: The sum of the gross areas of the several floors of a building or buildings, measured from the exterior faces of exterior walls or from the centerlines of walls separating two buildings. In particular, floor area includes: 1. Basement space, except such space in a basement which has at least one-third of its height below curb level, and which is located in a residential building with not more than two stories entirely above curb level. 2. Elevator shafts or stairwells at each floor. 3. Floor space in penthouses. 4. Attic space (whether or not a floor has been laid) providing structural headroom of eight feet or more. 5. Floor space in interior balconies or mezzanines. 6. Floor space in open or roofed terraces, exterior balconies, breezeways, or porches, if more than 50 percent of the perimeter of such terrace, balcony, breezeway or porch is enclosed. 7. Any other floor space used for dwelling purposes, no matter where located within a building, when not specifically excluded. 8. Floor space in accessory buildings except for floor space used for accessory off-street parking. Floor area of a building shall not include: 1. Cellar space, except that cellar space used for retailing shall be included for the purpose of calculating requirements for accessory off-street parking spaces and accessory off-street loading berths. 2. Elevator or stair bulkheads, accessory water tanks or cooling towers. 3. Uncovered steps. 4. Attic space, whether or not a floor actually has been laid, providing structural headroom of less than eight feet. 5. Floor space in open or roofed terraces, exterior balconies, breezeways or porches, provided that not more than 50 percent of the perimeter of such terrace, balcony, breezeway or porch is enclosed. 6. Unenclosed floor space used for permitted or required accessory off-street parking spaces. 7. Floor space used for accessory off-street loading berths. 8. Floor space used for mechanical equipment.
~~131.~~	132.	**Floor area ratio**: The total floor area on a zoning lot, divided by the lot area of that zoning lot. (For example, a building containing 20,000 square feet of floor area on a zoning lot of 10,000 square feet has a floor area ratio of 2.0.)
~~132.~~	133.	**Floor plate**: The floor area of the ground floor or footprint of a building.
~~133.~~	134.	**Food Establishment:** A business operation that stores, prepares, packages, serves, vends or otherwise provides food for human consumption.

~~134.~~	135.	**Foundation planting**: Trees and shrubs planted along and adjacent to the perimeter of a building.
~~135.~~	136.	**Freeboard**: A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization in the watershed.
~~136.~~	137.	**Freestanding sign**: A non-movable sign supported by structures or supports in or upon the ground and not attached to a building.
~~137.~~	138.	**Frontage**: The horizontal length of the front lot line of a zoning lot abutting a public street, road, or highway, or rural right-of-way.
~~138.~~	139.	**Gambrel roof:** A roof gable roof, each sloping side of which has two sloping planes, with the lower plane being steeper than the upper plane (e.g., barn roof)
~~139.~~	140.	**Garden apartment units**: Group multiple dwellings consisting of more than one main building containing more than one unit per building for single-household occupancy.
~~140.~~	141.	**Gasoline station**: See Automobile service station.
~~141.~~	142.	**Graphic**: Any logo, emblem, insignia, or text, formed by writing, drawing, painting or engraving.
~~142.~~	143.	**Ground cover**: Any evergreen or broadleaf plant that does not generally attain a mature height of more than one foot, characterized by a growth habit in which the plant spreads across the ground to connect with other similar plants forming a continuous vegetative cover on the ground. Sod and seeding shall be considered an appropriate ground cover.
~~143.~~	144.	**Group Home**: A residential facility wherein (a) the operator is not legally related to the individuals supervised and may be licensed by the state, and wherein (b) four or more individuals are provided with room, board, specialized and distinctive care, and daily supervision. For the purpose of the Zoning Ordinance, a facility providing care to less than four persons shall not be considered a group home. The term "Group Home" would include but not be limited to such groups as: foster family homes, homes for adults, abused women, individuals with mental illness, intellectual disability, or developmental disabilities, or physically handicapped. This definition does not include pre-release or post-release individuals who have been incarcerated. 1. A residential facility in which no more than eight individuals with mental illness, intellectual disability, or developmental disabilities reside, with one or more resident counselors or other staff persons, shall be considered for all purposes residential occupancy by a single-household. For the purposes of this section, mental illness and developmental disability shall not include current illegal use of or addiction to a controlled substance as defined in Section 54.1-3401 of the code of Virginia. No conditions more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption shall

		be imposed on such facility. This type of residential facility shall be deemed to be any group home or other residential facility for which the department of behavioral health and developmental services is the licensing authority pursuant to this code. 2. A residential facility, in which no more than four aged, infirm or physically disabled persons reside, with one or more resident counselors or other staff persons, shall be considered for all purposes residential occupancy by a single-household. No conditions, more restrictive than those imposed on residences occupied by persons related by blood, marriage or adoption shall be imposed on such a facility. For purposes of the Zoning Ordinance, "residential facility" means any group home or residential facility in which aged, infirm or disabled persons reside with one or more resident counselors or other staff persons and for which the Virginia department of social services is the licensing authority pursuant to the Code of Virginia.
~~144.~~	145.	**Guest**: Any person hiring and occupying a room for sleeping purposes.
~~145.~~	146.	**Hazard to air navigation**: An obstruction determined by the Virginia Department of Aviation or the Federal Aviation Administration to have a substantial adverse effect on the safe and efficient utilization of navigable airspace in the Commonwealth.
~~146.~~	147.	**Hazardous materials:** Includes any substance or material could adversely affect the safety of the public, handlers or carriers during transportation, including, but not limited to materials that require a Hazardous Materials Endorsement by the United States Patriot Act and the Virginia Department of Motor Vehicles.
~~147.~~	148.	**Heat island effect**: An elevated temperature over an urban area caused by pavement, buildings, other infrastructure and pollutant emissions
~~148.~~	149.	**Height of building**: See Building, height of.
~~149.~~	150.	**Height of sign**: The distance to the topmost extent of the sign structure when measured from and perpendicular to the elevation of the edge of pavement of the closest adjacent roadway on which the sign is located. In no instance shall the sign structure be required to be less than ten feet in height, except as otherwise specifically required by the Zoning Ordinance.
~~150.~~	151.	**Height**: for the purpose of determining the height limits affected by airport operations in all zones set forth in section 35.2-57.4 and shown on the Zoning Map, the datum shall be mean sea level (M.S.L.) elevation unless otherwise specified.
~~151.~~	152.	**Helipad:** Landing facility for up to two helicopters that may be lit, but does not include facilities for storage, fueling or servicing of helicopters.
~~152.~~	153.	**Heliport:** Facilities for the landing helicopters that may include facilities for storage, servicing and/or fueling one or more helicopters at a time.
~~153.~~	154.	**Historic area, historic place, or historic structure**: 1. Any structure, area containing structures, or place in which historic events occurred; or having special public value because of notable architectural or other

		features, relating to the cultural or artistic heritage of the community of such significance as to warrant conservation and preservation. 2. Any structure that is: a. listed individually in the national register of historic places (a listing maintained by the department of the interior) as meeting the requirements for individual listing on the national register; b. certified or preliminarily determined by the secretary of the interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district; c. individually listed on a state inventory or historic places in states with historic preservation programs which have been approved by the secretary of the interior; or d. individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: i. by an approved state program as determined by the secretary of the interior or ii. directly by the secretary of the interior in states without approved programs.
~~154.~~	155.	**Historic building map**: The map of Lynchburg indicating certain structures as historic buildings.
~~155.~~	156.	**Historic district**: A geographically defined area consisting of public and/or private property within the City, possessing a significant concentration, linkage, or continuity of sites, buildings or structures, areas of unique architectural value, landmarks or encompassing parcels of contiguous land united by past events or aesthetically by plan or physical development. A district may also comprise individual buildings or structures separated geographically but linked by association or history. A historic district shall further mean an area designated by City Council as a historic district pursuant to the criteria established in (d)(1) of this ordinance. The historic district overlay zone defines the area in which the requirements of the historic districts ordinance shall apply. The historic district overlay zone shall be in addition to and shall overlay all other zoning districts where it is applied so that any parcel of land lying in the historic district overlay zone shall also lie within one or more of the other zoning districts provided by this ordinance.
~~156.~~	157.	**Home occupation**: An accessory use which: 1. Is clearly incidental to or secondary to the residential use of a dwelling unit. 2. Is customarily and traditionally carried on within a dwelling unit by one or more occupants of such dwelling unit, except that, in connection with the practice of a profession, one person not residing in such dwelling unit may be employed. 3. Occupies not more than 25 percent of the total floor area of such dwelling unit, and in no event more than 500 square feet of floor area.
~~157.~~	158.	**Home owners' or property owners' association**: An incorporated, nonprofit organization operating under recorded land agreements through which (a) each lot and/or property owner in a planned unit or other described land area is

		automatically a member; and (b) each lot is automatically subject to a charge for a proportionate share of the expenses for the home association's activities, such as common property maintenance.
~~158.~~	159.	**Horizontal surface**: An imaginary horizontal plane, whose design standards are referenced in section 35.2-57.3 above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.
~~159.~~	160.	**Hospitals**: An institution receiving in-patients and rendering medical, surgical, and/or obstetrical care to private and charity patients, and usually including research and training activities~~.~~**, but in all cases excluding abortion clinics**. This shall include general hospitals and institutions in which service is limited to special fields, such as cardiac, eye, ear, nose and throat, pediatric, orthopedic, skin and cancer, tuberculosis, chronic disease and obstetrics. Hospital patients generally require intensive care for periods generally not exceeding several months.
~~160.~~	161.	**Hotel**: A building or part thereof containing five or more guest rooms, without kitchens, where lodging is provided for compensation, excluding a fraternity or sorority house, a school or college dormitory, or a tourist home.
~~161.~~	162.	**Household**: The occupants of a single dwelling unit, which shall not exceed three unrelated individuals unless otherwise permitted by this Zoning Ordinance.
~~162.~~	163.	**Identification sign**: A sign that is permanently attached to or painted on a building and contains only the building name. (Example, the "Allied Arts" Building.) Identification signs shall not be included in the maximum permissible sign area of the district in which it is located.
~~163.~~	164.	**Illegal use**: Any use, whether of a building or other structure or of a tract of land, in which a violation of any provision of the Zoning Ordinance has been committed or shall exist.
~~164.~~	165.	**Illuminated sign**: A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.
~~165.~~	166.	**Industrial district**: Includes the I-1, I-2 and I-3 zoning districts.
~~166.~~	167.	**Institutional district**: Any district whose designation begins with the letters IN".
~~167.~~	168.	**Inflatable item**: Any item that is capable of being expanded by air, water or other means that exceeds 24 inches in diameter, used to advertise a business, service, product, goods, special promotion, activity or event.
~~168.~~	169.	**Inventory, historic**: The inventory of historic landmarks, buildings and structures as prepared by the board of historic and architectural review.
~~169.~~	170.	**Junk yard**: The use of any space, whether inside or outside a building, for the abandonment, storage, keeping, collection, disassembling or bailing of paper, rags, scrap metal, or other scrap or discarded materials, or for the abandonment, demolition, dismantling, or salvaging of automobiles or other vehicles or machinery or parts thereof; provided, that this definition shall not apply to any such use conducted solely as an accessory use and occupying not more than 100

		square feet of the area of any lot other than any portion of that half thereof that adjoins any street.
~~170.~~	171.	**Kennel**: Any building, enclosure, structure, establishment and/or land where dogs, cats, household pets or any other domestic animals are sheltered, fed or watered, groomed, shown, trained, bred, boarded and exercised, cared for or sold for either commercial gain or in exchange for a fee.
~~171.~~	172.	**Land Use Development Pattern or Development Pattern:** One or more uses arranged to create a specific type of development that are defined in Article VIII of this ordinance and that may be allowed by right or conditional use permit pursuant to LBCS classifications 9950 et. seq.
~~172.~~	173.	**Land with minor improvements**: For purposes of the City's floodplain regulations, a tract of land which: 1. Does not include any building or other structure. 2. Includes a building or other structure with a floor area of less than 400 square feet.
~~173.~~	174.	**Landscape island**: An area containing a shade tree and other required landscaping not less than 108 square feet for a parking row or 216 square feet for a parking bay.
~~174.~~	175.	**Large deciduous tree**. A large deciduous tree shall be of a species having an average minimum mature crown spread of greater than 30 feet. A minimum caliper of at least two and one-half inches at the time of planting shall be required.
~~175.~~	176.	**Large farm animal.** An animal with an adult weight of 50 pounds or more that may be kept for agricultural purposes, including, but not limited to horses, cattle, goats, llamas, alpacas, ostriches, emus, ponies and bison, but not including dogs.
~~176.~~	177.	**Large scale retail establishment**: retail establishments having a cumulative gross floor area of 75,000 square feet or greater in floor area, whether such gross floor area is contained entirely within a freestanding building or is within two or more buildings, whether located on a single lot or contiguous lots owned or operated as associated, integrated or cooperative business enterprises.
~~177.~~	178.	**Level of Service (LOS)**: A scale that measures the amount of traffic that a roadway or intersection can effectively and efficiently accommodate, based on such factors as volume, capacity, queues and delay. LOS is graded on a scale of A through F, where LOS-A is free-flowing traffic and LOS-F is a condition where traffic flow is unstable and excessive delay and queuing is expected.
~~178.~~	179.	**Limited Access Highway or Freeway**: A public highway to which access is forbidden except at interchanges with other public highways and, in some cases, at specially designed facilities providing automobile, restaurant and other similar services to motorists using the highway.
~~179.~~	180.	**Limited time**: A period of time assumed to be not more than one year unless otherwise specified by the Zoning Ordinance or development approval.
~~180.~~	181.	**Loading berth:** A space measuring at least ten feet wide by 35 feet long that is used for the loading or unloading of vehicles.

~~181.~~	182.	**Local street**: A public street not classified as a freeway, arterial or collector street under the definitions in this section.
~~182.~~	183.	**Lodging house**: See Boardinghouse.
~~183.~~	184.	**Logo**: Any emblem used as the symbol of an organization, or residential or nonresidential community. A logo may include a graphic, text, or both.
~~184.~~	185.	**Lot:** 1. A lot of record existing on the effective date of the Zoning Ordinance or any applicable subsequent amendment thereto. 2. A tract of land, either unsubdivided or consisting of two or more contiguous lots of record, located within a single block which on the effective date of the Zoning Ordinance or any applicable amendment thereto was in single ownership or control. 3. A tract of land located within a single block, which at the time of filing for a Building Permit (or, if no Building Permit is required, at the time of filing for a Certificate of Occupancy), is designated by its owner or developers as a tract all of which is to be used, developed or built upon as a unit under single ownership or control.
~~185.~~	186.	**Lot area per dwelling unit**: That portion of the lot area required for each dwelling unit located on a zoning lot.
~~186.~~	187.	**Lot area**: The area of a lot; provided, that if that lot includes any part of the area of a street closed subsequent to the effective date of the Zoning Ordinance, not more than one-half the area of such closed street shall be counted as lot area for purposes of determining the maximum floor area ratio or the required lot area per dwelling unit or lot area per room for such zoning lot.
~~187.~~	188.	**Lot, corner**: Either a lot bounded by streets on two or more sides or a lot in which the interior angle formed by the extensions of the street lines in the directions which they take at their intersections with lot lines other than street lines forms an angle of 135 degrees or less.
~~188.~~	189.	**Lot coverage**: See Coverage, lot.
~~189.~~	190.	**Lot depth**: See Depth of lot.
~~190.~~	191.	**Lot, interior**: Any lot neither a corner lot nor a through lot.
~~191.~~	192.	**Lot line, front**: A street line determined by the Zoning Administrator to be the front of the lot based on prevailing lot patterns and lot dimensions.
~~192.~~	193.	**Lot line, rear**: The lot line, opposite or furthest from the front lot line. For triangular lots, the rear lot line shall be the lot line that does not follow a street right-of-way.
~~193.~~	194.	**Lot line, side**: Any lot line that is not a front lot line or a rear lot line.
~~194.~~	195.	**Lot line**: A boundary of a lot.

~~195.~~	196.	**Lot of record**: A lot which is part of a subdivision recorded in the office of the City clerk, or a lot or parcel described by metes and bounds, the description of which has been so recorded.
~~196.~~	197.	**Lot width**: The horizontal distance between the side lot lines of a zoning lot at the building line.
~~197.~~	198.	**Lot, through**: Any lot, not a corner lot, which adjoins two streets that are parallel or within 45degrees of being parallel to each other.
~~198.~~	199.	**Low explosives:** Substances that deflagrate (burn) rather than detonate (explode). These are primarily used as propellants. The cut-off speed between high and low explosives is 3,300 fps (feet per second). An example of a low explosive is black powder. High explosives are designed to shatter (brisance) rather than push. Detonation velocities for high explosives range from 3,300 fps to 29,900 fps. Blasting caps, dynamite, TNT, plastic explosives, binaries and blasting agents are examples of high explosives.
~~199.~~	200.	**Lowest floor**: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Federal Code 44CFR §60.3.
~~200.~~	201.	**Lumen per Square Foot:** a measure of illuminance equal to one foot-candle
~~201.~~	202.	**Lynchburg commercial historic districts design review guidelines**: A publication adopted by City Council, that gives detailed guidance to property owners of the commercial historic districts who are contemplating changes or additions to their building or property; and assists the historic preservation commission by providing them with minimum standards to guide their decision making. All future editions of the commercial guidelines document and all amendments thereto are automatically adopted and incorporated into the City code.
~~202.~~	203.	**Lynchburg residential historic districts design review guidelines**: A publication adopted by City Council, that gives detailed guidance to property owners of the residential historic districts who are contemplating changes or additions to their building or property; and assists the historic preservation commission by providing them with minimum standards to guide their decision making. All future editions of the residential guidelines document and all amendments thereto are automatically adopted and incorporated into the City code.
~~203.~~	204.	**Mansard roof:** A roof having two slopes on all sides with the lower slope steeper than the upper one
~~204.~~	205.	**Manufactured home**: 1. A structure, transportable in one or more sections that is certified as complying with HUD's "Manufactured Home Construction and Safety Standards," which is built after 1978 on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. d2. For floodplain management purposes the term "manufactured home" also

		includes mobile homes, park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.
~~205.~~	206.	**Manufactured home park or subdivision**: A parcel (or contiguous parcels) of land divided into two or more manufactured home spaces or lots for rent or sale.
~~206.~~	207.	**Market for agricultural products:** A market selling produce, or other edible products made from and entirely processed on the site of an agricultural operation.
~~207.~~	208.	**Medical or dental clinics**: Any building or group of buildings occupied by two or more medical or dental practitioners**, but in all cases excluding abortion clinics,** for the purpose of providing health services to people on an out-patient basis.
~~208.~~	209.	**Medical practitioner**: A licensed physician, dentist, osteopath, chiropractor, chiropodist (podiatrist). psychologist or optometrist (but not optician).
~~209.~~	210.	**Medium shrubs**. Shrubs and hedge forms having a minimum height of at least two feet at the time of planting.
~~210.~~	211.	**Metes and bounds**: The specific boundaries of an area as measured between geographical points.
~~211.~~	212.	**Minor map amendment**: A change in the official Zoning Map that is not included in the definition of comprehensive Zoning Map amendment.
~~212.~~	213.	**Mobile food cart:** A mobile food establishment that is up to ten feet long and five feet wide and is designed to be pushed by hand or pedaled.
~~213.~~	214.	**Mobile food trailer:** A mobile food establishment that is less than 20 feet long by eight feet wide and is designed to be towed behind a vehicle and capable of vending foods without being connected to another vehicle.
~~214.~~	215.	**Mobile food truck:** A self-propelled food establishment that is up to 26 feet long and eight feet wide.
~~215.~~	216.	**Mobile Food Vehicle**: A Food Establishment that is located upon a vehicle including cars, trucks, carts, motorcycles and bicycles, or which is pulled by a vehicle, where food or beverage is cooked, prepared, or served for individual portion service. This definition includes but is not limited to: mobile food kitchens, pushcart vendors, bicycle cart vendors, mobile food trucks, canteen trucks, and coffee trucks.
~~216.~~	217.	**Mobile Home:** A structure built on a permanent chassis that is designed for use with or without a permanent foundation that does not comply with the HUD's Manufactured Home Construction standards or that was built prior to 1978.
~~217.~~	218.	**Modified sign**: A sign that is allowed to deviate from the standards set forth in the Zoning Ordinance pursuant to a certificate of appropriateness issued by the historic preservation commission.
~~218.~~	219.	**Modular home or industrialized building:** A prefabricated homes or industrialized buildings that consist of one or more sections that do not have

		axles or frames and typically are transported to their site by means of flat-bed trucks.
~~219.~~	220.	**Monument sign**: A permanent structure built on-grade in which the sign and the structure are an integral part of one another, not a pole(s) mounted sign.
~~220.~~	221.	**Motel or tourist cabin**: A building or group of buildings containing ten or more guest rooms or suites designed or intended to be used, let or hired out which: 1. Contain living or sleeping accommodations used primarily for transient occupancy. 2. Have individual entrances from outside the building to serve each such living or sleeping unit.
~~221.~~	222.	**Mulch**: A protective covering, usually of organic matter placed around plants to prevent evaporation, root freezing and weed growth.
~~222.~~	223.	**Mural**: A painting, fresco, or mosaic applied to a wall for the sole purposes of decoration or artistic expression. A mural is not considered a sign unless it includes words or graphics that advertise the products or service of any entity.
~~223.~~	224.	**Naturalized planting area**: Any area planted for bio-retention containing native or indigenous species that mimics local natural surroundings and is allowed to grow undisturbed. Naturalized planting areas require minimal maintenance.
~~224.~~	225.	**Neighborhood norm**: A measure of the average or typical setbacks along two opposing block faces or for three abutting lots (see Section 35.2-61.3(f))
~~225.~~	226.	**Neon tubing**: A vacuum tight transparent tube not exceeding one inch in diameter containing, but not limited to neon, argon, helium, xenon, or krypton that produces light when connected to an electrical current.
~~226.~~	227.	**New construction**: 1. Any construction within a historic district that is independent and exclusive of an existing building or structure or part thereof in the historic district. 2. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by the City.
~~227.~~	228.	**Non-conforming use**: any preexisting structure or object of natural growth that is inconsistent with the provisions of this section or any amendment to this section.
~~228.~~	229.	**Non-contributing property**: A property so designated on the inventory map of historic districts and properties which are adopted as a part of this ordinance, being generally those properties which by reason of age, condition, amount of alterations, form, materials, architectural details and relation to surrounding properties do not contribute favorably to the general character of the part of the historic district in which they are located.
~~229.~~	230.	**Nonconforming**: Any lawful use, whether of a building or other structure or of a tract of land, which does not conform to the applicable use regulations of the district in which it is located, either on the effective date of the Zoning Ordinance, or as a result of any subsequent amendment thereto. A nonconforming use shall result from failure to conform to the applicable

		district regulations on either permitted uses or performance standards. However, no existing use shall be deemed nonconforming solely because of any of the following: 1. The existence of less than the required accessory off-street parking spaces or loading berths. 2. The existence of nonconforming accessory signs.
~~230.~~	231.	**Normal business hours**: means those hours during which most businesses in the community are open to serve customers, which shall be considered from 8:00 a.m. to 6:00 p.m. unless otherwise specified herein.
~~231.~~	232.	**Nursing homes**: Rest homes and convalescent homes devoted primarily to the maintenance and operation of residential facilities for the treatment and care of any persons suffering from illnesses, diseases, deformities or injuries not requiring the intensive care that is normally provided by hospitals, but do require care in excess of room and board and who need medical, nursing, convalescent or chronic care. Institutions primarily for the treatment and care of mental patients, alcoholics or drug addicts, and facilities serving less than four persons shall not, for the purpose of the Zoning Ordinance, be considered to be a nursing home. (See also Medical clinics, Hospitals and Sanatorium).
~~232.~~	233.	**Obstruction**: 1. For purposes of floodplain regulations, any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, culvert, building, wire, fence, stockpile, refuse, fill, structure, or matter in, along, across or projecting into any channel, watercourse or flood hazard area which may impede, retard or change the direction of flow of water, either in itself or by catching or collecting debris carried by such water or that is placed where the flow of water might carry the same downstream to the damage of life or property. 2. For purposes of airport overlay zoning, any structure, or other object, including a mobile object, which exceeds a limiting height, or penetrates any surface or zone floor, set forth in section 35.2-57.4.
~~233.~~	234.	**Off-site directional sign**: A sign that directs traffic to a site other than the site on which the sign is located.
~~234.~~	235.	**Off-street loading berth**: A space for temporarily parking vehicles for loading or unloading that measures at least 30 feet in length by 12 feet wide and having at least 14 feet of clearance.
~~235.~~	236.	**Official Zoning Map**: That map dividing the City into specific zones or districts.
~~236.~~	237.	**One hundred year flood (base flood):** A flood that has one (1) chance in 100 or a one percent chance of being equaled or exceeded in any given year.
~~237.~~	238.	**Open Space**: Any land or area, the preservation of which would: conserve and enhance scenic resources, protect streams, promote conservation of soils or provide for passive or active recreational space. Open spaces may include plaza areas, provided they contain a landscaped component. Required setback areas may be included in the computation of required open space.

~~238.~~	239.	**Opinion sign**: A sign which does not advertise products, goods, businesses, or services, and which expresses an opinion or other point of view.
~~239.~~	240.	**Ornamental tree**: Deciduous tree that grows to a mature height of less than 30 feet with flowering or other distinguishing characteristics.
~~240.~~	241.	**Outdoor storage:** 1. For residential properties, anything that is not normally found in residential yards and on porches, including, but not limited to indoor furniture, construction materials, auto parts, appliances and the clutter of various personal items, inoperable vehicles or stacks of containers in plain view. Equipment regularly used for lawn maintenance, outdoor furniture, children's toys, bicycles and neatly stacked firewood are not generally considered to be outdoor storage, however an excess of those items, or equipment in disrepair may be considered illegal outdoor storage. 2. For non-residential and mixed-use properties, the outdoor storage includes the storage of goods, materials, inoperable vehicles, appliances or other materials that are not a specifically authorized outdoor display.
~~241.~~	242.	**Outparcel**: A parcel located on the outside perimeter of a commercial development fronting a right of way.
~~242.~~	243.	**Owner**: means any person with fee simple title to any plot of land within the City who desires to develop, construct, build, modify, or erect a tower upon such land.
~~243.~~	244.	**Parapet wall**: A wall that extends above the top of a flat roof or flat portion of a roof.
~~244.~~	245.	**Parcel**: is considered to be that plot of land described by property lines. When multiple parcels are owned and used by the same party, the grouping may be considered to constitute the parcel.
~~245.~~	246.	**Parking area, off-street**: An off-street area containing one or more parking spaces, with passageways and driveways appurtenant thereto. In general, there shall be an average of at least 300 square feet of parking area per parking space and the required number of usable parking spaces.
~~246.~~	247.	**Parking bay**: Two parking rows abutting one another or separated by ten feet or less.
~~247.~~	248.	**Parking garages**: A building occupied by a public, community, commercial or private establishment providing space for the temporary storage of six or more automobiles and other vehicles, where service or repair facilities are not permitted. A parking garage shall not be considered an accessory use, nor shall it be used for the storage of dismantled or wrecked motor vehicles, parts thereof, or junk, nor shall the sale of automobiles or trailers take place within it unless otherwise permitted by the Zoning Ordinance.
~~248.~~	249.	**Parking lot**: An open lot serving the functions defined above for a parking garage.
~~249.~~	250.	**Parking row**: One single line of parking spaces.

~~250.~~	251.	**Parking space**: 1. An off-street space available for the parking of one motor vehicle on a transient basis and having a minimum width of nine feet and an area of not less than 162 square feet, exclusive of passageways and driveways appurtenant thereto and having direct usable access to the street. 2. An on-street space available for the parking of one motor vehicle on a transient basis, having a minimum width of nine feet and an area of not less than 162 square feet.
~~251.~~	252.	**Pedestrian facility**: A sidewalk, walking path, bike path or transit/shuttle stop.
~~252.~~	253.	**Pennant**: Any lightweight plastic, fabric or other similar material, whether or not containing copy suspended from a rope, wire, or string, usually in series, designed to move in the wind.
~~253.~~	254.	**Permanent sign**: Any sign attached to the ground or any structure, intended to exist for the life of the structure or use, and which cannot be removed without involving any structural or support changes.
~~254.~~	255.	**Permeable or Porous:** Capable of allowing water to be conducted through a material, as in permeable surfaces such as grass or soils and porous pavement.
~~255.~~	256.	**Person**: Except as provided in section 35.2-60.2(e) a person is any natural person, firm, partnership, association, corporation, company, or other legal entity, private or public, whether for profit or not for profit.
~~256.~~	257.	**Phasing Plan:** A plan for the development in more than one stage or phase in accordance with section 35.2-11.4.
~~257.~~	258.	**Planned unit development or PUD**: A multiple-unit residential development of at least five acres arranged in harmony with purposes, provisions and procedures for the planned unit development.
~~258.~~	259.	**Pole mounted sign**: A sign that is mounted on one or more freestanding poles or similar supports.
~~259.~~	260.	**Political sign**: A temporary sign promoting the candidacy of a person running for a governmental office or promoting a position on an issue to be voted on at a government election.
~~260.~~	261.	**Porch:** an area elevated above grade that adjoins an entry to a building that may be covered or open.
~~261.~~	262.	**Portable sign**: A sign which is movable without involving any structural or support changes, not permanently attached to the ground, a structure or any other sign not an integral part of a building to which it is accessory. This category includes, but is not limited to, an A-frame sign, a sign attached to or placed on a vehicle, which is used primarily for the purpose of display, and similar devices used to attract attention. This shall not include bumper stickers or identification signs directly applied to or painted on vehicles identifying the owner of the vehicle, a business name, logo or emblem.
~~262.~~	263.	**Preservation**: Any activity designed to prevent deterioration or destruction of a structure, a group of structures, or an area or a district.

~~263.~~	264.	**Primary surface**: An imaginary surface, whose design standards are referenced in section 35.2-57.3 longitudinally centered on an airport runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
~~264.~~	265.	**Private recreational facilities**: A facility such as a swimming pool, tennis court or basketball court which is an accessory use located on a residential lot, the use of which is restricted to the occupants of the principal use and guests for whom no admission or membership fees are charged.
~~265.~~	266.	**Programmed**: For the purposes of the Zoning Ordinance, the word "programmed" shall refer to a public facility which has been formally scheduled for construction within the following ten years. Such formal scheduling may be in terms of an approved capital improvements program, an officially adopted thoroughfare, public utilities or community facilities plan specifying the approximate date of construction of the facility, or a similar official plan or program.
~~266.~~	267.	**Projecting sign**: A sign that is attached to and projects at an angle and extends more than 15 inches from the face of the wall of a building.
~~267.~~	268.	**Property ownership:** For purposes of the occupancy requirements of this ordinance, the owner who resides on the loot shall be: a. An individual who owns at least a 50 percent interest in the lot by deeded title and who resides on the lot as his or her primary residence; or b. An individual who owns at least a 50 percent interest in a corporation, a limited liability company, or a similar legal entity that owns a 100 percent interest in the lot by deeded title and who resides on the lot as his or her primary residence; or c. An individual who is a beneficiary of a trust that owns a 100 percent interest in the lot by deeded title and who resides on the lot as his or her primary residence.
~~268.~~	269.	**Public utility**: A public utility is an activity, or a building housing such an activity, which operates to serve the community as a whole, or a portion of the community, which is publicly run or subject to special government controls and which is overseen by the State Corporation Commission.
~~269.~~	270.	**Public**: Any land, structure or building owned, used or maintained by the City government, or a regional authority of which the City is a member, or their agencies.
~~270.~~	271.	**Radio frequency engineer**: means a professional engineer licensed by the Commonwealth of Virginia with appropriate documented expertise in radio frequency engineering.
~~271.~~	272.	**Raising**: Providing vertical clearance under tree canopy by using appropriate pruning techniques.
~~272.~~	273.	**Re-facing**: The replacement of a sign face, regardless of change in copy, of equal size to the original, without altering the sign box, sign frame or sign structure.

~~273.~~	274.	**Reach**: Longitudinal segments of a river or stream, which will be affected by the placement of an obstruction in a floodway or floodway fringe.
~~274.~~	275.	**Real estate sign**: A temporary sign used to offer property for sale, lease, rent and/or development or to advertise an open house.
~~275.~~	276.	**Reconstruction**: Any activity designed to rebuild entirely, or partially, a structure.
~~276.~~	277.	**Recreation facility, active:** A field, court building or other structure designed for a specific range of sports or other physical activities, including but not limited to ball fields, tennis courts, swimming pools, gyms and other indoor athletic facilities and playground equipment.
~~277.~~	278.	**Recreation facility, passive:** An open field, woods, trail or other public open space that may be used for a wide range of activities, including, but not limited to hiking, biking, picnicking or playing a variety of different sports. Passive recreation facilities may include picnic tables, water fountains and surfaced trails, but do not include buildings or structures devoted to limited ranges of sports activities.
~~278.~~	279.	**Recreational vehicle**: A vehicle which is: 1. built on a single chassis; 2. Four hundred square feet or less when measured at the largest horizontal projection; 3. designed to be self-propelled or permanently towable by a light duty truck; and, 4. designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational camping, travel or seasonal use.
~~279.~~	280.	**Regulatory flood protection level**: That level delineated by the one hundred year flood.
~~280.~~	281.	**Rehabilitation**: Any activity designed to place a structure into a usable condition with or without architectural change.
~~281.~~	282.	**Religious Institution**: A church, synagogue, temple, mosque, convent, monastery or other place of worship
~~282.~~	283.	**Related People:** Related individuals include people who are related by blood, are married to each other or are in a substantially similar relationship, and children under their care.
~~283.~~	284.	**Renovation**: Any activity relating to the updating and/or the modernization of an older structure involving architectural change.
~~284.~~	285.	**Repairs in like material and like design**: Any work or all work involving the replacement of existing material with equivalent material for the purpose of maintenance, but not including any addition, change or modification in construction design.
~~285.~~	286.	**Residence**: 1. A building or part of a building containing dwelling units or rooming units, including single-household or two-household houses, multiple dwellings,

		boarding or rooming houses or apartment hotels. Residences do not include the following: a. Such transient accommodations as transient hotels, motels, tourist cabins or trailer courts. b. Dormitories, fraternity or sorority houses, monasteries or convents. c. In a mixed building, that part of the building used for any nonresidential uses, except accessory to residential uses. 2. For the purposes of determining setback and/or height requirements for IN-1 District, a residence shall not include any properties owned, leased, or used by the institution regardless of zoning or land use.
~~286.~~	287.	**Residence, single-household**: A building containing only one (1) dwelling unit.
~~287.~~	288.	**Residential**: Pertaining to one or more residences.
~~288.~~	289.	**Residential district**: Any district whose designation begins with the letter "R".
~~289.~~	290.	**Residential Street**: any local City street where the majority of land use on one or both sides of the street within the block is residential.
~~290.~~	291.	**Restoration**: Any or all work connected with the returning to or restoring of a building, or part of any building, to its original condition through the use of original or nearly original materials.
~~291.~~	292.	**Retail establishment**: A commercial enterprise that provides a combination of goods and/or services directly to the consumer, where the principal use is providing goods that are available for immediate small quantity purchase and removal from the premises by the purchaser.
~~292.~~	293.	**Riding stable**: Any zoning lot used or designed for the boarding, breeding or care of horses or ponies, other than for farming or agricultural purposes, either with or without instruction in riding.
~~293.~~	294.	**Riprap**: A permanent, large, loose angular stone generally used for erosion and sediment control in concentrated high velocity flow areas.
~~294.~~	295.	**Roof sign**: A sign installed or constructed upon or above a roof.
~~295.~~	296.	**Rooming house**: A dwelling consisting of on single building in which, for compensation, lodging or meals, or both, are furnished to transient or non-transient guests. A rooming house shall not be deemed a home occupation.
~~296.~~	297.	**Runway**: A specified area on an airport prepared for landing and takeoff of aircraft.
~~297.~~	298.	**Sanitary or solid waste management facility, private**: A sanitary or solid waste management facility that is not a public sanitary or solid waste management facility, and which is owned and operated by a private entity for the purpose of handling sanitary or solid waste generated only by such private entity.
~~298.~~	299.	**Sanitary or solid waste management facility, public**: A sanitary or solid waste management facility owned or operated by or on behalf of the City of Lynchburg

		or a regional solid waste management authority of which the City of Lynchburg is a member.
~~299.~~	300.	**Sanitary or solid waste management facility**: Any facility or zoning lot used for: (i) the disposal of solid waste materials by abandonment, discarding, dumping, reduction, burial, incineration or any other means, including accessory uses such as recycling, cogeneration, and methane recovery, or (ii) a transfer station for solid waste storage or collection at which solid waste is transferred from collection vehicles to haulage vehicles, including but not limited to trucks, trains, and tandem trailers, for transportation to a central solid waste management facility for disposal or resource recovery. This definition does not include transportable waste receptacles of commercial solid waste generated by establishments engaged in business operations other than manufacturing. This category includes, but is not limited to, solid waste resulting from the operation of stores, markets, office buildings, restaurants, shopping centers, motels, hotels, multiple residences, picnic grounds and day-use recreation areas. This definition also does not include recycling bins.
~~300.~~	301.	**School**: An institution, including kindergartens providing full-time day instruction and a course of study that meets the requirements of the laws of the State of Virginia.
~~301.~~	302.	**Screening**: A method of visually shielding or obscuring items such as a structure, receptacle, parking area, equipment, or stormwater management pond by densely planted landscaping, or a combination of landscaping, berms, solid fences and/or walls.
~~302.~~	303.	**Service station**: See Automobile service station.
~~303.~~	304.	**Setback**: See building line.
~~304.~~	305.	**Shade tree**: Deciduous tree that grows to be more than thirty (30) feet at maturity and planted chiefly to provide shade from sunlight.
~~305.~~	306.	**Shallow flooding area**: A special flood hazard area with the base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
~~306.~~	307.	**Short Term Rental:** The primary, accessory or secondary use of a residential dwelling unit or a portion thereof by the owner or a host to provide room or space that is intended to be occupied for a period of fewer than 30 consecutive days.
~~307.~~	308.	**Shrub, large**: A shrub with a minimum height of three feet at planting.
~~308.~~	309.	**Shrub medium**: A shrub with a minimum height of two feet at planting.
~~309.~~	310.	**Shrub small**: A shrub with a minimum height of one foot at planting.

~~310.~~	311.	**Shrub:** A woody plant deciduous or evergreen that generally exhibits several erect, spreading stems with a bushy appearance growing to a height of no more than 15 feet.
~~311.~~	312.	**Sign base**: The area below any writing, pictorial representation, emblem or any other figure of similar character on a sign face. This shall include solid bases, poles, supports, uprights, skirts and/or enclosures.
~~312.~~	313.	**Sign box**: A structure that encloses the sign face(s) and any internal illumination.
~~313.~~	314.	**Sign face**: The area or display surface used for the message, not including the sign frame or sign structure.
~~314.~~	315.	**Sign frame**: The enclosure and/or embellishment that surround the sign face.
~~315.~~	316.	**Sign structure**: An assembly of material used to support a sign face and/or sign frame.
~~316.~~	317.	**Sign**: Any writing (including letter, word or numeral), pictorial representation (including illustration or decoration), emblem (including device, symbol, logo, or trademark) or any other figure or graphic of similar character for the purpose of communicating information to the public which is: 1. Attached to or painted on a structure, or in any other manner represented on a building, other structure or motor vehicle; 2. Used to announce, direct attention to, or advertise; 3. Visible from the outside of a building. A sign shall include writing, pictorial representation, emblem or any other figure of similar character within a building when located less than twelve inches away from the inside face of an exterior window pane; and 4. Accessory to the permitted uses in the zoning district.
~~317.~~	318.	**Slope**: The deviation of a surface from the horizontal.
~~318.~~	319.	**Solid waste**: Any discarded material, including, but not limited to, garbage, trash, refuse, junk, debris, leaves, brush, land clearing debris, demolition materials, ash, sludge, spoil, used or waste oil, and machinery or vehicles or parts thereof.
~~319.~~	320.	**Stable, riding**: See Riding stable.
~~320.~~	321.	**Standard project flood limit (SPFL):** That portion of land inside the floodplain that would be required to carry 40 percent to 60 percent of the maximum probable flood, and normally could be expected to occur at a 500-year frequency.
~~321.~~	322.	**Start of construction**: The date the Building Permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a

		foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of the property accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of the construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
~~322.~~	323.	**State**: means the Commonwealth of Virginia.
~~323.~~	324.	**Stealth**: means any tower or telecommunications facility that is designed to blend into the surrounding environment through the use of camouflage or other appropriate landscaping or construction techniques.
~~324.~~	325.	**Story**: That part of a building between the surface of a floor (whether or not counted for purposes of computing floor area ratio) and the ceiling immediately above. However, a cellar is not a story.
~~325.~~	326.	**Streamer**: Any long narrow strip of cloth, paper, plastic or other material.
~~326.~~	327.	**Street line**: A line defining the edge of a street right-of-way and separating the street from abutting property or lots. If, on the master plan of streets and highways duly adopted by the City, a street is scheduled for future widening, the proposed right-of-way line shown on the master plan shall be the street line.
~~327.~~	328.	**Street width**: The distance between street lines, measured at right angles to the center line of the street.
~~328.~~	329.	**Street, center line of**: A line established as a center line of a street by any state, City or other official agency or governing body having jurisdiction thereof and shown as such on an officially adopted or legally recorded map. If there is no official center line of a street, the center line shall be a line lying midway between the street or right-of-way lines thereof. Where street lines are indeterminate and a pavement or a traveled way exists, the center line shall be established by the City Engineer or, in the absence of a determination by the department of public works, shall be assumed to be a line midway between the edges of such pavement or traveled way.
~~329.~~	330.	**Street**: A street, highway, avenue, lane, marginal access street, service drive, alley, bridge, viaduct, or any segment thereof, lying within a public right-of-way at least 20 feet in width.
~~330.~~	331.	**Structural engineer**: means a structural engineer licensed by the Commonwealth of Virginia.
~~331.~~	332.	**Structure**: 1. Any object, including a mobile object, constructed or installed by any person, including but not limited to buildings, towers, cranes, smokestacks, earth formations, poles and electric lines of overhead transmission routes, and flag poles. 2. For purposes of floodplain regulation, anything constructed, set, placed or erected on the ground or attached to the ground including, but not limited to,

		buildings, factories, sheds, cabins, manufactured homes and other similar items which shall be anchored and floodproofed within the floodplain.
~~332.~~	333.	**Subdivision**: The division of any tract or parcel of land, including frontage along an existing street or highway, into two or more zoning lots; or any improvement of land by two or more principal buildings for the purpose, whether immediate or future, of building development for rental, lease or sale, which may include changes in street or lot lines; provided, however, that this definition of a subdivision shall not include the divisions of land into ten acres or more for agricultural uses.
~~333.~~	334.	**Substantial damage**: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damaged occurred.
~~334.~~	335.	**Substantial improvement**: 1. For purposes of the historic district, any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. The term includes structures which have incurred substantial damage regardless of the actual repair work performed. The term does not, however, include either: a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or b. Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure. 2. For purposes of floodplain regulation: a. Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either: i. before the improvement or repair is started; or ii. if the structure has been damaged, and is being restored, before the damage occurred. b. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either: i. any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or ii. any alteration of a structure listed on the national register of historic places or a state inventory of historic places. c. The repair, reconstruction or improvement of the streets, utilities and pads in a manufactured home park or manufactured home subdivision which equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced.

~~335.~~	336.	**Surface area of sign**: The entire area of the sign within a single continuous perimeter including the extreme limits of writing, pictorial representation, emblem, figure, graphic, or any figure of similar character. The sign base, box, frame, and/or structure shall not be considered the surface area of a sign unless there is writing or internal illumination on such sign components. For the purpose of computing, the surface area of a double-faced sign or a V-type sign shall be considered a single structure; provided, that the interior angle of the V-type sign does not exceed 45 degrees.
~~336.~~	337.	**Swimming pool, commercial**: A swimming pool and/or wading pool, including buildings necessary or incidental thereto, open to the general public and operated for profit.
~~337.~~	338.	**Swimming pool, community**: A swimming pool and/or wading pool, including buildings necessary or incidental thereto, operated by members of more than two families for the benefit of such group and not open to the general public, whether incorporated or unincorporated, whether organized as a club or cooperative or association, providing that it is not organized for profit and that the right to use said pool is restricted to such families and their guests. A swimming pool and/or wading pool operated as part of a multiple dwelling is also a community swimming pool, providing that it is not operated for profit, and that the right to use said pool is restricted to tenants of the multiple dwelling and their guests.
~~338.~~	339.	**Swimming pool, private**: See private recreational facilities.
~~339.~~	340.	**Telecommunications facilities**: means any cables, wires, lines, wave guides, antennas, and any other equipment associated with the transmission or reception of communications (other than radio or television broadcast communications) which a person seeks to locate or has installed upon or near a tower or antenna support structure. The term telecommunications facilities shall not include: 1. Any satellite earth station antenna two meters in diameter or less which is located in an area zoned industrial or commercial; or 2. Any satellite earth station antenna one meter or less in diameter, regardless of zoning category; or 3. Any federally-licensed amateur radio station operators.
~~340.~~	341.	**Temporary sign**: A sign designed or intended to be displayed for a limited period of time as indicated in the Zoning Ordinance.
~~341.~~	342.	**Thrift store**: A store selling used items, particularly clothing for the benefit of a charitable organization.
~~342.~~	343.	**Topping**: An inappropriate practice of making heading cuts to plants through a stem more than two years old that drastically reduces tree height, destroys tree architecture and results in discoloration, decay of the cut stem, or death of the tree.
~~343.~~	344.	**Tourist home or bed and breakfast**: A dwelling, occupied as such, in which sleeping accommodations in less than six rooms with not more than four persons

		per room are provided or offered for transient guests for compensation, under the management of the occupants of that dwelling for dwelling purposes. A tourist home or bed and breakfast shall not be deemed a home occupation.
~~344.~~	345.	**Tower owner**: means the person that owns or controls a telecommunications tower.
~~345.~~	346.	**Tower**: means a self-supporting lattice, guyed, or monopole structure constructed from grade that supports telecommunications facilities. The term tower shall not include amateur radio operators' equipment, as licensed by the FCC.
~~346.~~	347.	**Townhouse:** One of a series of from three to nine attached dwelling units separated from one another by common vertical walls with no openings; provided, that the maximum density permitted hereunder shall not be exceeded.
~~347.~~	348.	**Trailer**: A residence, house car, camp car or any portable or mobile vehicle on wheels, skids or rollers, not structurally anchored to a foundation, either self-propelled or propelled by an attached vehicle, animal, person or other propelling apparatus, which is used or may be used for residential, commercial, recreational, hauling or storage purposes.
~~348.~~	349.	**Transitional surfaces**: Imaginary surfaces for airport operations, whose design standards are referenced in section 35.2-57.3 which extend outward perpendicular to the runway centerline sloping from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces.
~~349.~~	350.	**Tree, small deciduous**: A small deciduous tree shall be of a species having an average minimum mature crown spread of greater than 12 feet. A minimum caliper of at least one and three-fourths inches at the time of planting shall be required.
~~350.~~	351.	**Unified and coordinated building mounted signs**: Signs that are similar in construction technique, but not including font, or color.
~~351.~~	352.	**Unified Ownership or Control**: The interest in title to a unit of land legally or beneficially held or controlled by one or more individual persons or entities related by a common business organization or other type of organization, as indicated by the fact that all land abutting such unit is owned or controlled by persons or entities who do not differ to any extent in identity or interest held.
~~352.~~	353.	**Use, accessory**: See accessory use.
~~353.~~	354.	**Use**: 1. Any purpose for which a building or other structure or a tract of land may be designed, arranged, intended, maintained or occupied. 2. Any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a tract of land. 3. The term "permitted use," or its equivalent, shall not be deemed to include any nonconforming use.

~~354.~~	355.	**Utility line, distribution**: A utility line that has the primary purpose of distributing services within easements or rights of way and connecting to service utility lines.
~~355.~~	356.	**Utility line, service**: A utility line providing a connection between a utility distribution line and the end user.
~~356.~~	357.	**Utility line, transmission**: A utility line intended to convey high capacities of services through the community and between communities from the source of the services (treatment or generation plant) to a substation connecting to the distribution system.
~~357.~~	358.	**Wall plane projections**: An architectural feature or wall jutting out at least three feet from the primary plane of a building wall.
~~358.~~	359.	**Water feature**: A stormwater management structural measure such as a stormwater retention pond, bio-retention, forebay, or landscape garden pond that is wet permanently or intermittently during rain events and contains landscaping that is hydric or water tolerant.
~~359.~~	360.	**Water surface profiles**: The elevations in relation to the mean sea level expected to be reached by floods of various magnitudes and frequencies at pertinent points along a stream.
~~360.~~	361.	**Watercourse:** A lake, river, creek, stream, wash, channel or other topographic feature on or over which water flows at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.
~~361.~~	362.	**Window sign**: A sign attached to, applied directly to, or located within 12 inches from a door or window.
~~362.~~	363.	**Yard Sale**: Permitted in Zoning Districts used for residential purposes provided the following is adhered to: 1. A total of two sales permitted per calendar year per street address. 2. A sale shall not exceed two consecutive days. 3. Sale shall consist primarily of those personal items accumulated and used by the occupant of the premises. 4. There shall be a minimum interval of four months between sales. 5. One sign not exceeding three square feet in area will be permitted on premises the day of the sale and shall be promptly removed at end of each sale day. 6. Signs advertising a sale are prohibited on street right-of-ways. 7. Permitted sale shall not create adverse conditions such as noise, nor impede pedestrian or vehicular traffic.
~~363.~~	364.	**Yard, front**: The area between the front lot line and the front of the building and extending from the front corners of the building to the side property lines.
~~364.~~	365.	**Yard, rear**: An area between the rear of the building and the rear property line and extending from the rear corners of the building to the side property lines.
~~365.~~	366.	**Yard, side**: The area between the side of a building and the side property lines

~~366.~~	367.	**Zone, airport**: For purposes of the airport overlay district, all areas, generally described in three dimensions by reference to ground elevation, vertical distances from the ground elevation, horizontal distances from the runway centerline and the primary and horizontal surfaces, with the zone floor set at specific vertical limits by the surfaces.
~~367.~~	368.	**Zoning district:** The base or overlay zoning designation assigned to each parcel of land within the City of Lynchburg.
~~368.~~	369.	**Zoning maps**: Maps designating the adopted base and overlay zoning district designations for each parcel of land within the City of Lynchburg.

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2. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by amending Section 35.2-45.2 of Article IV of Chapter 35.2 as follows:

Sec. 35.2-45.2. - Authorized uses.

(a) The uses authorized by IV-12 may be established in accordance with the procedures in Article II, the district standards in this article, the site development standards established in Article II and specific use standards established in Article VI, as well as other applicable rules and regulations.

(b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.

(c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.

(d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

Exhibit IV-12: Authorized Uses in B-1 District

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

Land Use	LBCS #	Description	Approval Type
		homes, congregate living, assisted and continuing care living, but excludes rehab uses in LBCS #6520)	
Bed & Breakfast and Tourist Homes	**1310**	Guest rooms in a private home or accessory building to a private home	P
boarding house	**1321**	Non-transient lodging that may include meals and is owner occupied	P
rooming house	**1322**	Transient or non-transient lodging that may include meals	P
dormitory, sorority or fraternity house	**1323**	Allowed only as accessory uses to and owned by a college or university	C
Short Term Rental	**1350**	Provision of lodging for fewer than thirty (30) consecutive days. (See Section 35.2-71.16)	P
Bicycles	**2113b**	New or used bicycle sales, rental and repair	P
camera and photographic supplies; clothing, jewelry, luggage, shoes, clocks, sewing; sporting goods, toy and hobby, and musical instruments; mixed media, school and office supplies	**2132-2135**	Primarily retail cameras and photographic supplies or retail with repair and film developing; clothing (including shoe repair and tailoring, sporting goods, toys, musical instruments, kitchen goods, books, magazines, music, videos, stationary, greeting cards, seasonal decorations, office and school supplies.	P
florist, art supplies, tobacco products	**2141-2143**	Florists, art supplies and art dealers, frame shops, tobacco products	P
art galleries	**2142b**	Excludes art supply sales and retail framing services	P

Land Use	LBCS #	Description	Approval Type
antique shop	**2145**	Antique shops, (excludes flea markets, thrift stores and pawn shops)	P
grocery store, supermarket, or bakery, convenience store, specialty food stores	**2151-2154**	Included are grocery stores, convenience stores, meat, seafood and produce markets, coffee, confections, variety goods and general stores, and delicatessens. Excludes stores with fuel pumps (see 2116 for fuel sales).	P
beer, wine, and liquor store	**2155**		P
Health and personal care	**2160**	Retail prescription or nonprescription drugs; retail cosmetics, perfumes, toiletries; prescription or nonprescription eyeglasses; prescription or nonprescription health and convalescent aids; medical devices, retail food supplement products such as vitamins, nutrition supplements, and body enhancing supplements.	P
Bank, credit union, or savings institution	**2210**	Central banking functions	P
credit card and other financing	**2221**	Credit card, sales financing, unsecured consumer lending, real estate credit, mortgages, international trade financing	P
Investment banking, securities, and brokerages; insurance; fund, trust, or other financial establishment	**2230-2250**	Securities underwriting, brokering, exchange services, managing portfolios; Insurance underwriting, selling insurance; manage assets on behalf of shareholders or beneficiaries	P
Real estate services	**2310**	Sell or lease real estate such as buildings, manufactured home sites and vacant lots; includes real estate appraisers and realtor offices	P

Land Use	LBCS #	Description	Approval Type
professional offices	**2411-2014**	Title abstract, lawyers, notaries, accountants, bookkeeping, payroll services, architects, engineers, surveyors, graphic design, interior design and industrial design	P
consulting services (management, environmental technical)	**2415**	Advise and assist businesses on management, scientific, and technological issues	P
scientific research and development services	**2416**	Conduct research or analyze in the physical, engineering, cognitive, or life sciences in offices.	P
other professional offices	**2419, 6810, 6820**	Includes advertising and media services intellectual property rights, franchising, labor, political or business organizations, and uses with similar impacts	P
office administrative services	**2421**	Office administration such as billing, record keeping, personnel, organizational planning	P
facilities support services	**2422**	Provide operating staff for support services within a client's facilities, including janitorial, security, laundry services, etc.	P
employment agency	**2423a**	Provide employee placement, temporary help	P
copy center, private mail center, other business support services	**2424**	Provide document preparation, telephone answering, telemarketing, court reporting, steno typing, FAX, internet access, small signs and banners	P
collection agency	**2425**	Collect payments, compile credit information, repossess tangible assets	P

Land Use	LBCS #	Description	Approval Type
Travel arrangement and reservation services		Promote or sell travel, includes convention and visitors' bureaus	P
Restaurants, cafeterias, snack bars & catering	**2510-2530 &2560**	Provide food and drinks to patrons - see district specific use regulations for limitations. Includes banquet, assembly and reception halls. See district standards.	P
Personal care	**2610**	Hair, nail, and skin care and related personal care, barbers, beauty shops, dieting and weight loss, tanning, hair removal, hair weaving, ear piercing and similar services	P
laundromat and dry cleaning	**2621 & 2622**	Includes Laundromats, dry cleaners, diaper services as well as other commercial laundry services	P
Photofinishing	**2630**	Primarily engaged in developing film or making slides, etc.	P
Parking lot and parking garage	**2640**	See district standards	P
licensed massage therapist	**2651**		P
pet cemetery	**2723**		C
national post office	**4181**		P
retail courier and package delivery	**4182**	Retail courier, package drop-off and mail services	P

Land Use	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, excluding data centers as defined in section 35.2-113.	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 Use	LBCS #	Description	Approval Type
		involve only minor structures. Included in this use type are small facilities such as transformers, relay and booster devices, and well, water and sewer pump stations, and wireless communication antennas attached to existing buildings or structures.	
electric substations	**4316**		C
Water treatment plants and utility facilities	**4331 - 4333,**	Water treatment plants, pumping stations and lift stations	C
Theater, dance or music establishment	**5110 & 5160**	Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers	P
Promoter of sports, performing arts, similar events and management services	**5140 - 5150**	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Museums and Other Special Purpose Recreational Institutions	**5200**	Public and private museums, historical sites, and similar establishments	P
Country Club	**5340 & 6830**	Operate private country clubs, with tennis courts and golf courses along with dining facilities and other recreational facilities; includes civic, social and fraternal organizations without dwellings	P
fitness and recreational sports center	**5371**	Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club, indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building	P

Land Use	LBCS #	Description	Approval Type
outdoor recreation	**5372, 5373 & 5374**	Includes for profit golf courses, archery ranges, outdoor volleyball, tennis, or swimming facilities, recreational courts, recreational day camp and horseback riding	C
Natural and other Recreational Parks	**5500**	All parks without special economic functions, other than limited concessions	P
Nursery or preschool	**6110**		P
Grade school	**6120**	Comprises all public, private, and specialty schools between the preschool and university level; includes adult education services not addressed elsewhere. See district use standards	P
College or university	**6130**	See district use standards	P
Public Safety	**6400**	Government-owned establishments providing fire and rescue, police, and emergency response services	P
Clinic	**6511 & 6567**	Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and veterans affairs services	P
outpatient care clinic	**6512**	Provide outpatient family planning services and outpatient care	P
group home small	**6522**	Fewer than five (5) aged or infirm individuals or fewer than nine (9) individuals with mental, intellectual or developmental disabilities	P
group home large	**6523**	Five or more aged or infirm individuals, or nine (9) or more individuals with mental, intellectual or developmental disabilities	P

Land Use	LBCS #	Description	Approval Type
Hospital	**6530**		C
child and adult day care	**6562**	Provide day care for children and adults	
Home	**6562a**	Day care for fewer than six (6) individuals in a residence	P
Small	**6562b**	Day care for six (6) to twelve (12) individuals in a residence	P
Large	**6562c**	Provide care for more than 12 individuals	P
Religious Institutions	**6600**	Churches, temples, synagogues, mosques, convents and monasteries	P
Funeral home and services	**6710**	Includes funeral homes combined with crematories	P
free-standing cemetery	**6722**		P
Columbarium	**6724**		C
Vegetable farming or growing	**9120**	Includes private fields and community gardens with production limited to retail sales	P
Commercial orchards	**9130**	Includes fruit and nut trees with production limited to retail sales	P
Animal Production	**9300**	Keep, graze, breed or feed animals (see district standards)	P
revival meetings/transient amusements	**9921**	Includes temporary carnivals and circuses sponsored by non-profit organizations (see section35.2-72.23)	P

Land Use	LBCS #	Description	Approval Type
cluster commercial development	**9955**	See section 35.2-85	C

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

Sec. 35.2-46.2. - Authorized uses.

(a) The uses authorized by Exhibit IV-15 may be established in accordance with the procedures established in Article II, the district standards in this article, the site development standards established in Article VI and specific use standards established in Article VII as well as other applicable rules and regulations.

(b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.

(c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.

(d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

Exhibit IV-15 Authorized Uses in B-3 District

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

Land Use	LBCS #	Description	Approval Type
Housing Services	**1200**	Housing and custodial services for those who cannot care for themselves. Includes nursing and retirement homes, congregate living, assisted and continuing care living, but excludes rehab uses in LBCS #6520)	P
Bed & Breakfast and Tourist Homes	**1310**	Guest rooms in a private home or accessory building to a private home	P
boarding house	**1321**	Non-transient lodging that may include meals and is owner occupied	P
rooming house	**1322**	Transient or non-transient lodging that may include meals	P
dormitory, sorority or fraternity house	**1323**	Allowed only as accessory uses to and owned by a college or university	C
Hotel, motel, or tourist court	**1330**	Hotels that do not have gambling services; includes extended-stay hotels	P
Short Term Rental	**1350**	Provision of lodging for fewer than thirty (30) consecutive days. (See Section 35.2-71.16)	P
bicycles	**2113b**	New or used bicycle sales, rental and repair	P
parts, accessories, or tires	**2115**	Automotive parts and supply stores, automotive stereo stores.	P
gasoline service	**2116**	Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair	P
light auto repair	**2117a**	Oil change, light auto repair and car wash. May included gasoline and other retail sales.	C
heavy auto repair	**2117b**	Auto repair, paint and body shops. May include gasoline and other retail sales.	C
furniture or home furnishings, hardware, home center, lawn and	**2121-2125**	Furniture, flooring, bedding stores; home building and repair supplies, painting	P

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

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

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

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

Land Use	LBCS #	Description	Approval Type
pet cemetery	**2723**		P
national post office	**4181**		P
retail courier and package delivery	**4182**	Retail courier, package drop-off and mail services	P
radio and television broadcasting	**4231, 4232 & 4241**	Operate broadcasting studios and facilities for over the air, cable or satellite delivery of radio and television programs	P
wireless telecommunications transmission	**4233**	Operate, maintain or provide access to facilities for the transmission of voice, data, text, sound or video, see section 35.2-73 for telecommunications ordinance	C/P
telephone and other wired telecommunications	**4234**	Operate telephone networks - excludes switching stations	P
Telecommunications switching stations/exchanges	**4239**	Telecommunications switching stations and exchanges with no on-site employees	C
library or archive	**4242**	Provide library or archive services	P
data processing and management, hosting and related services	**4244**	Web hosting, ~~computer data storage~~, optical scanning, computer input preparation, microfilm imaging, excluding data centers as defined in section 35.2-113.	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 Use	LBCS #	Description	Approval Type
Public Utilities Service Minor	**4315, 4329, 4339, 4349**	Includes distribution or collection lines and appurtenances for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission that are necessary to support development within the immediate vicinity and involve only minor structures. Included in this use type are small facilities such as transformers, relay and booster devices, and well, water and sewer pump stations, and wireless communication antennas attached to existing buildings or structures.	P
electric substations	**4316**		C
Water treatment plants and utility facilities	**4331 - 4333,**	Water treatment plants, pumping stations and lift stations	C
Theater, dance or music establishment	**5110 & 5160**	Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers	P
Motion picture viewing and exhibition services	**5111**	Operate movie theaters (excluding drive-ins), film festival exhibitions	P
Promoter of sports, performing arts, similar events and management services	**5140 - 5150**	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Indoor auditorium or arena	**5170**	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	P
Museums and Other Special Purpose Recreational Institutions	**5200**	Public and private museums, historical sites, and similar establishments	P
Amusement or theme park establishment	**5310**	Operate a variety of attractions such as mechanical rides, water rides, games	C

Land Use	LBCS #	Description	Approval Type
Commercial Amusements	**5320, 5380, 5390**	Operate arcades and other commercial amusements as defined herein	P
Country Club	**5340 & 6830**	Operate private country clubs, with tennis courts and golf courses along with dining facilities and other recreational facilities; includes civic, social and fraternal organizations without dwellings	P
fitness and recreational sports center	**5371**	Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club, indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building	P
outdoor recreation	**5372, 5373 & 5374**	Includes golf courses, archery ranges, outdoor volleyball, tennis, or swimming facilities, recreational courts, recreational day camp and horseback riding (excludes automobile, dog and horse racing)	C
shooting ranges, indoor	**5375**		C
Natural and other Recreational Parks	**5500**	All parks without special economic functions, other than limited concessions	P
Nursery or preschool	**6110**		P
Grade school	**6120**	Comprises all public, private, and specialty schools between the preschool and university level; includes adult education services not addressed elsewhere. See district use standards.	P
College or university	**6130**	See district use standards.	P
general technical schools	**6141-6143, 6145, 6147**	Offer courses in office procedures, administrative skills, and basic office skills; dance, art, drama, and music; athletic activities. See district use standards.	P
driving education	**6144**		P

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

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

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

(Remainder of Page Intentionally Left Blank)

4. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by amending Section 35.2-47.2 of Article IV of Chapter 35.2 as follows:

Sec. 35.2-47.2. - Authorized uses.

(a) The uses authorized by Exhibit IV-17 may be established in accordance with the procedures established in Article II, the district standards in this article, the site development standards established in Article VI and specific use standards established in Article VII as well as other applicable rules and regulations.

(b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.

(c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.

(d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

Exhibit IV-17: Authorized Uses in B-4 District

Land Use	LBCS #	Description	Approval Type
single-household attached (townhouse)	**1140S**	Each unit on a separate lot; fire wall may protrude from roof or roofs may be staggered	P
Multi-household structures	**1200S**	Includes triplexes, four-plexes, and other multi-household dwellings	P
Mixed-use residential structures (see district regulations for limitations)	**1201S**	Typically commercial uses on lower floors and residential uses on upper floors	P
Housing Services	**1200**	Housing and custodial services for those who cannot care for themselves. Includes nursing and retirement homes, congregate living, assisted and continuing care living, but excludes rehab uses in LBCS #6520)	P
Bed & Breakfast and Tourist Homes	**1310**	Guest rooms in a private home or accessory building to a private home	P

Land Use	LBCS #	Description	Approval Type
boarding house	**1321**	Non-transient lodging that may include meals and is owner occupied	P
rooming house	**1322**	Transient or non-transient lodging that may include meals	P
dormitory, sorority or fraternity house	**1323**	Allowed only as accessory uses to and owned by a college or university	C
Hotel, motel, or tourist court	**1330**	Hotels that do not have gambling services; includes extended-stay hotels	P
Short Term Rental	**1350**	Provision of lodging for fewer than thirty (30) consecutive days. (See Section 35.2-71.16)	P
bicycles	**2113b**	New or used bicycle sales, rental and repair	P
boat or marine craft dealer	**2114**	New or used boats sales, rental and related repair services	P
parts, accessories, or tires	**2115**	Automotive parts and supply stores, automotive stereo stores.	P
gasoline service	**2116**	Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair	C
light auto repair	**2117a**	Oil change, light auto repair and car wash. May include gasoline and other related sales.	C
heavy auto repair	**2117b**	Auto repair, paint and body shops. May include gasoline and other retail sales.	C

Land Use	LBCS #	Description	Approval Type
furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and appliances	**2121-2125**	Furniture, flooring, bedding stores; home building and repair supplies, painting supplies, farm goods, lighting supply, window treatment; nursery and garden products predominantly grown elsewhere, power equipment sales or services; large variety stores; household-type appliances, television, stereos, including repair shops and cell phone stores.	P
computer and software	**2131**	Computers and prepackaged software including repair, support, and training	P
camera and photographic supplies; clothing, jewelry, luggage, shoes, clocks, sewing; sporting goods, toy and hobby, and musical instruments; mixed media, school and office supplies	**2132-2135**	Primarily retail cameras and photographic supplies or retail with repair and film developing; clothing (including shoe repair and tailoring, sporting goods, toys, musical instruments, kitchen goods, books, magazines, music, videos, stationary, greeting cards, seasonal decorations, office and school supplies.	P
florist, art supplies, tobacco products	**2141-2143**	Florists, art supplies and art dealers, frame shops, tobacco products	P
art galleries	**2142b**	Excludes art supply sales and retail framing services	P
mail order or direct selling establishment	**2144**	Retailing other than through locations where shoppers physically visit	P
antique shop	**2145**	Antique shops, (excludes flea markets, thrift stores and pawn shops)	P

Land Use	LBCS #	Description	Approval Type
flea markets and thrift stores	**2145b**	Flea markets and thrift stores	P
grocery store, supermarket, or bakery, convenience store, specialty food stores	**2151-2154**	Included are grocery stores, convenience stores, meat, seafood and produce markets, coffee, confections, variety goods and general stores, and delicatessens. Excludes stores with fuel pumps (see 2116 for fuel sales).	P
beer, wine, and liquor store	**2155**		P
Health and personal care	**2160**	Retail prescription or nonprescription drugs; retail cosmetics, perfumes, toiletries; prescription or nonprescription eyeglasses; prescription or nonprescription health and convalescent aids; medical devices, retail food supplement products such as vitamins, nutrition supplements, and body enhancing supplements.	P
Markets for farm produce or crafts	**2199**	Markets and truck gardens.	C
Bank, credit union, or savings institution	**2210**	Central banking functions	P
credit card and other financing	**2221**	Credit card, sales financing, unsecured consumer lending, real estate credit, mortgages, international trade financing	P
pawn shops	**2222**		P
short-term loans	**2223**	Pay-day lenders and other businesses providing loans with terms of 45 days or less	P

Land Use	LBCS #	Description	Approval Type
precious metal buyers	**2224**	Businesses providing cash for gold and other precious metals or gems (excludes retail jewelers)	P
Investment banking, securities, and brokerages; insurance; fund, trust, or other financial establishment	**2230-2250**	Securities underwriting, brokering, exchange services, managing portfolios; Insurance underwriting, selling insurance; manage assets on behalf of shareholders or beneficiaries	P
Real estate services	**2310**	Sell or lease real estate such as buildings, manufactured home sites and vacant lots; includes real estate appraisers and realtor offices	P
Property management services	**2320**	Manage real property for others	P
recreational goods rental	**2333**	Rent skis, canoes, bicycles, sailboats, motorcycles	P
Professional offices	**2411-2014**	Title abstract, lawyers, notaries, accountants, bookkeeping, payroll services, architects, engineers, surveyors, graphic design, interior design and industrial design	P
consulting services (management, environmental technical)	**2415**	Advise and assist businesses on management, scientific, and technological issues	P
scientific research and development services	**2416**	Conduct research or analyze in the physical, engineering, cognitive, or life sciences in laboratories or offices.	P

Land Use	LBCS #	Description	Approval Type
advertising, media and photography services	**2417**	Includes advertising, marketing and public relations agencies, photographic studios and photographic services.	P
veterinary services	**2418**	Veterinary medicine, testing services for veterinary practitioners	P
other professional offices	**2419, 6810, 6820**	Includes advertising and media services intellectual property rights, franchising, labor, political or business organizations, and uses with similar impacts	P
office administrative services	**2421**	Office administration such as billing, record keeping, personnel, organizational planning	P
facilities support services	**2422**	Provide operating staff for support services within a client's facilities, including janitorial, security, laundry services, etc.	P
employment agency	**2423a**	Provide employee placement, temporary help	P
copy center, private mail center, other business support services	**2424**	Provide document preparation, telephone answering, telemarketing, court reporting, steno typing, FAX, internet access, small signs and banners	P
collection agency	**2425**	Collect payments, compile credit information, repossess tangible assets	P
Travel arrangement and reservation services	**2430**	Promote or sell travel, includes convention and visitors' bureaus	P

Land Use	LBCS #	Description	Approval Type
Investigation and security services	**2440**	Provide detective, guard and patrol services, picking up and delivery of money, selling of security systems, remote monitoring of security systems, locksmiths	P
Restaurants, cafeterias, snack bars & catering	**2510-2530 &2560**	Provide food and drinks to patrons - see district specific use regulations for limitations. Includes banquet, assembly and reception halls. See district standards.	P
Mobile food services	**2550**	Prepare and serve meals and snacks for immediate consumption from motorized vehicles	P
Food service contractor and vending machine operators	**2570 & 2580**	Provide food services at institutional, governmental, commercial, or industrial locations based on contracts. Retail merchandise through vending machines that they service	P
Personal care	**2610**	Hair, nail, and skin care and related personal care, barbers, beauty shops, dieting and weight loss, tanning, hair removal, hair weaving, ear piercing and similar services	P
laundromat and dry cleaning	**2621 & 2622**	Includes Laundromats, dry cleaners, diaper services as well as other commercial laundry services	P
Photofinishing	**2630**	Primarily engaged in developing film or making slides, etc.	P
Parking lot and parking garage	**2640**	See district standards	P

Land Use	LBCS #	Description	Approval Type
licensed massage therapist	**2651**		P
tattoo parlor	**2652**	Tattoos by a licensed professional	P
adult retail establishment	**2653**	Stores primarily selling adult oriented products, including books, videos, magazines, toys, lingerie and other sexually-oriented goods	P
Pet or pet supply store	**2710**	Retail pets, pet foods, pet supplies	P
animal services	**2721**	grooming and training	P
Food and beverages	**3110**	Includes bakery and candy establishments that produce for later consumption; ice manufacturing; dairies; bottling plants; and peanut and coffee roasting	P
Furniture and related products	**3230**	Includes manufacture and repair of furniture, upholstery, mattresses, window blinds, window shades, awnings cabinets, fixtures	P
Office and warehousing	**3610**	Storage of goods related to on-site office or retail use	P
rail passenger transportation	**4121**	Passenger stations only	P
local transit systems—bus, special needs, sightseeing, taxi and limousine services	**4133 - 4134 & 4136 - 4137**	Single-mode local and non-local transit systems other than rail; excludes transit stops, which are allowed in all districts. Includes sightseeing, taxi and limousine services	P

Land Use	LBCS #	Description	Approval Type
marine and sightseeing transportation	**4151**	Provide water transportation, including scenic and sightseeing, for passengers	P
national post office	**4181**		P
retail courier and package delivery	**4182**	Retail courier, package drop-off and mail services	P
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

Land Use	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, excluding data centers as defined in section 35.2-113.	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 Use	LBCS #	Description	Approval Type
Water treatment plants and utility facilities	**4331 - 4333,**	Water treatment plants, pumping stations and lift stations	C
Theater, dance or music establishment	**5110 & 5160**	Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers	P
Motion picture viewing and exhibition services	**5111**	Operate movie theaters (excluding drive-ins), film festival exhibitions	P
Promoter of sports, performing arts, similar events and management services	**5140 - 5150**	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Indoor auditorium or arena	**5170**	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	C
Outdoor auditorium/arenas	**5180**	Outdoor arenas, theaters and stadiums	C
Museums and Other Special Purpose Recreational Institutions	**5200**	Public and private museums, historical sites, and similar establishments	P
Amusement or theme park establishment	**5310**	Operate a variety of attractions such as mechanical rides, water rides, games	C
Commercial Amusements	**5320, 5380, 5390**	Operate arcades and other commercial amusements as defined herein	C

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

Land Use	LBCS #	Description	Approval Type
	6145, 6147	dance, art, drama, and music; athletic activities. See district use standards.	
Other Government Functions	**6300**	Other government owned establishments not classified elsewhere such as defense and national guard establishments	C
Public Safety	**6400**	Government-owned establishments providing fire and rescue, police, and emergency response services	P
clinic	**6511 & 6567**	Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and veterans' affairs services	P
outpatient care clinic	**6512**	Provide outpatient family planning services and outpatient care	P
medical or diagnostic laboratory; blood/organ bank	**6513 - 6514**	Provide analytic or diagnostic services including medical imaging	P
group home small	**6522**	Fewer than five (5) aged or infirm individuals or fewer than nine (9) individuals with mental, intellectual or developmental disabilities	P
group home large	**6523**	Five or more aged or infirm individuals, or nine (9) or more individuals with mental, intellectual or developmental disabilities	P
Hospital	**6530**		C
child and adult day care	**6562**	Provide day care for children and adults	

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

Land Use	LBCS #	Description	Approval Type
Greenhouse - no on-premises sales	**9141**	Includes fruit and nut trees with production limited to retail sales	P
Greenhouse - sales of products grown on premises	**9142**		P
Greenhouse - sales of products and related accessory products	**9143**		P
Animal Production	**9300**	Keep, graze, breed or feed animals (see standards in section 35.2-71.7)	P
tent revival meetings/ transient amusements	**9921**	Includes temporary carnivals and circuses sponsored by non-profit organizations (see section 35.2-72.23)	P
temporary outdoor promotional attractions	**9922**	Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see section 35.2-72.23)	P
traditional neighborhood development	**9952**	See section 35.2-82	C
large scale retail establishments	**9954**	See section 35.2-84	P
cluster commercial development	**9955**	See section 35.2-85	C

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

Sec. 35.2-48.2. - Authorized uses.

(a) The uses authorized by Exhibit IV-19 may be established in accordance with the procedures established in Article II, the district standards in this article, the site development standards established in Article VI and specific use standards established in Article VII as well as other applicable rules and regulations.

(b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.

(c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.

(d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

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

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

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

Land Use	LBCS #	Description	Approval Type
parts, accessories, or tires	**2115**	Automotive parts and supply stores, automotive stereo stores.	P
gasoline service	**2116**	Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair	P
light auto repair	**2117a**	Oil change, light auto repair and car wash. May include gasoline and other related sales.	P
heavy auto repair	**2117b**	Auto repair, paint and body shops. May include gasoline and other retail sales.	P
furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and appliances	**2121-2125**	Furniture, flooring, bedding stores; home building and repair supplies, painting supplies, farm goods, lighting supply, window treatment; nursery and garden products predominantly grown elsewhere, power equipment sales or services; large variety stores; household-type appliances, television, stereos, including repair shops and cell phone stores.	P
lumber yard and building materials; heating and plumbing equipment; heavy equipment	**2126-2128**	Lumber yards and heavy building materials; heating and plumbing equipment retailers; for heating and plumbing contractors who install or service, use the appropriate construction category; construction equipment and vehicles; includes authorized storage (3650)	P
computer and software	**2131**	Computers and prepackaged software including repair, support, and training	P
camera and photographic supplies; clothing, jewelry, luggage, shoes, clocks, sewing; sporting goods, toy and hobby, and musical instruments; mixed media, school and office supplies	**2132-2135**	Primarily retail cameras and photographic supplies or retail with repair and film developing; clothing (including shoe repair and tailoring, sporting goods, toys, musical instruments, kitchen goods, books, magazines, music, videos, stationary, greeting cards, seasonal decorations, office and school supplies.	P

Land Use	LBCS #	Description	Approval Type
florist, art supplies, tobacco products	**2141-2143**	Florists, art supplies and art dealers, frame shops, tobacco products	P
art galleries	**2142b**	Excludes art supply sales and retail framing services	P
mail order or direct selling establishment	**2144**	Retailing other than through locations where shoppers physically visit	P
antique shop	**2145**	Antique shops, (excludes flea markets, thrift stores and pawn shops)	P
flea markets and thrift stores	**2145b**	Flea markets and thrift stores	P
grocery store, supermarket, or bakery, convenience store, specialty food stores	**2151-2154**	Included are grocery stores, convenience stores, meat, seafood and produce markets, coffee, confections, variety goods and general stores, and delicatessens. Excludes stores with fuel pumps (see 2116 for fuel sales).	P
beer, wine, and liquor store	**2155**		P
Health and personal care	**2160**	Retail prescription or nonprescription drugs; retail cosmetics, perfumes, toiletries; prescription or nonprescription eyeglasses; prescription or nonprescription health and convalescent aids; medical devices, retail food supplement products such as vitamins, nutrition supplements, and body enhancing supplements.	P
Markets for farm produce or crafts	**2199**	Markets and truck gardens.	P
Bank, credit union, or savings institution	**2210**	Central banking functions	P
credit card and other financing	**2221**	Credit card, sales financing, unsecured consumer lending, real estate credit, mortgages, international trade financing	P

Land Use	LBCS #	Description	Approval Type
pawn shops	**2222**		P
short-term loans	**2223**	Pay-day lenders and other businesses providing loans with terms of 45 days or less	P
precious metal buyers	**2224**	Businesses providing cash for gold and other precious metals or gems (excludes retail jewelers)	P
Investment banking, securities, and brokerages; insurance; fund, trust, or other financial establishment	**2230-2250**	Securities underwriting, brokering, exchange services, managing portfolios; Insurance underwriting, selling insurance; manage assets on behalf of shareholders or beneficiaries	P
Real estate services	**2310**	Sell or lease real estate such as buildings, manufactured home sites and vacant lots; includes real estate appraisers and realtor offices	P
Property management services	**2320**	Manage real property for others	P
vehicles	**2331 & 2332**	Lease passenger cars, trucks, trailers, RVs, buses and aircraft; drivers not provided	P
recreational goods rental	**2333**	Rent skis, canoes, bicycles, sailboats, motorcycles	P
commercial, industrial or consumer machinery and equipment rental	**2334 - 2335**	Rent or lease: a) office machinery and equipment; heavy equipment without operators used for construction, well-drilling; other machinery and equipment for uses such as manufacturing or telecommunications; operators not included (note: see 2337 for heavy equipment leasing) b) personal and household-type goods and a range of equipment geared toward consumers	P
Professional offices	**2411-2014**	Title abstract, lawyers, notaries, accountants, bookkeeping, payroll services, architects,	P

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

Land Use	LBCS #	Description	Approval Type
collection agency	**2425**	Collect payments, compile credit information, repossess tangible assets	P
Travel arrangement and reservation services	**2430**	Promote or sell travel, includes convention and visitors' bureaus	P
Investigation and security services	**2440**	Provide detective, guard and patrol services, picking up and delivery of money, selling of security systems, remote monitoring of security systems, locksmiths	P
Services to buildings and dwellings	**2450**	Provide pest control, janitorial services, landscaping, carpet cleaning, etc. (2451-2454)	P
packing, crating	**2455**		P
Restaurants, cafeterias, snack bars & catering	**2510-2530 &2560**	Provide food and drinks to patrons - see district specific use regulations for limitations. Includes banquet, assembly and reception halls. See district standards.	P
Mobile food services	**2550**	Prepare and serve meals and snacks for immediate consumption from motorized vehicles	P
Food service contractor and vending machine operators	**2570 & 2580**	Provide food services at institutional, governmental, commercial, or industrial locations based on contracts. Retail merchandise through vending machines that they service	P
Personal care	**2610**	Hair, nail, and skin care and related personal care, barbers, beauty shops, dieting and weight loss, tanning, hair removal, hair weaving, ear piercing and similar services	P
laundromat and dry cleaning	**2621 & 2622**	Includes Laundromats, dry cleaners, diaper services as well as other commercial laundry services	P
linen and uniform supply	**2623**		P

Land Use	LBCS #	Description	Approval Type
Photofinishing	**2630**	Primarily engaged in developing film or making slides, etc.	P
Parking lot and parking garage	**2640**	See district standards	P
licensed massage therapist	**2651**		P
tattoo parlor	**2652**	Tattoos by a licensed professional	P
adult retail establishment	**2653**	Stores primarily selling adult oriented products, including books, videos, magazines, toys, lingerie and other sexually-oriented goods	P
Pet or pet supply store	**2710**	Retail pets, pet foods, pet supplies	P
animal services	**2721**	grooming and training	P
animal boarding	**2722**	sitting and boarding	P
pet cemetery	**2723**		P
Food and beverages	**3110**	Includes bakery and candy establishments that produce for later consumption; ice manufacturing; dairies; bottling plants; and peanut and coffee roasting	P
Textiles, leather and leather substitute products	**3130 & 3140**	Textile mills, apparel manufacturers and canvas making; dying plants and dry cleaning plants; leather and leather substitutes such as rubber footwear (excluding leather tanning)	P
Furniture and related products	**3230**	Includes manufacture and repair of furniture, upholstery, mattresses, window blinds, window shades, awnings cabinets, fixtures	P
Signs	**3440**	Manufacturing of signs to be erected or installed (excludes banner printing)	P

Land Use	LBCS #	Description	Approval Type
Blacksmith		Creation of objects from wrought iron steel, such as gates, railings, furniture, and other functional and decorative items	P
Wholesale Trade Establishment	**3500**	Normally operate from a warehouse or office, selling or arranging the purchase of goods to other businesses	P
Office and warehousing	**3610**	Storage of goods related to on-site office or retail use	P
Warehousing	**3620**	Storage of goods as the principal use; includes mini-warehouses, self-storage facilities and moving companies	P
rail passenger transportation	**4121**	Passenger stations only	P
local transit systems—bus, special needs, sightseeing, taxi and limousine services	**4133 - 4134 & 4136 - 4137**	Single-mode local and non-local transit systems other than rail; excludes transit stops, which are allowed in all districts. Includes sightseeing, taxi and limousine services	P
towing and other road and ground services	**4138**	Tow vehicles	P
Truck and freight transportation services	**4140**	Provide over-the-road transportation of cargo using motor vehicles and temporary storage	C
national post office	**4181**		P
retail courier and package delivery	**4182**	Retail courier, package drop-off and mail services	P
Courier and messenger services	**4190**	Provide air, surface, or combined courier delivery services of Parcels and messages (excludes retail package drop-off and local courier services	P
Publishing	**4210 & 4221**	Issue copies of works for which they usually possess copyright, including printing plants,	P

Land Use	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, excluding data centers as defined in section 35.2-113.	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 Use	LBCS #	Description	Approval Type
		nature which are not otherwise reviewed and approved by the Virginia State Corporation Commission. All overhead transmission lines are included in this definition.	
Public Utilities Service Minor	**4315, 4329, 4339, 4349**	Includes distribution or collection lines and appurtenances for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission that are necessary to support development within the immediate vicinity and involve only minor structures. Included in this use type are small facilities such as transformers, relay and booster devices, and well, water and sewer pump stations, and wireless communication antennas attached to existing buildings or structures.	P
electric substations	**4316**		C
Water treatment plants and utility facilities	**4331 - 4333,**	Water treatment plants, pumping stations and lift stations	C
recycling collection centers	**4349**	Drop-off facilities for the collection of recycled goods	P
Theater, dance or music establishment	**5110 & 5160**	Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers	P
Motion picture viewing and exhibition services	**5111**	Operate movie theaters (excludes drive-ins), film festival exhibitions	P
Promoter of sports, performing arts, similar events and management services	**5140 - 5150**	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Indoor auditorium or arena	**5170**	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	C

Land Use	LBCS #	Description	Approval Type
Outdoor auditorium/arenas	**5180**	Outdoor arenas, stadiums and theaters	C
Museums and Other Special Purpose Recreational Institutions	**5200**	Public and private museums, historical sites, and similar establishments	P
Amusement or theme park establishment	**5310**	Operate a variety of attractions such as mechanical rides, water rides, games	C
Commercial Amusements	**5320, 5380, 5390**	Operate arcades and other commercial amusements as defined herein	P
Country Club	**5340 & 6830**	Operate private country clubs, with tennis courts and golf courses along with dining facilities and other recreational facilities; includes civic, social and fraternal organizations without dwellings	P
fitness and recreational sports center	**5371**	Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club, indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building	P
outdoor recreation	**5372, 5373 & 5374**	Includes for profit golf courses, archery ranges, outdoor volleyball, tennis, or swimming facilities, recreational courts, recreational day camp and horseback riding	P
shooting ranges, indoor	**5375**		C
Camps, Camping, and Related Establishments	**5400**	Operate sites to accommodate campers and their equipment, provide overnight recreational camps, may provide cabins, food services, washrooms, spaces for overnight parking or recreational vehicles	C
Natural and other Recreational Parks	**5500**	All parks without special economic functions, other than limited concessions	P
Nursery or preschool	**6110**		P

Land Use	LBCS #	Description	Approval Type
Grade school	**6120**	Comprises all public, private, and specialty schools between the preschool and university level; includes adult education services not addressed elsewhere. See district use standards.	P
College or university	**6130**	See district use standards.	P
general technical schools	**6141-6143, 6145, 6147**	Offer courses in office procedures, administrative skills, and basic office skills; dance, art, drama, and music; athletic activities	P
driving education	**6144**		P
Other Government Functions	**6300**	Other government owned establishments not classified elsewhere such as defense and national guard establishments	P
Public Safety	**6400**	Government-owned establishments providing fire and rescue, police, and emergency response services	P
clinic	**6511 & 6567**	Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and veterans' affairs services	P
outpatient care clinic	**6512**	Provide outpatient family planning services and outpatient care	P
abortion clinic	6512a	Abortion clinics – as defined in Section 35.2-113 (see standards in Section 35.2-72.28)	C
medical or diagnostic laboratory; blood/organ bank	**6513 - 6514**	Provide analytic or diagnostic services including medical imaging	P
group home small	**6522**	Fewer than five (5) aged or infirm individuals or fewer than nine (9) individuals with	P

Land Use	LBCS #	Description	Approval Type
		mental, intellectual or developmental disabilities	
group home large	**6523**	Five or more aged or infirm individuals, or nine (9) or more individuals with mental, intellectual or developmental disabilities	P
Hospital	**6530**		P
child and adult day care	**6562**	Provide day care for children and adults	
home	**6562a**	Day care for fewer than six (6) individuals in a residence	P
small		Day care for six (6) to twelve (12) individuals in a residence	P
large	**6562c**	Provide care for more than 12 individuals	P
Religious Institutions	**6600**	Churches, temples, synagogues, mosques, convents and monasteries	P
Death Care Services	**6700**	Funeral homes, crematories, cemeteries	
Funeral home and services	**6710**	Includes funeral homes combined with crematories	P
free-standing cemetery	**6722**		P
columbarium	**6724**		P
Construction-Related Businesses	**7000**	Contractors who can build or demolish buildings, leveling, earthmoving, excavating, land drainage; should reflect the location of the establishment and not where it is performing its services. This category also includes the manufacture of industrial buildings, manufactured homes, modular homes, storage buildings and similar structures. Note that district standards may limit or preclude manufacturing, outdoor	P

Land Use	LBCS #	Description	Approval Type
		operations, outdoor storage of commercial vehicles and materials.	
Vegetable farming or growing	**9120**	Includes private fields and community gardens with production limited to retail sales	P
Commercial orchards	**9130**	Includes fruit and nut trees with production limited to retail sales	P
Greenhouse - no on-premises sales	**9141**	Commercial greenhouse production	P
Greenhouse - sales of products grown on premises	**9142**		P
Greenhouse - sales of products and related accessory products	**9143**		P
Animal Production	**9300**	Keep, graze, breed or feed animals (see standards in section 35.2-71.7)	P
tent revival meetings/transient amusements	**9921**	Includes temporary carnivals and circuses sponsored by non-profit organizations (see section 35.2-72.23)	P
temporary outdoor promotional attractions	**9922**	Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see section 35.2-72.23)	P
traditional neighborhood development	**9952**	See section 35.2-82	C
large scale retail establishments	**9954**	See section 35.2-84	P
cluster commercial development	**9955**	See section 35.2-85	C
flex space development	**9956**	See section 35.2-86	C
corporate campus	**9957**	See section 35.2-87	C

Land Use	LBCS #	Description	Approval Type
Billboards - only existing billboards allowed per section 35.2-64.16	**9990**	Billboards and other signs advertising goods and services not available on the site where the sign is located	P

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

Sec. 35.2-50.2. - Authorized uses.

(a) The uses authorized by Exhibit IV-23 may be established in accordance with the procedures established in Article II, the district standards in this article, the site development standards established in Article VI and specific use standards established in VII as well as other applicable rules and regulations.

(b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.

(c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.

(d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

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

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

Land Use	LBCS #	Description	Approval Type
single-household semi-detached	**1122S**	One of two dwellings separated by a party wall, on abutting lots	P
single-household attached (townhouse)	**1140S**	Each unit on a separate lot; fire wall may protrude from roof or roofs may be staggered	P
Multi-household structures	**1200S**	Includes triplexes, four-plexes, and other multi-household dwellings	P
Mixed-use residential structures	**1201S**	Typically commercial uses on lower floors and residential uses on upper floors	P
Housing Services	**1200**	Housing and custodial services for those who cannot care for themselves. Includes nursing and retirement homes, congregate living, assisted and continuing care living, but excludes rehab uses in LBCS #6520)	P
Bed & Breakfast and Tourist Homes	**1310**	Guest rooms in a private home or accessory building to a private home	P
boarding house	**1321**	Non-transient lodging that may include meals and is owner occupied	P
rooming house	**1322**	Transient or non-transient lodging that may include meals	P
dormitory, sorority or fraternity house	**1323**	Allowed only as accessory uses to and owned by a college or university	P
Hotel, motel, or tourist court	**1330**	Hotels that do not have gambling services; includes extended-stay hotels	P

Land Use	LBCS #	Description	Approval Type
Short Term Rental	**1350**	Provision of lodging for fewer than thirty (30) consecutive days. (See Section 35.2-71.16)	P
car, motorcycle, manufactured homes or RV dealer	**2111-2113**	New or used automobiles, light trucks, motorcycles, RV's, manufactured homes, and buses	P
bicycles	**2113b**	New or used bicycle sales, rental and repair	P
boat or marine craft dealer	**2114**	New or used boats sales, rental and related repair services	P
parts, accessories, or tires	**2115**	Automotive parts and supply stores, automotive stereo stores.	P
gasoline service	**2116**	Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair	P
light auto repair	**2117a**	Oil change, light auto repair and car wash. May include gasoline and other retail sales	P
heavy auto repair	**2117b**	Auto repair, paint and body shops. May include gasoline and other retail sales.	P
furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and appliances	**2121-2125**	Furniture, flooring, bedding stores; home building and repair supplies, painting supplies, farm goods, lighting supply, window treatment; nursery and garden products predominantly grown elsewhere, power equipment sales or services; large variety stores; household-type appliances, television, stereos, including repair shops and cell phone stores.	P

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

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

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

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

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

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

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

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

Land Use	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, excluding data centers as defined in section 35.2-113.	P
data center	**4244a**	Data centers as defined in section 35.2-113 (see standards in section 35.2-72.29)	C
Public Utilities Services, Major	**4315, 4329,**	Includes transmission lines for water, wastewater, stormwater, electricity, natural	C

Land Use	LBCS #	Description	Approval Type
	4339, 4349	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.	
Public Utilities Service Minor	**4315, 4329, 4339, 4349**	Includes distribution or collection lines and appurtenances for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission that are necessary to support development within the immediate vicinity and involve only minor structures. Included in this use type are small facilities such as transformers, relay and booster devices, and well, water and sewer pump stations, and wireless communication antennas attached to existing buildings or structures.	P
power generation	**4315**		C
electric substations	**4316**		P
Water treatment plants and utility facilities	**4331 - 4333,**	Water treatment plants, pumping stations and lift stations	P
recycling collection centers	**4349**	Drop-off facilities for the collection of recycled goods	P

Land Use	LBCS #	Description	Approval Type
Theater, dance or music establishment	**5110 & 5160**	Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers	P
Motion picture viewing and exhibition services	**5111**	Operate movie theaters, drive-ins, film festival exhibitions (Note: drive-in theaters limited to B-5 district)	P
Promoter of sports, performing arts, similar events and management services	**5140 - 5150**	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Indoor auditorium or arena	**5170**	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	C
Outdoor auditorium/arenas	**5180**	Outdoor arenas, stadiums and theaters	C
Museums and Other Special Purpose Recreational Institutions	**5200**	Public and private museums, historical sites, and similar establishments	P
Amusement or theme park establishment	**5310**	Operate a variety of attractions such as mechanical rides, water rides, games	C
Commercial Amusements	**5320, 5380, 5390**	Operate arcades and other commercial amusements as defined herein	P
Country Club	**5340 & 6830**	Operate private country clubs, with tennis courts and golf courses along with dining facilities and other recreational facilities; includes civic, social and fraternal organizations without dwellings	P

Land Use	LBCS #	Description	Approval Type
fitness and recreational sports center	**5371**	Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club, indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building	P
outdoor recreation	**5372, 5373 & 5374**	Includes for profit golf courses, archery ranges, outdoor volleyball, tennis, or swimming facilities, recreational courts, recreational day camp and horseback riding	P
shooting ranges, indoor	**5375**		C
Camps, Camping, and Related Establishments	**5400**	Operate sites to accommodate campers and their equipment, provide overnight recreational camps, may provide cabins, food services, washrooms, spaces for overnight parking or recreational vehicles	C
Natural and other Recreational Parks	**5500**	All parks without special economic functions, other than limited concessions	P
Nursery or preschool	**6110**		P
Grade school	**6120**	Comprises all public, private, and specialty schools between the preschool and university level; includes adult education services not addressed elsewhere	P
College or university	**6130**		P
general technical schools	**6141-6143, 6145, 6147**	Offer courses in office procedures, administrative skills, and basic office skills; dance, art, drama, and music; athletic activities	P

Land Use	LBCS #	Description	Approval Type
driving education	**6144**		P
flight training	**6146**	Offer aviation and flight training	P
Other Government Functions	**6300**	Other government owned establishments not classified elsewhere such as defense and national guard establishments	P
Public Safety	**6400**	Government-owned establishments providing fire and rescue, police, and emergency response services	P
clinic	**6511 & 6567**	Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and veterans affairs services	P
outpatient care clinic	**6512**	Provide outpatient family planning services and outpatient care	P
medical or diagnostic laboratory; blood/organ bank	**6513 - 6514**	Provide analytic or diagnostic services including medical imaging	P
group home small	**6522**	Fewer than five (5) aged or infirm individuals or fewer than nine (9) individuals with mental, intellectual or developmental disabilities	P
group home large	**6523**	Five or more aged or infirm individuals, or nine (9) or more individuals with mental, intellectual or developmental disabilities	P
Hospital	**6530**		P

Land Use	LBCS #	Description	Approval Type
child and youth services	**6561**	Offer services such as adoption, foster care, drug prevention services	P
child and adult day care	**6562**	Provide day care for children and adults	
home	**6562a**	Day care for fewer than six (6) individuals in a residence	P
small	**6562b**	Day care for six (6) to twelve (12) individuals in a residence	P
large	**6562c**	Provide care for more than 12 individuals	P
care services community food services	**6563 - 6566**	Includes community food services, emergency and relief services, services for the elderly and disabled other family services; does not on-site provision of housing	P
Religious Institutions	**6600**	Churches, temples, synagogues, mosques, convents and monasteries	P
Funeral home and services	**6710**	Includes funeral homes combined with crematories	P
free-standing cemetery	**6722**		P
columbarium	**6724**		P
Construction-Related Businesses	**7000**	Contractors who can build or demolish buildings, leveling, earthmoving, excavating, land drainage; should reflect the location of the establishment and not where it is performing its services. This category also includes the manufacture of industrial	P

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

Land Use	LBCS #	Description	Approval Type
traditional neighborhood development	**9952**	See section 35.2-82	C
large scale retail establishments	**9954**	See section 35.2-84	P
cluster commercial development	**9955**	See section 35.2-85	C
flex space development	**9956**	See section 35.2-86	C
corporate campus	**9957**	See section 35.2-87	C
Billboards	**9990**	Billboards and other signs advertising goods and services not available on the site where the sign is located	P

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7. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by amending Section 35.2-51.2 of Article IV of Chapter 35.2 as follows:

Sec. 35.2-51.2. - Authorized uses.

(a) The uses authorized by Exhibit IV-24 may be established in accordance with the procedures established in Article II, the district standards in this article, the site development standards established in Article VI and specific use standards established in Article VII, as well as other applicable rules and regulations.

(b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.

(c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.

(d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

Exhibit IV-24: Authorized Uses in I-1 District

Land Use	LBCS #	Description	I-1
Hotel, motel, or tourist court	**1330**	Hotels that do not have gambling services; includes extended-stay hotels	C
consulting services (management, environmental technical)	**2415**	Advise and assist businesses on management, scientific, and technological issues	P
scientific research and development services	**2416**	Conduct research or analyze in the physical, engineering, cognitive, or life sciences in laboratories or offices.	P
advertising, media and photography services	**2417**	Includes advertising, marketing and public relations agencies, photographic studios and photographic services.	P
office administrative services	**2421**	Office administration such as billing, record keeping, personnel, organizational planning	P
facilities support services	**2422**	Provide operating staff for support services within a client's facilities, including janitorial, security, laundry services, etc.	P

Land Use	LBCS #	Description	I-1
copy center, private mail center, other business support services	**2424**	Provide document preparation, telephone answering, telemarketing, court reporting, steno typing, FAX, internet access, small signs and banners	P
Restaurants, cafeterias, snack bars & catering	**2510-2530 & 2560**	Provide food and drinks to patrons - see district specific use regulations for limitations. Includes banquet, assembly and reception halls. See district standards.	C
Mobile food services	**2550**	Prepare and serve meals and snacks for immediate consumption from motorized vehicles	P
Parking lot and parking garage	**2640**	See district standards	P
Food and beverages	**3110**	Includes bakery and candy establishments that produce for later consumption; ice manufacturing; dairies; bottling plants; and peanut and coffee roasting	
Textiles, leather and leather substitute products	**3130 & 3140**	Textile mills, apparel manufacturers and canvas making; dying plants and dry cleaning plants; leather and leather substitutes such as rubber footwear (excluding leather tanning)	P
Machinery, electrical equipment, appliance, and components manufacturing	**3350 & 3360**	Make machinery for particular applications, such as construction, ventilation, heating and cooling; manufacture computers, communication equipment, lighting equipment, batteries, motors, appliances, household goods and medical equipment	P
Jewelry and silverware, sporting goods, toys, games and office supplies	**3410-3430**	Jewelry, silverware, sporting goods, toys, musical instruments, office supplies, including inks. Excludes paper mills and businesses primarily engaged in on-premises retail sales	P

Land Use	LBCS #	Description	I-1
Signs	**3440**	Manufacturing of signs to be erected or installed (excludes banner printing)	P
Office and warehousing	**3610**	Storage of goods related to on-site office or retail use	P
Air transportation	**4110**	Provide transportation for passengers or cargo using aircraft (see section 35.2-72.10 for rules related to heliports and helipads)	C
rail passenger transportation	**4121**	Passenger stations only	P
Publishing	**4210 & 4221**	Issue copies of works for which they usually possess copyright, including printing plants, motion picture and audio publishing. Includes newspaper publishing, greeting card printing and lithography	P
Motion pictures and sound 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

Land Use	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, excluding data centers as defined in section 35.2-113.	P
data center	**4244a**	Data centers as defined in section 35.2-113 (see standards in section 35.2-72.29)	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 Use	LBCS #	Description	I-1
		communication antennas attached to existing buildings or structures.	
power generation	**4315**		
electric substations	**4316**		P
Water treatment plants and utility facilities	**4331-4333**	Water treatment plants, pumping stations and lift stations	P
recycling collection centers	**4349**	Drop-off facilities for the collection of recycled goods	P
Promoter of sports, performing arts, similar events and management services	**5140-5150**	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Indoor auditorium or arena	**5170**	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	C
Outdoor auditorium/arenas	**5180**	Outdoor arenas, stadiums and theaters	C
fitness and recreational sports center	**5371**	Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club, indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building	C
shooting ranges, indoor	**5375**		C
Camps, Camping, and Related Establishments	**5400**	Operate sites to accommodate campers and their equipment, provide overnight recreational camps, may	

Land Use	LBCS #	Description	I-1
		provide cabins, food services, washrooms, spaces for overnight parking or recreational vehicles	
Natural and other Recreational Parks	**5500**	All parks without special economic functions, other than limited concessions	C
Public Safety	**6400**	Government-owned establishments providing fire and rescue, police, and emergency response services	P
Animal Production	**9300**	Keep, graze, breed or feed animals (see standards in section 35.2-71.7)	P
tent revival meetings/transient amusements	**9921**	Includes temporary carnivals and circuses sponsored by non-profit organizations	P
flex space development	**9956**	See section 35.2-86	P
corporate campus	**9957**	See section 35.2-87	P

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8. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by amending Section 35.2-52.2 of Article IV of Chapter 35.2 as follows:

Sec. 35.2-52.2. - Authorized uses.

(a) The uses authorized by Exhibit IV-26 may be established in accordance with the procedures established in Article II, the district standards in this article, the site development standards established in Article VI and specific use standards established in Article VII, as well as other applicable rules and regulations.

(b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.

(c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.

(d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

Exhibit IV-26: Authorized Uses in I-2 District

Land Use	LBCS #	Description	Approval Type
light auto repair	**2117a**	Oil change, light auto repair and car wash. May include gasoline and other retail sales.	P
heavy auto repair	**2117b**	Auto repair, paint and body shops. May include gasoline and other retail sales.	P
lumber yard and building materials; heating and plumbing equipment; heavy equipment	**2126-2128**	Lumber yards and heavy building materials; heating and plumbing equipment retailers; for heating and plumbing contractors who install or service, use the appropriate construction category; construction equipment and vehicles; includes authorized storage (3650)	P
mail order or direct selling establishment	**2144**	Retailing other than through locations where shoppers physically visit	P
commercial, industrial or consumer machinery and equipment rental	**2334-2335**	Rent or lease: a) office machinery and equipment; heavy equipment without operators used for construction, well-drilling; other machinery and equipment for uses such as manufacturing or	P

Land Use	LBCS #	Description	Approval Type
		telecommunications; operators not included (note: see 2337 for heavy equipment leasing) b) personal and household-type goods and a range of equipment geared toward consumers	
heavy equipment rental	**2337**	Includes construction vehicles with gross weights exceeding 26,000 pounds and agricultural vehicles	P
Services to buildings and dwellings	**2450**	Provide pest control, janitorial services, landscaping, carpet cleaning, etc. (2451-2454)	P
packing, crating	**2455**		P
Mobile food services	**2550**	Prepare and serve meals and snacks for immediate consumption from motorized vehicles	P
Food service contractor and vending machine operators	**2570 & 2580**	Provide food services at institutional, governmental, commercial, or industrial locations based on contracts. Retail merchandise through vending machines that they service	P
linen and uniform supply	**2623**		P
Parking lot and parking garage	**2640**	See district standards	P
Food and beverages	**3110**	Includes bakery and candy establishments that produce for later consumption; ice manufacturing; dairies; bottling plants; and peanut and coffee roasting	P
Tobacco manufacturing	**3120**		P

Land Use	LBCS #	Description	Approval Type
Textiles, leather and leather substitute products	**3130 & 3140**	Textile mills, apparel manufacturers and canvas making; dying plants and dry cleaning plants; leather and leather substitutes such as rubber footwear (excluding leather tanning)	P
Wood products	**3210**	Except furniture	P
Paper and printing materials	**3220**	Manufactures paper and offer printing-related products	P
Furniture and related products	**3230**	Includes manufacture and repair of furniture, upholstery, mattresses, window blinds, window shades, awnings cabinets, fixtures	P
Chemicals, plastic and rubber products; non-metallic mineral products, primary metal manufacturing; transportation equipment manufacture	**3320-3340 & 3370**	Manufacture inorganic chemicals, plastic or rubber products, adhesives, pharmaceuticals, wax products, insulation, bricks, ceramics, glass, cement, concrete, statuary, stone products, basic metal products, such as bars, rods, wires, and castings or finished products; produce equipment for transporting people and goods	P
Machinery , electrical equipment, appliance, and components manufacturing	**3350 & 3360**	Make machinery for particular applications, such as construction, ventilation, heating and cooling; manufacture computers, communication equipment, lighting equipment, batteries, motors, appliances, household goods and medical equipment	P
Transportation equipment and automobiles	**3370**	Produce equipment for transporting people and goods. Although transportation equipment is a type of machinery, assembly tends to be distinct from the production processes common in the machinery manufacturing subsector, so these establishments are classified separately.	P

Land Use	LBCS #	Description	Approval Type
Jewelry and silverware, sporting goods, toys, games and office supplies	**3410-3430**	Jewelry, silverware, sporting goods, toys, musical instruments, office supplies, including inks. Excludes paper mills and businesses primarily engaged in on-premises retail sales	P
Signs	**3440**	Manufacturing of signs to be erected or installed (excludes banner printing)	P
Blacksmith		Creation of objects from wrought iron steel, such as gates, railings, furniture, and other functional and decorative items	P
Wholesale Trade Establishment	**3500**	Normally operate from a warehouse or office, selling or arranging the purchase of goods to other businesses	P
Office and warehousing	**3610**	Storage of goods related to on-site office or retail use	P
Warehousing	**3620**	Storage of goods as the principal use; includes mini-warehouses, self-storage facilities and moving companies	P
Air transportation	**4110**	Provide transportation for passengers or cargo using aircraft, excludes air courier (see 4160)	P
rail passenger transportation	**4121**	Passenger stations only	P
local transit systems—bus, special needs, sightseeing, taxi and limousine services	**4133-4134 & 4136-4137**	Single-mode local and non-local transit systems other than rail; excludes transit stops, which are allowed in all districts. Includes sightseeing, taxi and limousine services	P

Land Use	LBCS #	Description	Approval Type
school and employee bus transportation	**4135**	Maintain and dispatch buses and other motor vehicles to transport pupils or employees	P
towing and other road and ground services	**4138**	Tow vehicles	P
Truck and freight transportation services	**4140**	Provide over-the-road transportation of cargo using motor vehicles and temporary storage	P
retail courier and package delivery	**4182**	Retail courier, package drop-off and mail services	P
Courier and messenger services	**4190**	Provide air, surface, or combined courier delivery services of Parcels and messages (excludes retail package drop-off and local courier services	P
Publishing	**4210 & 4221**	Issue copies of works for which they usually possess copyright, including printing plants, motion picture and audio publishing. Includes newspaper publishing, greeting card printing and lithography	P
Motion pictures and sound 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

Land Use	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, excluding data centers as defined in section 35.2-113.	P
data center	**4244a**	Data centers as defined in section 35.2-113 (see standards in section 35.2-72.29)	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 Use	LBCS #	Description	Approval Type
	4339, 4349	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.	
power generation	**4315**		C
electric substations	**4316**		P
Water treatment plants and utility facilities	**4331-4333**	Water treatment plants, pumping stations and lift stations	P
recycling collection centers	**4349**	Drop-off facilities for the collection of recycled goods	P
Promoter of sports, performing arts, similar events and management services	**5140-5150**	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Indoor auditorium or arena	**5170**	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	C
Outdoor auditorium/arenas	**5180**	Outdoor arenas, stadiums and theaters	C
Fitness, recreational sports, gym, athletic club	**5370**	Operate fitness and recreational sports facilities or provide services for fitness or recreational sports teams, clubs, or individual activities	C
fitness and recreational sports center	**5371**	Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club,	C

Land Use	LBCS #	Description	Approval Type
		indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building	
shooting ranges, indoor	**5375**		C
Natural and other Recreational Parks	**5500**	All parks without special economic functions, other than limited concessions	C
Other Government Functions	**6300**	Other government owned establishments not classified elsewhere such as defense and national guard establishments	C
Public Safety	**6400**	Government-owned establishments providing fire and rescue, police, and emergency response services	P
Construction-Related Businesses	**7000**	Contractors who can build or demolish buildings, leveling, earthmoving, excavating, land drainage; should reflect the location of the establishment and not where it is performing its services. This category also includes the manufacture of industrial buildings, manufactured homes, modular homes, storage buildings and similar structures. Note that district standards may limit or preclude manufacturing, outdoor operations, outdoor storage of commercial vehicles and materials.	P
Greenhouse - no on-premises sales	**9141**	Commercial greenhouse production	P
Greenhouse - sales of products grown on premises	**9142**		P

Land Use	LBCS #	Description	Approval Type
Greenhouse - sales of products and related accessory products	**9143**		P
Animal Production	**9300**	Keep, graze, breed or feed animals (see standards in section 35.2-71.7)	P
tent revival meetings/transient amusements	**9921**	Includes carnivals and circuses	C
flex space development	**9956**	See section 35.2-86	P
corporate campus	**9957**	See section 35.2-87	P
Billboards	**9990**	Billboards and other signs advertising goods and services not available on the site where the sign is located	P

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9. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by amending Section 35.2-53.2 of Article IV of Chapter 35.2 as follows:

Sec. 35.2-53.2. - Authorized uses.

(a) The uses authorized by Exhibit IV-28 may be established in accordance with the procedures established in Article II, the district standards in this article, the site development standards established in Article VI and specific use standards established in Article VII, as well as other applicable rules and regulations.

(b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.

(c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.

(d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

Exhibit IV-28: Authorized Uses in I-3 District

Land Use	LBCS #	Description	Approval Type
gasoline service serving fleet vehicles - no retail authorized	**2116**	Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair	C
light auto repair	**2117a**	Oil change, light auto repair and car wash. May include gasoline and other retail sales	P
heavy auto repair	**2117b**	Auto repair, paint and body shops. May include gasoline and other retail sales.	P
lumber yard and building materials; heating and plumbing equipment; heavy equipment	**2126-2128**	Lumber yards and heavy building materials; heating and plumbing equipment retailers; for heating and plumbing contractors who install or service, use the appropriate construction category; construction equipment and vehicles; includes authorized storage (3650)	P
mail order or direct selling establishment	**2144**	Retailing other than through locations where shoppers physically visit	P

Land Use	LBCS #	Description	Approval Type
commercial, industrial or consumer machinery and equipment rental	**2334-2335**	Rent or lease: a) office machinery and equipment; heavy equipment without operators used for construction, well-drilling; other machinery and equipment for uses such as manufacturing or telecommunications; operators not included (note: see 2337 for heavy equipment leasing) b) personal and household-type goods and a range of equipment geared toward consumers	P
heavy equipment rental	**2337**	Includes construction vehicles with gross weights exceeding 26,000 pounds and agricultural vehicles	P
Services to buildings and dwellings	**2450**	Provide pest control, janitorial services, landscaping, carpet cleaning, etc. (2451-2454)	P
packing, crating	**2455**		P
Mobile food services	**2550**	Prepare and serve meals and snacks for immediate consumption from motorized vehicles	P
Food service contractor and vending machine operators	**2570 & 2580**	Provide food services at institutional, governmental, commercial, or industrial locations based on contracts. Retail merchandise through vending machines that they service	P
linen and uniform supply	**2623**		P
Parking lot and parking garage	**2640**	See district standards	P
Food and beverages	**3110**	Includes bakery and candy establishments that produce for later consumption; ice manufacturing; dairies; bottling plants; and peanut and coffee roasting	P

Land Use	LBCS #	Description	Approval Type
Tobacco manufacturing	**3120**		P
Textiles, leather and leather substitute products	**3130 & 3140**	Textile mills, apparel manufacturers and canvas making; dying plants and dry cleaning plants; leather and leather substitutes such as rubber footwear (excluding leather tanning)	P
Wood products	**3210**	Except furniture	P
Paper and printing materials	**3220**	Manufactures paper and offer printing-related products	P
Furniture and related products	**3230**	Includes manufacture and repair of furniture, upholstery, mattresses, window blinds, window shades, awnings cabinets, fixtures	P
liquid petroleum gas storage/sales	**3311**	This category addresses wholesale services and does not apply to incidental sales for home use	P
Chemicals, plastic and rubber products; non-metallic mineral products, primary metal manufacturing; transportation equipment manufacture	**3320-3340 & 3370**	Manufacture inorganic chemicals, plastic or rubber products, adhesives, pharmaceuticals, wax products, insulation, bricks, ceramics, glass, cement, concrete, statuary, stone products, basic metal products, such as bars, rods, wires, and castings or finished products; produce equipment for transporting people and goods	P
Machinery, electrical equipment, appliance, and components manufacturing	**3350 & 3360**	Make machinery for particular applications, such as construction, ventilation, heating and cooling; manufacture computers, communication equipment, lighting equipment, batteries, motors, appliances, household goods and medical equipment	P

Land Use	LBCS #	Description	Approval Type
Transportation equipment and automobiles	**3370**	Produce equipment for transporting people and goods. Although transportation equipment is a type of machinery, assembly tends to be distinct from the production processes common in the machinery manufacturing subsector, so these establishments are classified separately.	P
Jewelry and silverware, sporting goods, toys, games and office supplies	**3410-3430**	Jewelry, silverware, sporting goods, toys, musical instruments, office supplies, including inks. Excludes paper mills and businesses primarily engaged in on-premises retail sales	P
Signs	**3440**	Manufacturing of signs to be erected or installed (excludes banner printing)	P
Blacksmith		Creation of objects from wrought iron steel, such as gates, railings, furniture, and other functional and decorative items	P
Wholesale Trade Establishment	**3500**	Normally operate from a warehouse or office, selling or arranging the purchase of goods to other businesses	P
Office and warehousing	**3610**	Storage of goods related to on-site office or retail use	P
Warehousing	**3620**	Storage of goods as the principal use; includes mini-warehouses, self-storage facilities and moving companies	P
Underground Petroleum Storage	**3640**	An area used for bulk storage of oil and other petrochemicals in underground tanks	P
Air transportation	**4110**	Provide transportation for passengers or cargo using aircraft, excludes air courier (see 4160)	P

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

Land Use	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, excluding data centers as defined in section 35.2-113.	P
data center	**4244a**	Data centers as defined in section 35.2-113 (see standards in section 35.2-72.29)	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

Land Use	LBCS #	Description	Approval Type
		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.	
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 communication antennas attached to existing buildings or structures.	P
power generation	**4315**		C
electric substations	**4316**		P
Water treatment plants and utility facilities	**4331-4333**	Water treatment plants, pumping stations and lift stations	P
Wastewater treatment plants	**4348**		C
solid waste collection, combustion, landfills or separation/sorting of recyclable materials from non-hazardous waste streams	**4343-4347**	Collect or haul hazardous waste, non-hazardous waste, or recyclable materials, operate waste transfer stations; landfill, incineration or composing of non-hazardous solid waste, recycling facilities; septic tank installation and maintenance	C

Land Use	LBCS #	Description	Approval Type
recycling collection centers	**4349**	Drop-off facilities for the collection of recycled goods	P
Indoor auditorium or arena	**5170**	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	C
Outdoor auditorium/arenas	**5180**	Outdoor arenas, stadiums and theaters	C
Fitness, recreational sports, gym, athletic club	**5370**	Operate fitness and recreational sports facilities or provide services for fitness or recreational sports teams, clubs, or individual activities	
Natural and other Recreational Parks	**5500**	All parks without special economic functions, other than limited concessions	C
Other Government Functions	**6300**	Other government owned establishments not classified elsewhere such as defense and national guard establishments	C
Construction-Related Businesses	**7000**	Contractors who can build or demolish buildings, leveling, earthmoving, excavating, land drainage; should reflect the location of the establishment and not where it is performing its services. This category also includes the manufacture of industrial buildings, manufactured homes, modular homes, storage buildings and similar structures. Note that district standards may limit or preclude manufacturing, outdoor operations, outdoor storage of commercial vehicles and materials.	P
Greenhouse - no on-premises sales	**9141**	Commercial greenhouse production	P

Land Use	LBCS #	Description	Approval Type
Greenhouse - sales of products grown on premises	**9142**		P
Greenhouse - sales of products and related accessory products	**9143**		P
Animal Production	**9300**	Keep, graze, breed or feed animals (see standards in section 35.2-71.7)	P
tent revival meetings/transient amusements	**9921**	Includes temporary carnivals and circuses sponsored by non-profit organizations	P
Billboards	**9990**	Billboards and other signs advertising goods and services not available on the premises of the sign	P

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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) Prior to the approval of a conditional use permit the following shall be provided:

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-Medium Density Residential District, R-3, Medium Density Residential District, or R-4, High Density Residential District.

2. A vegetative evergreen buffer compliant with section 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 section 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 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.

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

APPENDIX A: - TABLE OF AUTHORIZED LAND USES

Land Use	LBCS #	Description	RC	R-1	R-2	R-3	R-4	B-1	B-3	B-4	B-5	IN-1	IN-2	I-1	I-2	I-3
RESIDENCE OR ACCOMMODATION FUNCTIONS	**1000**	Homes, apartments, housing for the elderly, and hotels														
Detached Units	**1110S**															
single-household detached	**1111S**	Typical single-household dwelling	P	P	P	P	P	P	P		C		P			
modular home	**1114S**	A prefabricated home without axles or frames (see definitions)	P	P	P	P	P	P	P		C		P			
manufactured home	**1115S**	A structure, transportable in one (1) or more sections, built after 1978 on a permanent chassis, and designed for use with or without a permanent foundation when connected to the required utilities (see definitions)	C								C		C			
manufactured home community	**1116S**	Includes manufactured home subdivision and manufactured home parks with 5 or more lots or sites (see definitions)		C	C	C	C						C			
Attached Units	**1120S**															
Two-household (duplex)	**1121S**	A building located on one (1) zoning lot				P	P	C	C		C		P			

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Land Use	LBCS #	Description	RC	R-1	R-2	R-3	R-4	B-1	B-3	B-4	B-5	IN-1	IN-2	I-1	I-2	I-3
wireless telecommunications transmission	**4233**	Operate, maintain or provide access to facilities for the transmission of voice, data, text, sound or video, see section 35.2-73 for telecommunications ordinance	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P
telephone and other wired telecommunications	**4234**	Operate telephone networks - excludes switching stations	P	P	P	P	P	P	P	P	P		P	P	P	P
Telecommunications switching stations/exchanges	**4239**	Telecommunications switching stations and exchanges with no on-site employees	C	C	C	C	C	C	C	C	C	C	P	C	P	P
Information services and data processing and management industries	**4240**	News syndicates and information data processing and management services														
library or archive	**4242**	Provide library or archive services		C	C	P	P	P	P	P	P		P	P	P	P
news syndicate	**4243**	Supply information such as news reports, articles, pictures and features to the news media								P	P		P	P	P	P
data processing and management, hosting and related services	**4244**	Web hosting, ~~computer data storage~~, optical scanning, computer input preparation, microfilm imaging, excluding data centers as defined in section 35.2-113.						P	P	P	P		P	P	P	P
data center	**4244a**	Data centers as defined in section 35.2-113 (see standards in section 35.2-72.29)											C	C	C	C

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
Utilities and Utility Services	**4300**	Provide utility services such as electric power, gas, water and sewage removal. Note that City-owned utilities are not subject to zoning district use standards														
Public Utilities Services, Major	**4315, 4329, 4339**	Includes transmission lines for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission of a regional nature and normally entail the construction of new buildings or structures such as electrical switching facilities and stations or substations, electric, gas, and other utility transmission lines of a regional nature which are not otherwise reviewed and approved by the Virginia State Corporation Commission. All overhead transmission lines are included in this definition.	C	C	C	C	C	C	C	C	C	C	C	C	P	P
Public Utilities Services, Minor	**4315, 4329, 4339**	Includes distribution or collection lines and appurtenances for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission that are necessary to support development within the immediate vicinity and involve only minor structures. Included in this use type are small facilities such as transformers, relay and booster devices, and well, water and sewer pump stations, and wireless communication	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Land Use	LBCS #	Description	RC	R-1	R-2	R-3	R-4	B-1	B-3	B-4	B-5	IN-1	IN-2	I-1	I-2	I-3
		antennas attached to existing buildings or structures.														
Electric power	**4310**	Provide electric power generation, transmission, control, and distribution														
power generation	**4315**												C		C	C
electric substations	**4316**		C	C	C	C	C	C	C	C	C	C	P	P	P	P
Water treatment plants and utility facilities	**4331 - 4333,**	Water treatment plants, pumping stations and lift stations	C	C	C	C	C	C	C	C	C	C	P	P	P	P
Solid waste, and related services	**4340**	Collect, treat, and dispose of waste materials														
hazardous waste processing, storage, treatment or disposal	**4341 & 4342**	Operate treatment and disposal facilities for hazardous waste, combine, collect, or haul hazardous waste materials, including businesses cleaning contaminated buildings, soil or groundwater														
solid waste collection, combustion, landfills or separation/sorting of recyclable materials from non-hazardous waste streams	**4343 - 4347**	Collect or haul hazardous waste, non-hazardous waste, or recyclable materials, operate waste transfer stations; landfill, incineration or composing of non-hazardous solid waste, recycling facilities; septic tank installation and maintenance														C

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
Wastewater treatment plants	**4348**		C													C
recycling collection centers	**4349**	Drop-off facilities for the collection of recycled goods									P		P	P	P	P
ARTS, ENTERTAINMENT, AND RECREATION	**5000**															
Performing Arts or Supporting Establishments	**5100**	Produce or organize and promote live presentations, excludes nightclubs														
Theater, dance or music establishment	**5110 & 5160**	Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers						P	P	P	P		P			
Motion picture viewing and exhibition services	**5111**	Operate movie theaters (excluding drive-ins), film festival exhibitions							P	P	P		P			
Promoter of sports, performing arts, similar events and management services	**5140 - 5150**	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers						P	P	P	P		P	P	P	
Indoor auditorium or arena	**5170**	Indoor auditoriums, arenas, conference centers, or multipurpose facilities							C	C	C		C	C	C	C
Outdoor auditorium/arenas	**5180**	Outdoor arenas and theaters								C	C		C	C	C	C

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
Museums and Other Special Purpose Recreational Institutions	**5200**	Public and private museums, historical sites, and similar establishments	C	C	C	P	P	P	P	P	P		P			
Amusement, Sports, or Recreation Establishment	**5300**	Operate facilities offering activities and provide services														
Amusement or theme park establishment	**5310**	Operate a variety of attractions such as mechanical rides, water rides, games							C	C	C		C			
Commercial Amusements	**5320, 5380, 5390**	Operate arcades and other commercial amusements as defined herein							P	C	P		P			
Country Club	**5340 & 6830**	Operate private country clubs, with tennis courts and golf courses along with dining facilities and other recreational facilities; includes civic, social and fraternal organizations without dwellings		C	C	C	C	P	P	P	P		P			
Fitness, recreational sports, gym, athletic club	**5370**	Operate fitness and recreational sports facilities or provide services for fitness or recreational sports teams, clubs, or individual activities														
fitness and recreational sports center	**5371**	Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club, indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building				C	C	P	P	P	P		P	C	C	

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
outdoor recreation	**5372, 5373 & 5374**	Includes golf courses, outdoor volleyball, tennis, or swimming facilities, recreational courts, recreational day camp and horseback riding. Excludes automobile, dog and horse racing facilities. May include lighted outdoor facilities.		C	C	C	C	C	C	C	P		P			
shooting ranges, indoor	**5375**								C	C	C		C	C	C	
shooting ranges, outdoor	**5376**		C													
Camps, Camping, and Related Establishments	**5400**	Operate sites to accommodate campers and their equipment, provide overnight recreational camps, may provide cabins, food services, washrooms, spaces for overnight parking or recreational vehicles									C		C			
Natural and other Recreational Parks	**5500**	All parks without special economic functions, other than limited concessions	P	P	P	P	P	P	P	P	P	P	P	P	P	P
EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE, AND OTHER INSTITUTIONS	**6000**	Note that City-owned facilities are not subject to zoning district use standards														
Educational Services	**6100**	Offer teaching and learning														
Nursery or preschool	**6110**	See district standards		P	P	P	P	P	P	P	P	P	P			

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
Grade school	**6120**	Comprises all public, private, and specialty schools between the preschool and university level; includes adult education services not addressed elsewhere. See district standards		P	P	P	P	P	P	P	P	P	P			
College or university	**6130**	See district standards		P	P	P	P	P	P	P	P	P	P			
Technical, trade, or other specialty school	**6140 & 6568**	Offer vocational and technical training as well as vocational rehabilitation services														
general technical schools	**6141-6143, 6145, 6147**	Offer courses in office procedures, administrative skills, and basic office skills; dance, art, drama, and music; athletic activities				C	C		P	C	P	P	P			
driving education	**6144**								P		P		P			
flight training	**6146**	Offer aviation and flight training											P			
Other Government Functions	**6300**	Other government owned establishments not classified elsewhere such as defense and national guard establishments								C	P		P		C	C
Public Safety	**6400**	Government-owned establishments providing fire and rescue, police, and emergency response services	P	P	P	P	P	P	P	P	P	P	P	P	P	
Health and Human Services	**6500**	Provide health care, social assistance, and														

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
		associated services														
Ambulatory or outpatient care services	**6510**	Offer health care services directly to patients without providing inpatient services														
clinic	**6511 & 6567**	Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and veterans affairs services						P	P	P	P	P	P			
outpatient care clinic	**6512**	Provide outpatient family planning services and outpatient care						P	P	P	P	P	P			
abortion clinic	**6512a**	Abortion clinics as defined in Section 35.2-113							C		C		C			
medical or diagnostic laboratory; blood/organ bank	**6513 - 6514**	Provide analytic or diagnostic services including medical imaging							P	P	P	P	P			
Nursing, supervision and other rehabilitative services, except	**6520**	Provide inpatient nursing and rehabilitative services and can accommodate patients for extended care, includes alcoholism or drug addiction rehabilitation, mental health Halfway Houses, group homes, and psychiatric convalescent homes see 1200 for nursing homes and long-term congregate care														
halfway house	**6521**	Residential services for pre- or post-release of convicted individuals														

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
group home small	**6522**	Fewer than five (5) aged or infirm individuals or fewer than nine (9) individuals with mental, intellectual or developmental disabilities	P	P	P	P	P	P	P	P	P	P	P			
group home large	**6523**	Five or more aged or infirm individuals, or nine (9) or more individuals with mental, intellectual or developmental disabilities	C	C	C	C	C	P	P	P	P	C	P			
rehabilitation centers	**6524**	See sanitarium for definition														
Hospital	**6530**			C	C	C	C	C	C	C	P		P			
Social assistance, welfare, and charitable services	**6560**	Provide social assistance directly to individuals, do not offer residential or accommodation services														
child and youth services	**6561**	Offer services such as adoption, foster care, drug prevention services										P	P			
child and adult day care	**6562**	Provide day care for children and adults														
home	**6562a**	Day care for fewer than six (6) individuals in a residence	P	P	P	P	P	P	P	P	P	P	P			
small	**6562b**	Day care for six (6) to twelve (12) individuals in a residence		C	C	C	C	P	P	P	P	P	P			0
large	**6562c**	Provide care for more than 12 individuals		C	C	C	C	P	P	P	P	P	P			

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
care services community food services	**6563 - 6566**	Includes community food services, emergency and relief services, services for the elderly and disabled other family services; does not include on-site provision of housing										P	P			
Religious Institutions	**6600**	Churches, temples, synagogues, mosques, convents and monasteries		C	C	C	C	P	P	P	P	P	P			
Death Care Services	**6700**	Funeral homes, crematories, cemeteries, undertakers														
Funeral home and services	**6710**	Includes funeral homes combined with crematories						P	P	P	P		P			
Cemetery or cremation services	**6720**															
free-standing cemetery	**6722**			C	C	C	C	C	P		P		P			
columbarium	**6724**			C	C	C	C	C	C	P	P		P			
CONSTRUCTION-RELATED BUSINESSES	**7000**	Contractors who can build or demolish buildings, leveling, earthmoving, excavating, land drainage; should reflect the location of the establishment and not where it is performing its services. This category also includes the manufacture of industrial buildings, manufactured homes, modular homes, storage buildings and similar structures. Note that district standards may							P	P	P		P		P	P

Land Use	LBCS #	Description	RC	R-1	R-2	R-3	R-4	B-1	B-3	B-4	B-5	IN-1	IN-2	I-1	I-2	I-3
		limit or preclude manufacturing, outdoor operations, outdoor storage of commercial vehicles and materials.														
AGRICULTURE, FORESTRY, FISHING, AND HUNTING	**9000**	Grow crops, raise animals, harvest timber, and harvest fish and other animals, may be described as farms, greenhouses, nurseries, or hatcheries														
Crop Production	**9100**															
Vegetable farming or growing	**9120**	Includes private fields and community gardens	P	P	P	P	P	P	P	P	P	P	P			
Commercial orchards	**9130**	Includes fruit and nut trees for commercial production	P	P	P	P	P	P	P		P	P	P			
Greenhouse Production	**9140**															
Greenhouse - no on-premises sales	**9141**	Commercial greenhouse production	P	P	P	P	P		P	P	P		P		P	P
Greenhouse - sales of products grown on premises	**9142**		P						P	P	P		P		P	P
Greenhouse - sales of products and related accessory products	**9143**								P	P	P		P		P	P
Animal Production	**9300**	Keep, graze, breed or feed animals (see	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Land Use	LBCS #	Description	RC	R-1	R-2	R-3	R-4	B-1	B-3	B-4	B-5	IN-1	IN-2	I-1	I-2	I-3
		district standards)														
Unclassifiable or No Function	**9900**	Temporary placeholder until a code can be assigned														
Temporary uses	**9920**															
tent revival meetings/transient amusements	**9921**	Includes temporary carnivals and circuses (see section 35.2-72.23)		P	P	P	P	P	P	P	P		P	P	P	P
temporary outdoor promotional attractions	**9922**	Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see section 35.2-72.23)							P	P	P		P			
Land Use Development Patterns	**9950**															
residential cluster development	**9951**	See section 35.2-80		P	P	P	P									
traditional neighborhood development	**9952**	See section 35.2-82		C	C	C	C	C	C	C	C		C			
planned unit development	**9953**	See section 35.2-83		C	C	C	C									
large scale retail establishments	**9954**	See section 35.2-84							P	P	P		P			
cluster commercial development	**9955**	See section 35.2-85						C	C	C	C		C			

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
flex space development	**9956**	See section 35.2-86									C		C	P	P	
corporate campus	**9957**	See section 35.2-87									C		C	P	P	
Billboards	**9990**	Billboards and other signs advertising goods and services not available on the site where the sign is located									P		P		P	P

(Remainder of Page Intentionally Left Blank)

12. That in accordance with § 38 – A (1) of the Charter for the City of Lynchburg, Virginia, this Ordinance shall be published by “pamphlet” by the Clerk of Council and shall become effective on August 17, 2026, which is no less than thirty (30) days from the adoption date of this Ordinance.

Adopted:

Certified: _____
Clerk of Council

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 employee 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 Virgina 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, Candlers 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**

Data Center Ordinance
May 27, 2026

PLEASE PRINT CLEARLY

NAME	ADDRESS	PHONE	IN FAVOR	IN OPPOSITION	NEUTRAL

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 Virgina 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	PRESENTED BY
July 14, 2026	William Martin, Community Development Director

AGENDA ITEM # IV.13

Consideration of adopting Ordinance #O-26-073 amending and reenacting Lynchburg City Code Section 16.1-18 for 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)

June 23, 2026: City Council Business Item Briefing (BIB)
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. #O-26-073
2. Proposed Ordinance - VESMP - Erosion and Stormwater Control Ordinance (Fee Updates) Final

REVIEWED BY



William Martin, Community Development Director — Date: July 02, 2026



Kent White, Assistant City Manager — Date: July 07, 2026



Alicia Finney-Andrews, Clerk of Council — Date: July 09, 2026

ORDINANCE: **#O-26-073**

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981, BY AMENDING AND REENACTING SECTION 16.1-18 OF CHAPTER 16.1 OF SUCH CODE; SUCH AMENDMENTS BEING MADE TO INCREASE PERMIT AND ADMINISTRATIVE FEES UNDER THE CITY'S EROSION AND STORMWATER MANAGEMENT ORDINANCE TO ALIGN WITH REQUIREMENTS IMPOSED UPON THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

WHEREAS, on November 13, 2025, the Virginia State Water Control Board adopted amendments to the Virginia Erosion and Stormwater Management Regulation (9VAC25-875) to better align permit fees with program administration and oversight costs; and

WHEREAS, as part of those amendments, provisions were included authorizing increases to construction stormwater and MS4 fees and requiring the Virginia Department of Environmental Quality (DEQ) to adjust certain fees annually based on the Consumer Price Index (CPI), with revised fees becoming effective July 1 of each year; and

WHEREAS, the City of Lynchburg operates under a Municipal Separate Storm Sewer System (MS4) permit and is required to charge, collect, and remit applicable fees in accordance with the fee schedules established by DEQ; and

WHEREAS, in order to maintain consistency with the fee schedules established by DEQ pursuant to 9VAC25-875, the City of Lynchburg desires to amend Section 16.1-18 of Chapter 16.1 of the Lynchburg City Code and adopt the fees set forth in this Ordinance; and

WHEREAS, prior to the adoption of this Ordinance, a public hearing was held after being duly advertised in The News & Advance on June 30, 2026 and July 7, 2026.

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

1. That Section 16.1-18 of Chapter 16.1 of the Code of the City of Lynchburg, 1981, is hereby amended and reenacted as follows:

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 portion where applicable)**	**Department portion of "total fee to be paid by Applicant" (based on ~~28%~~ 30% 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
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 development or sale with land disturbance acreage equal to or greater than 100 acres)	~~$9,600~~ $14,300	~~$2,688~~ $4,290

* 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.

(Remainder of Page Intentionally Left Blank)

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
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.

(Remainder of Page Intentionally Left Blank)

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

General permit coverage maintenance fees shall be paid annually to the city by the anniversary date of general permit coverage. No permit will be reissued or automatically continued without payment of the required fee. General permit coverage maintenance fees shall be applied until a notice of termination is effective.

(d) The fees set forth in subsections (a) through (c) of this section, shall apply to:

(i) All persons seeking coverage under the general permit.

(ii) All permittees who request modifications to or transfers of their existing registration statement for coverage under a general permit.

(iii) Persons whose coverage under the general permit has been revoked shall apply to the department for an individual permit for discharges of stormwater from construction activities.

(e) Permit and permit coverage maintenance fees outlined under section 16.1-19 may apply to each general permit holder.

(f) No general permit application fees will be assessed to:

(i) Permittees who request minor modifications to general permits as defined in section 16.1-2 of this chapter. Permit modifications at the request of the permittee resulting in changes to stormwater management plans that require additional review by the environmental planner shall not be exempt pursuant to this section.

(ii) Permittees whose general permits are modified or amended at the initiative of the department, excluding errors in the registration statement identified by the environmental planner or errors related to the acreage of the site.

(g) All incomplete payments will be deemed as nonpayments, and the applicant shall be notified of any incomplete payments. Interest may be charged for late payments at the underpayment rate set forth in § 58.1-15 of the Code of Virginia and is calculated on a monthly basis at the applicable periodic rate. A ten percent late payment fee shall be charged to any delinquent (over 90 days past due) account. The city shall be entitled to all remedies available under the Code of Virginia in collecting any past due amount.

2. That this Ordinance shall become effective upon its adoption.

Adopted: July 14, 2026

Certified: Alicia Finney-Andrews
Clerk of Council

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981, BY AMENDING AND REENACTING SECTION 16.1-18 OF CHAPTER 16.1 OF SUCH CODE; SUCH AMENDMENTS BEING MADE TO INCREASE PERMIT AND ADMINISTRATIVE FEES UNDER THE CITY'S EROSION AND STORMWATER MANAGEMENT ORDINANCE TO ALIGN WITH REQUIREMENTS IMPOSED UPON THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

ORDINANCE: **#O-26-___**

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WHEREAS, as part of those amendments, provisions were included authorizing increases to construction stormwater and MS4 fees and requiring the Virginia Department of Environmental Quality (DEQ) to adjust certain fees annually based on the Consumer Price Index (CPI), with revised fees becoming effective July 1 of each year; and

WHEREAS, the City of Lynchburg operates under a Municipal Separate Storm Sewer System (MS4) permit and is required to charge, collect, and remit applicable fees in accordance with the fee schedules established by DEQ; and

WHEREAS, in order to maintain consistency with the fee schedules established by DEQ pursuant to 9VAC25-875, the City of Lynchburg desires to amend Section 16.1-18 of Chapter 16.1 of the Lynchburg City Code and adopt the fees set forth in this Ordinance; and

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Sec. 16.1-18. Fees.

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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)	~~$9,600~~ $14,300	~~$2,688~~ $4,290

* 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.

(Remainder of Page Intentionally Left Blank)

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
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.

(Remainder of Page Intentionally Left Blank)

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

General permit coverage maintenance fees shall be paid annually to the city by the anniversary date of general permit coverage. No permit will be reissued or automatically continued without payment of the required fee. General permit coverage maintenance fees shall be applied until a notice of termination is effective.

(d) The fees set forth in subsections (a) through (c) of this section, shall apply to:

(i) All persons seeking coverage under the general permit.

(ii) All permittees who request modifications to or transfers of their existing registration statement for coverage under a general permit.

(iii) Persons whose coverage under the general permit has been revoked shall apply to the department for an individual permit for discharges of stormwater from construction activities.

(e) Permit and permit coverage maintenance fees outlined under section 16.1-19 may apply to each general permit holder.

(f) No general permit application fees will be assessed to:

(i) Permittees who request minor modifications to general permits as defined in section 16.1-2 of this chapter. Permit modifications at the request of the permittee resulting in changes to stormwater management plans that require additional review by the environmental planner shall not be exempt pursuant to this section.

(ii) Permittees whose general permits are modified or amended at the initiative of the department, excluding errors in the registration statement identified by the environmental planner or errors related to the acreage of the site.

(g) All incomplete payments will be deemed as nonpayments, and the applicant shall be notified of any incomplete payments. Interest may be charged for late payments at the underpayment rate set forth in § 58.1-15 of the Code of Virginia and is calculated on a monthly basis at the applicable periodic rate. A ten percent late payment fee shall be charged to any delinquent (over 90 days past due) account. The city shall be entitled to all remedies available under the Code of Virginia in collecting any past due amount.

2. That this Ordinance shall become effective upon its adoption.

Adopted:_____

Certified:_____
Clerk of Council

AGENDA ITEM SUMMARY

MEETING DATE	PRESENTED BY
July 14, 2026	Gaynelle Hart, Director of Public Works

AGENDA ITEM # IV.14

~~Consideration of adopting Ordinance #O-26-___ authorizing condemning portions of and interests in 1508 Florida Avenue for a public transportation improvement project known as the Florida Avenue Pedestrian Improvements.~~

RECOMMENDATION

Adopt an Ordinance #O-26-___ authorizing condemning portions of and interests in 1508 Florida Avenue for a public transportation improvement project known as the Florida Avenue Pedestrian Improvements (UPC #113272).

SUMMARY

The project is designed and all the right of way acquired except for 1508 Florida Avenue which is in the middle of the project. The owner passed in February 2026. No apparent will or clear chain of title. There are twelve possible heirs and several judgments. The City is seeking to acquire 553 square feet of permanent right of way and 19,000 square feet of a temporary construction easement. Total compensation if valued at $713.

PRIOR ACTION(S)

Physical Development Committee -July 14,2026

FISCAL IMPACT

$713.00 with 50% being reimbursed by VDOT

CONTACT(S)

Matthew Freedman, City Attorney
Gaynelle Hart, Director of Public Works

ATTACHMENT(S)

1. Proposed Ordinance (1508 Florida Ave. - Sidewalk Project)
2. Exhibit A - Florida Ave CN Set
3. Exhibit B - A-3636 ROW 1508 Florida Ave
4. Exhibit C - A-3637 TCE 1508 Florida Ave
5. Publication Affidavit (1508 Florida Avenue)

REVIEWED BY



Gaynelle Hart, Director of Public Works — Date: July 06, 2026



Gregory Patrick, Deputy City Manager — Date: July 09, 2026



Alicia Finney-Andrews, Clerk of Council — Date: July 09, 2026

ORDINANCE: **#O-26-___**

AN ORDINANCE TO AUTHORIZE THE CONDEMNATION, TAKING, AND ACQUISITION OF A FEE SIMPLE INTEREST AND TEMPORARY CONSTRUCTION EASEMENT ON 1508 FLORIDA AVENUE, LYNCHBURG, VA 24501

WHEREAS, a public necessity exists to condemn a certain fee simple interest and temporary construction easement for a public purpose, each hereinafter referred to as an "Interest" and collectively referred to as the "Interests", as shown on Plan Sheet No. 7 from that certain instrument entitled "PLAN AND PROFILE OF PROPOSED STATE HIGHWAY / CITY OF LYNCHBURG, FLORIDA AVE PEDESTRIAN IMPROVEMENTS (PHASE 4), FR: 0.20 MI NORTH OF GREENFIELD DRIVE, TO: 0.02 MI SOUTH OF GREENFIELD DRIVE", recommended for approval for right-of-way acquisition and construction by the City Engineer on April 28, 2026, in connection with that certain public transportation improvement project known as the Florida Avenue Pedestrian Improvements (UPC #113272) (the "Project"), with a copy of being attached hereto as **Exhibit "A"** and expressly incorporated herein by reference; *and*

WHEREAS, the City of Lynchburg ("City") requires the taking of a fee simple interest of 553.88 square feet (0.013 acres), more or less, of the parcel of land commonly identified as 1508 Florida Avenue, Lynchburg, VA 24501 / Tax Map No. 10903005 (the "Property"), which is depicted in detail on a certain plat entitled "COMPILED PLAT SHOWING PROPOSED VARIABLE WIDTH RIGHT OF WAY ACROSS THE PROPERTY OF MICHAEL DWAYNE FERGUSON 1508 FLORIDA AVENUE", prepared by Timmons Group, dated April 1, 2025, with a copy being attached hereto as **Exhibit "B"** and expressly incorporated herein by reference; *and*

WHEREAS, the City also requires a temporary construction easement containing 1,920.61 square feet (0.044 acres), more or less, on the Property, which is depicted in detail on a certain exhibit entitled "EXHIBIT SHOWING TEMPORARY CONSTRUCTION EASEMENT ACROSS THE PROPERTY OF MICHAEL DWAYNE FERGUSON 1508 FLORIDA AVENUE", prepared by Timmons Group, dated April 1, 2025, with a copy being attached hereto as **Exhibit "C"** and expressly incorporated herein by reference; *and*

WHEREAS, the City's Department of Public Works, through its staff, the City Attorney's Office, and outside counsel, has made efforts to try to peaceably acquire the Interests from the Property's owner(s), however, such efforts have been unsuccessful due to the following: (i) Michael Dwayne Ferguson, the last known owner of the Property, recently passed away and (ii) after written notice being sent and reasonable efforts made, Michael Dwayne Ferguson's heirs have not been able to be effectively communicated with to acquire the Interests; *and*

WHEREAS, a public hearing was held prior to adoption of this Ordinance after it was duly advertised in The News & Advance on June 26, 2026 and on July 3, 2026.

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

1. That a public necessity exists for the acquisition of the aforementioned Interests on the Property. The public necessity for the acquisition of the Interests is based upon the following: (i) the existing corridor lacks continuous and adequate pedestrian facilities; (ii) the Project is required to improve public safety by providing separation between pedestrian and vehicular traffic along Florida Avenue, an urban minor arterial roadway; (iii) the Project enhances pedestrian connectivity between residential areas, public facilities, and adjoining streets; (iv) the construction of the proposed sidewalk and associated improvements requires grading, drainage, and construction activities that extend beyond the limits of the existing right of way; and (v) the design and location of the Project represent the minimum property interests necessary to accomplish the intended public improvements. The public purpose for the acquisition of the Interests on the Property is hereby APPROVED and described herein as follows: constructing pedestrian infrastructure, including a sidewalk and associated roadway, draining, and grading improvements, along the north side of Florida Avenue, generally extending from Greenfield Drive toward the City's Detention Center within the corporate limits of the City of Lynchburg, Virginia.

2. That the City Manager is hereby authorized and directed to (i) acquire by condemnation or otherwise the aforementioned Interests on the Property, (ii) act for and on behalf of the City in agreeing or disagreeing with potential persons that may have an interest in the Property, from whom such Interests must be acquired upon the compensation to be paid therefor, and (iii) upon the form being approved by the City Attorney, or his designee, execute all deeds and other documents necessary to complete the acquisition and acceptance of such Interests.

3. That the City Attorney, or his designee, is hereby authorized and directed to undertake condemnation proceedings in the name of the City in order to exercise the City's power of eminent domain and acquire the Interests on the Property. Either the City Manager or the Mayor for the City may execute the pleadings for the City in connection with the condemnation proceedings brought by the City Attorney or his designee.

4. That this Ordinance shall be effective upon its adoption.

Adopted: _____

Certified: _____
Clerk of Council

CN PLANS

PROJECT MANAGER ____Ryan Roberts (434) 455-3945
SURVEYED BY, DATE ____Timmons Group (804) 200-6500
DESIGN BY ____Timmons Group (804) 200-6500 (Chris Kiefer)
SUBSURFACE UTILITY BY, DATE ____Timmons Group (804) 200-6500

COMMONWEALTH OF VIRGINIA

PLAN AND PROFILE OF PROPOSED STATE HIGHWAY

CITY OF LYNCHBURG
FLORIDA AVE PEDESTRIAN IMPROVEMENTS (PHASE 4)
FR: 0.20 MI NORTH OF GREENFIELD DRIVE
TO: 0.02 MI SOUTH OF GREENFIELD DRIVE

STATE	FEDERAL AID PROJECT	STATE ROUTE	STATE PROJECT	SHEET NO.
VA.		U000	U000-118-287 (SEE TABULATION BELOW FOR SECTION NUMBERS)	1

FHWA534 NO: 34028

FUNCTIONAL CLASSIFICATION AND TRAFFIC DATA	
URBAN MINOR ARTERIAL (GS-6) - ROLLING - 35 MPH DESIGN SPEED	
	FR: AUGUSTA ST. TO: MAIN ST.
ADT (2021)	3600
ADT (2041)	4393
DHV	237
D (%) (design hour)	62/38
T (%) (design hour)	1
V (MPH)	35
	FR: CAMPBELL AVE. TO: AUGUSTA ST.
ADT (2021)	4500
ADT (2041)	5491
DHV	273
D (%) (design hour)	58/42
T (%) (design hour)	1
V (MPH)	35

TIER 1 PROJECT

LOCALLY ADMINISTERED PROJECTS

CITY OF LYNCHBURG
NAME OF LOCALITY

J. Lee Newland — Digitally signed by J. Lee Newland DN: C=US, E=lee_newland@lynchburgva.gov, O=City of Lynchburg, OU=City Engineer, CN=J. Lee Newland Date: 2026.04.28 13:46:10-04'00'

RECOMMENDED FOR APPROVAL FOR RIGHT OF WAY ACQUISITION

CITY ENGINEER
DATE — TITLE OF POSITION

J. Lee Newland — Digitally signed by J. Lee Newland DN: C=US, E=lee_newland@lynchburgva.gov, O=City of Lynchburg, OU=City Engineer, CN=J. Lee Newland Date: 2026.04.28 13:46:29-04'00'

RECOMMENDED FOR APPROVAL FOR CONSTRUCTION

CITY ENGINEER
DATE — TITLE OF POSITION

THIS PROJECT WAS DEVELOPED UTILIZING THE DEPARTMENT'S ENGINEERING DESIGN PACKAGE (OPENROADS).
OPENROADS Computer Identification No. 113272

CBPA COMPLIANCE

WATER QUALITY REMOVAL REQUIREMENTS HAVE BEEN MET BY THE PURCHASE OF OFFSITE NUTRIENT CREDITS FROM THE APPROVED CREDIT BANK LISTED BELOW. PER PART II B OF THE VA STORMWATER MANAGEMENT HANDBOOK, THE TOTAL PHOSPHOROUS LOAD REDUCTION REQUIREMENT IS 0.13 LB/YR.
BANK: T.B.D.
HUC CODE: 02080203

CITY OF LYNCHBURG PROJECT INFORMATION

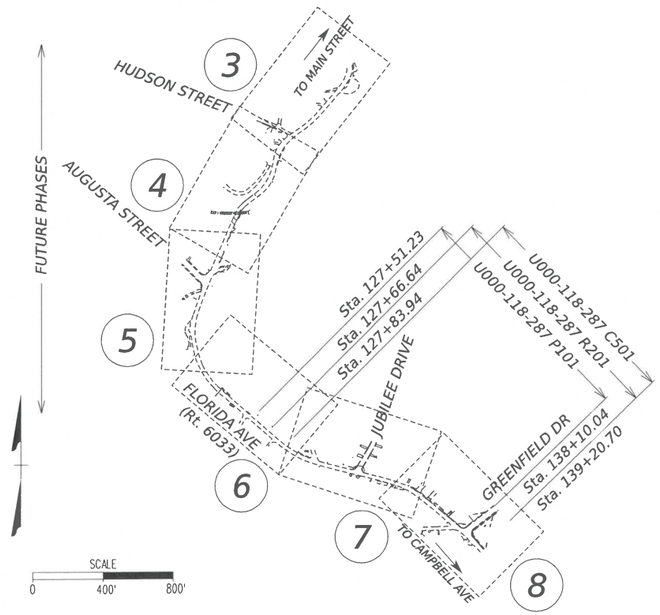
PROJECT MANAGER: RYAN ROBERTS
DISTURBED AREA: 0.67 ACRES
PROJECT HUC CODE: 02080203
RECEIVING WATER BODY: JAMES RIVER - HARRIS CREEK
LATITUDE: 37.3919
LONGITUDE: -79.1344

THE COMPLETE ELECTRONIC PDF VERSION OF THE PLAN ASSEMBLY AS AWARDED, HAS BEEN SEALED AND SIGNED USING DIGITAL SIGNATURES AND THE OFFICIAL PLAN ASSEMBLY IN ELECTRONIC FORMAT IS STORED IN THE VDOT CENTRAL OFFICE PLAN LIBRARY, INCLUDING ALL SUBSEQUENT REVISIONS, WILL BE THE OFFICIAL CONSTRUCTION PLANS. FOR INFORMATION RELATIVE TO ELECTRONIC FILES AND LAYERED PLANS, SEE THE GENERAL NOTES.

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT.

THIS PROJECT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE DEPARTMENT'S 2020 ROAD AND BRIDGE SPECIFICATIONS, 2016 ROAD AND BRIDGE STANDARDS, 2009 MUTCD, 2011 VIRGINIA SUPPLEMENT TO THE MUTCD, 2011 VIRGINIA WORK AREA PROTECTION MANUAL - REVISION 2.1 AND AS AMENDED BY CONTRACT PROVISIONS AND THE COMPLETE ELECTRONIC PDF VERSION OF THE PLAN ASSEMBLY.

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CONVENTIONAL SIGNS

STATE LINE
COUNTY LINE
CITY,TOWN OR VILLAGE
RIGHT OF WAY LINE
FENCE LINE
UNFENCED PROPERTY LINE
FENCED PROPERTY LINE
WATER LINE
SANITARY SEWER LINE
GAS LINE
ELECTRIC UNDERGROUND CABLE
TRAVELED WAY
GUARD RAIL
RETAINING WALL
RAILROADS
BASE OR SURVEY LINE
LEVEE OR EMBANKMENT
BRIDGES
CULVERTS
DROP INLET
POWER POLES
TELEPHONE OR TELEGRAPH POLES
TELEPHONE OR TELEGRAPH LINES
HEDGE
TREES
HEAVY WOODS
GROUND ELEVATION
GRADE ELEVATION

City of Lynchburg Population 79,535 (2023 Estimate)

STATE PROJECT NO.	SECTION	FEDERAL AID PROJECT NO.	TYPE CODE	UPC NO.	LENGTH INCLUDING BRIDGE(S) FEET	LENGTH INCLUDING BRIDGE(S) MILES	LENGTH EXCLUDING BRIDGE(S) FEET	LENGTH EXCLUDING BRIDGE(S) MILES	TYPE PROJECT	DESCRIPTION
U000-118-287	P101	-	PENG	113272			1058.81	0.20	Prelim. Engr.	FR: 0.20 MI. NORTH OF GREENFIELD DRIVE TO: 0.02 MI. SOUTH OF GREENFIELD DRIVE
	R201	-	ROWA	113272			1154.06	0.22	ROW	
	C501	-	SFTY	113272			1136.76	0.22	Constr.	

NOTE: PROJECT LENGTH BASED ON CONSTRUCTION BASELINE

CITY OF LYNCHBURG PROJECT NUMBER:

Copyright 2026, Commonwealth of Virginia

PROJECT	SHEET NO.
U000-118-287	1

PROJECT MANAGER _____
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

CN PLANS

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	1A

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

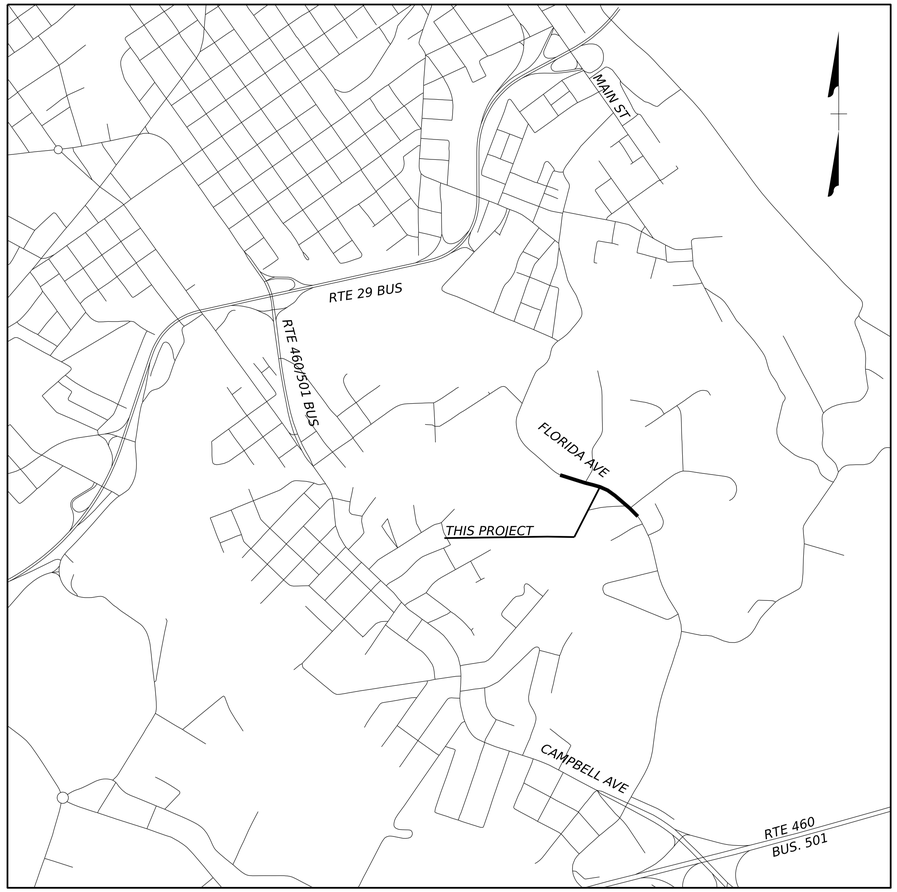
INDEX OF SHEETS

SHEET	DESCRIPTION	
1	TITLE SHEET	
1A	LOCATION MAP, INDEX OF SHEETS	
1B(1) - 1B(2)	ALIGNMENT DATA SHEET	
1C	RIGHT OF WAY DATA SHEET	
1D	REVISION DATA SHEET	
1E	TRANSPORTATION MANAGEMENT PLANS, SEQUENCE OF CONSTRUCTION	
2	GENERAL NOTES	
2A	TYPICAL SECTIONS	
2B	EROSION & SEDIMENT CONTROL NOTES	
2B(6)-2B(8)	EROSION & SEDIMENT CONTROL PLAN	
2C(6)-2C(8)	DRAINAGE AREA MAPS	
6	PLAN SHEET	STA 127+51.23 - 128+00.00
6A	PROFILE SHEET	
6RW	RIGHT OF WAY SHEET	
7	PLAN SHEET	STA. 128+00.00 - 135+00.00
7A	PROFILE SHEET	
7RW	RIGHT OF WAY SHEET	
8	PLAN SHEET	STA. 135+00.00 - 139+20.70
8A	PROFILE SHEET, ENTRANCE PROFILES	
8RW	RIGHT OF WAY SHEET	
9(1) - 9(2)	STORM SEWER PROFILES & DRAINAGE DESCRIPTIONS	
10(1)	PAVEMENT MARKING AND SIGNING NOTES	
10(6) - 10(8)	PAVEMENT MARKING AND SIGNING PLANS	
11	UNDERGROUND STORAGE DETAILS	

* SHEET TO BE INCLUDED IN FUTURE SUBMITTAL

Total Cross Section Sheets 17 (See cross section Sheet 1 for Index of Cross Sections)

LOCATION MAP
CITY OF LYNCHBURG



1" = 1000'

	PROJECT	SHEET NO.
	U000-118-287	1A

PROJECT MANAGER
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

CN PLANS

Alignment Data Sheet



Timmons Group
Richmond, Virginia
ROADWAY ENGINEER

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	1B(1)

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

* Alignment name: Florida Avenue

	STATION	NORTHING	EASTING
Element: Linear			
PT(PT)	11175.637 R1	3668450.106	11297499.614
PC(PC)	11631.113 R1	3668030.358	11297322.781
Tangential Direction:	S22.845°W		
Tangential Length:	455.477		
Element: Circular			
PC(PC)	11631.113 R1	3668030.358	11297322.781
HPI(HPI)	11651.594 R1	3668011.483	11297314.829
CC(CC)		3667875.062	11297691.405
PT(PT)	11672.040 R1	3667991.895	11297308.847
Radius:	400.000		
Delta:	5.862°Left		
Degree of Curvature(Arc):	14.324°		
Length:	40.926		
Tangent:	20.481		
Chord:	40.908		
Middle Ordinate:	0.523		
External:	0.524		
Tangent Direction:	S22.845°W		
Radial Direction:	N67.155°W		
Chord Direction:	S19.914°W		
Radial Direction:	N73.017°W		
Tangent Direction:	S16.983°W		
Element: Linear			
PT(PT)	11672.040 R1	3667991.895	11297308.847
PC(PC)	11708.101 R1	3667957.406	11297298.315
Tangential Direction:	S16.983°W		
Tangential Length:	36.061		
Element: Circular			
PC(PC)	11708.101 R1	3667957.406	11297298.315
HPI(HPI)	11805.827 R1	3667863.942	11297269.770
CC(CC)		3667852.257	11297642.616
PT(PT)	11898.954 R1	3667768.873	11297292.406
Radius:	360.000		
Delta:	30.375°Left		
Degree of Curvature(Arc):	15.915°		
Length:	190.853		
Tangent:	97.726		
Chord:	188.626		
Middle Ordinate:	12.574		
External:	13.029		
Tangent Direction:	S16.983°W		
Radial Direction:	N73.017°W		
Chord Direction:	S1.795°W		
Radial Direction:	S76.607°W		
Tangent Direction:	S13.393°E		
Element: Linear			
PT(PT)	11898.954 R1	3667768.873	11297292.406
PC(PC)	11936.681 R1	3667732.172	11297301.144
Tangential Direction:	S13.393°E		
Tangential Length:	37.726		
Element: Circular			
PC(PC)	11936.681 R1	3667732.172	11297301.144
HPI(HPI)	11973.866 R1	3667695.999	11297309.757
CC(CC)		3667801.659	11297592.986
PT(PT)	12010.673 R1	3667663.023	11297326.941
Radius:	300.000		
Delta:	14.131°Left		
Degree of Curvature(Arc):	19.099°		
Length:	73.992		
Tangent:	37.185		
Chord:	73.805		
Middle Ordinate:	2.278		
External:	2.296		
Tangent Direction:	S13.393°E		
Radial Direction:	S76.607°W		
Chord Direction:	S20.458°E		
Radial Direction:	S62.476°W		
Tangent Direction:	S27.524°E		

Element: Linear			
PT(PT)	12010.673 R1	3667663.023	11297326.941
PC(PC)	12043.501 R1	3667633.911	11297342.111
Tangential Direction:	S27.524°E		
Tangential Length:	32.827		
Element: Circular			
PC(PC)	12043.501 R1	3667633.911	11297342.111
HPI(HPI)	12079.328 R1	3667602.138	11297358.668
CC(CC)		3667772.547	11297608.156
PCC(PCC)	12114.818 R1	3667575.158	11297382.241
Radius:	300.000		
Delta:	13.621°Left		
Degree of Curvature(Arc):	19.099°		
Length:	71.317		
Tangent:	35.828		
Chord:	71.150		
Middle Ordinate:	2.117		
External:	2.132		
Tangent Direction:	S27.524°E		
Radial Direction:	S62.476°W		
Chord Direction:	S34.334°E		
Radial Direction:	S48.855°W		
Tangent Direction:	S41.145°E		
Element: Circular			
PCC(PCC)	12114.818 R1	3667575.158	11297382.241
HPI(HPI)	12177.202 R1	3667528.180	11297423.287
CC(CC)		3668167.325	11298059.986
PT(PT)	12239.386 R1	3667487.314	11297470.423
Radius:	900.000		
Delta:	7.930°Left		
Degree of Curvature(Arc):	6.366°		
Length:	124.568		
Tangent:	62.384		
Chord:	124.469		
Middle Ordinate:	2.154		
External:	2.159		
Tangent Direction:	S41.145°E		
Radial Direction:	S48.855°W		
Chord Direction:	S45.110°E		
Radial Direction:	S40.925°W		
Tangent Direction:	S49.075°E		
Element: Linear			
PT(PT)	12239.386 R1	3667487.314	11297470.423
PC(PC)	12635.713 R1	3667227.692	11297769.874
Tangential Direction:	S49.075°E		
Tangential Length:	396.327		
Element: Circular			
PC(PC)	12635.713 R1	3667227.692	11297769.874
HPI(HPI)	12760.175 R1	3667146.161	11297863.914
CC(CC)		3667681.033	11298162.917
PCC(PCC)	12881.156 R1	3667108.761	11297982.624
Radius:	600.000		
Delta:	23.438°Left		
Degree of Curvature(Arc):	9.549°		
Length:	245.443		
Tangent:	124.462		
Chord:	243.735		
Middle Ordinate:	12.507		
External:	12.773		
Tangent Direction:	S49.075°E		
Radial Direction:	S40.925°W		
Chord Direction:	S60.794°E		
Radial Direction:	S17.487°W		
Tangent Direction:	S72.513°E		

BEGIN CONSTRUCTION/BEGIN PROJECT STA 127+51.23

PROJECT	SHEET NO.
U000-118-287	1B(1)

PROJECT MANAGER
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

CN PLANS

Alignment Data Sheet

COMMONWEALTH OF VIRGINIA
CHRISTOPHER M. KIEFER
Lic. No. 23346
12/30/2025
PROFESSIONAL ENGINEER

Timmons Group
Richmond, Virginia
ROADWAY ENGINEER

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	1B(2)

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

Element: Circular				
PCC(PCC)	12881.156 R1	3667108.756	11297982.640	
HPI(HPI)	12913.582 R1	3667099.014	11298013.568	
CC(CC)		3668253.309	11298343.194	
PT(PT)	12945.993 R1	3667090.955	11298044.977	
Radius:	1200.000			
Delta:	3.096°Left			
Degree of Curvature(Arc):	4.775°			
Length:	64.837			
Tangent:	32.426			
Chord:	64.829			
Middle Ordinate:	0.438			
External:	0.438			
Tangent Direction:	S72.515°E			
Radial Direction:	S17.485°W			
Chord Direction:	S74.062°E			
Radial Direction:	S14.390°W			
Tangent Direction:	S75.610°E			
Element: Linear				
PT(PT)	12945.993 R1	3667090.955	11298044.977	
PC(PC)	13287.687 R1	3667006.039	11298375.951	
Tangential Direction:	S75.610°E			
Tangential Length:	341.694			
Element: Circular				
PC(PC)	13287.687 R1	3667006.039	11298375.951	
HPI(HPI)	13371.016 R1	3666985.331	11298456.666	
CC(CC)		3666424.862	11298226.843	
PCC(PCC)	13453.285 R1	3666943.411	11298528.683	
Radius:	600.000			
Delta:	15.813°Right			
Degree of Curvature(Arc):	9.549°			
Length:	165.598			
Tangent:	83.329			
Chord:	165.073			
Middle Ordinate:	5.704			
External:	5.759			
Tangent Direction:	S75.610°E			
Radial Direction:	S14.390°W			
Chord Direction:	S67.704°E			
Radial Direction:	S30.203°W			
Tangent Direction:	S59.797°E			
Element: Circular				
PCC(PCC)	13453.285 R1	3666943.411	11298528.683	
HPI(HPI)	13490.555 R1	3666924.661	11298560.893	
CC(CC)		3666576.105	11298314.879	
PT(PT)	13527.635 R1	3666900.592	11298589.349	
Radius:	425.000			
Delta:	10.023°Right			
Degree of Curvature(Arc):	13.481°			
Length:	74.350			
Tangent:	37.270			
Chord:	74.255			
Middle Ordinate:	1.625			
External:	1.631			
Tangent Direction:	S59.797°E			
Radial Direction:	S30.203°W			
Chord Direction:	S54.785°E			
Radial Direction:	S40.226°W			
Tangent Direction:	S49.774°E			
Element: Linear				
PT(PT)	13527.635 R1	3666900.592	11298589.349	
PC(PC)	13852.259 R1	3666690.947	11298837.198	
Tangential Direction:	S49.774°E			
Tangential Length:	324.623			

Element: Circular				
PC(PC)	13852.259 R1	3666690.947	11298837.198	
HPI(HPI)	13911.861 R1	3666652.455	11298882.704	
CC(CC)		3666232.848	11298449.712	
PT(PT)	13971.074 R1	3666605.763	11298919.749	
Radius:	600.000			
Delta:	11.346°Right			
Degree of Curvature(Arc):	9.549°			
Length:	118.815			
Tangent:	59.602			
Chord:	118.621			
Middle Ordinate:	2.939			
External:	2.953			
Tangent Direction:	S49.774°E			
Radial Direction:	S40.226°W			
Chord Direction:	S44.101°E			
Radial Direction:	S51.572°W			
Tangent Direction:	S38.428°E			
Element: Linear				
PT(PT)	13971.074 R1	3666605.763	11298919.749	
END(END)	13979.571 R1	3666599.106	11298925.030	
Tangential Direction:	S38.428°E			
Tangential Length:	8.497			

END CONSTRUCTION/END PROJECT STA 139+20.70

	PROJECT	SHEET NO.
	U000-118-287	1B(2)

PROJECT MANAGER _____
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

CN PLANS

COMMONWEALTH OF VIRGINIA
CHRISTOPHER M. KIEFER
Lic. No. 23346
12/30/2025
PROFESSIONAL ENGINEER

Timmons Group
Richmond, Virginia
ROADWAY ENGINEER

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	1C

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

RIGHT OF WAY DATA SHEET

UPC 113272

PARCEL NO.	LANDOWNER	TAX PARCEL ID	SHEET NO.	AREA											
				TOTAL	FEE TAKING	PRESCRIPTIVE EASEMENTS	FEE REMAINDER	EASEMENTS							PROFFERS
								PERMANENT		UTILITY			TEMPORARY		
								SLOPE	DRAINAGE	APPALACHIAN POWER	VERIZON	PUBLIC UTILITY	CONSTR.	ENTRANCE CONSTR.	
				ACRES	ACRES	ACRES	ACRES	SQ FT.	SQ FT.	SQ FT.	SQ FT.	SQ FT.	SQ FT.	SQ FT.	YES/NO
001	OMITTED	-	-	-	-	-	-	-	-	-	-	-	-	-	-
002	CITY OF LYNCHBURG	10903008	05, 06, 07	10.379		-	10.379	-	-	-	-	-	1765	885	NO
003	JOHN A. DAVEY	10905001	07	0.483		-	0.483	-	863	-	-	-	1042	-	NO
004	DOROTHY C. FLEMING	10905051	07	0.394		-	0.394	-	654	768	-	-	1268	-	NO
005	MICHAEL DWAYNE FERGUSON	10903005	07	0.331	0.023	-	0.308	-	-	-	-	-	1640	281	NO
006	JUBILEE FAMILY DEVELOPMENT CENTER	10903004	07, 08	5.100	0.032	-	5.068	-	-	-	-	-	1324	811	NO
007	JUBILEE FAMILY DEVELOPMENT CENTER	10903022	08	2.019		-	2.019	-	-	-	-	-	1082	529	NO
008	OM SHRIJI II LLC	10903021	08	0.431		-	0.431	-	-	-	-	-	611	-	NO

PROJECT MANAGER
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

CN PLANS

REVISION DATA SHEET

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	1D

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

State Project: U000-118-287, PE-101, RW-201, C-501
Federal Project: N/A
From: 0.20 MI N OF GREENFIELD DRIVE
To: GREENFIELD DRIVE
UPC Number: 113272

	PROJECT	SHEET NO.
	U000-118-287	1D

PROJECT MANAGER _____
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

CN PLANS

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	2

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

GENERAL NOTES

GRADING

G-1 The grade line denotes top of finished pavement unless shown otherwise on typical sections or plans.

G-2 The cost of removal of all existing concrete items located in the area to be graded, including, but not limited to the following, shall be included in the lump sum bid for regular excavation: Conc. Pipes, Curb, End Sections, End Walls, Conc. Apron., Traffic Junction Boxes, Conduits, Etc.

G-3 The borrow material for this project shall be a minimum CBR 10 or as approved by the Materials Engineer.

G-4 The cost of removal of all existing concrete items located in the area to be graded, including, but not limited to the following, shall be included in the price bid for regular excavation: Conc. pipes, Curb, End Sections, End Walls, Conc. Apron

G-6 The borrow material for this project shall be a minimum CBR 10 or as approved by the Materials Engineer.

DRAINAGE

D-1 When CG-6 or CG-7 is specified on a radius (such as at a street intersection), the Engineer may approve a decrease in the cross slope of the gutter to facilitate proper drainage.

D-2 The horizontal location and invert elevations shown for proposed culverts and storm sewer outfall pipes are based on existing survey data and required design criteria. If during construction, it is found that the horizontal location or invert elevations shown on the plans differ significantly from the horizontal location or elevations of the stream or swale in which the culvert or storm sewer outfall pipe is to be placed, the Engineer shall confer with, and get approval from, the applicable District Drainage Engineer before installing the culvert or storm sewer outfall pipe.

D-3 The "H" dimensions shown on plans for drop inlets and junction boxes and the "L.F. " dimensions shown for manholes are for estimating purposes and are based on the proposed invert elevations shown for the structure and the anticipated top (rim) elevation based on existing or proposed finished grade. The actual "H" or "L.F. " dimensions are to be determined by the contractor from field conditions.

D-6 Pipes shall conform to any of the allowable types shown on sheet number (specify sheet number), within the applicable height of cover limitations. For strength, sheet thickness, or class designation; available sizes; height of cover limitations;and other restrictions for a particular pipe type or height of cover, see the VDOT Road and Bridge Standard PC-1. Structural plate pipe may be substituted for corrugated pipe of the same size, provided the substitution complies with the applicable sections of the VDOT Road and Bridge Standards PC-1.

D-10 The proposed riprap may be omitted by the Engineer if the slope designated for placement of riprap is found to be comprised of solid rock or closely consolidated boulders with soundness, size and weight equal to, or exceeding, the specifications for the proposed riprap.

D-12 All existing drainage facilities labeled "To Be Abandoned" shall be left in place, backfilled and plugged in accordance with the VDOT Road and Bridge Standard PP-1. Basis of Payment will be C.Y. of Flowable Backfill.

D-13 Existing drainage facilities being utilized as a part of the drainage system, and designated on the plans "To Be Cleaned Out" shall be cleaned as directed by the Engineer. The cost incidental to this shall be included in the contract price for other items.

D-14 Proposed drop inlets with a height (H) less than the standard minimum shown in the VDOT Road and Bridge Standards shall be considered and paid for as Standard Drop Inlets for the type specified. Pipes with less than standard minimum finished height of cover shall be noted as such in the drainage description for the pipe. Specific pipe bedding and cover requirements are provided in the applicable PB-1 and PC-1 standard drawings of the VDOT Road and Bridge Standards.

D-16 When CG-6 or CG-7 is specified on a radius (such as at a street intersection), the Engineer may approve a decrease in the cross slope of the gutter to facilitate proper drainage.

EROSION AND SEDIMENT CONTROL (ESC)

E-1 If the removal of Brush Silt Barrier is specified by the plans or required by the Engineer, the cost of removal and disposal of brush shall be in accordance with Section 109 of the applicable VDOT Road and Bridge Specifications.

E-2 Rock for Check Dams, Inlet Protection, Erosion Control Stone and Riprap shall be in accordance with Section 203 and Section 414 of the applicable VDOT Road and Bridge Specifications.

E-4 Permanent vegetation shall be established on all denuded areas not otherwise stabilized with non-erodible materials. See the Roadside Development sheet for details on permanent vegetation establishment.

INCIDENTALS

I-4 All trees located within the Clear Zone or within a minimum of 30 feet of the edge of pavement, within the limits of the right of way or construction easement, unless otherwise noted on plans or directed by the Engineer, shall be removed, as provided for a Section 301 of the applicable VDOT Road and Bridge Specifications.

I-6 Certain trees shall be preserved as noted on plans or as directed by the Engineer.

I-8A Clearing and grubbing shall be confined to those areas needed for construction. No trees or shrubs in ungraded areas shall be cut without the permission of the Engineer.

I-9 When no centerline alignment is shown for a proposed entrance, the entrance shall be constructed in the same location as the existing entrance.

I-12 St'd. RM-2 right of way monuments shall be set by the Contractor.

I-16 The "underground utilities" survey data on this project has been provided by consultant and copies are available from the Department.

I-17 For method of constructing Straight-Line Taper Lanes in curb and/or curb and gutter sections, see typical details on Sheet 2A.

I-18 All pavement markings and traffic flow arrows shown on the roadway construction plans are schematic only. The actual location and application of pavement markings shall be in accordance with Section 704 of the applicable VDOT Road and Bridge Specifications, MUTCD, sequence of construction/ traffic control plans, pavement marking plan sheets 10(6) thru 10(8) and as directed by the Engineer.

I-19 The following outside sources, under contract with VDOT, have provided information on this project.

Hydraulic Design - Timmons Group
Roadway Design - Timmons Group
Utility Design - Timmons Group
Utility Designation - Timmons Group
Utility Location - Timmons Group
Survey - Timmons Group
Bridge Design - N/A
Traffic Design - Timmons Group
Landscape Design - N/A

If questions or problems arise during construction, please contact the Area Construction Engineer. DO NOT CONTACT THE OUTSIDE SOURCES.

I-20 The Official Electronic PDF Version of the plans will override the paper copies or prints of specific layers.

Portions of this plan assembly have been CADD generated. To assist in the preparation of the bid and construction of the project, Microstation format (.dgn) files will be made available to the prime contractor during bids and after award of the contract.

I-21 All electronic plan assemblies will include the construction plans in two formats: PDF files and MicroStation format (.dgn) files. Only the PDF files will be considered as part of the official plan assembly.

The MicroStation format (.dgn) files are furnished only as information for the contractor. These plans are developed in layers (levels) to aid in readability. (See the VDOT CADD Manual for CADD Level Structure). However, the construction items may or may not be in the proper layering scheme as described in the VDOT CADD Manual. The Microstation files will only match the scanned files if all required levels are turned on. A Microstation Software license is required to be able to read these files.

STORMWATER MANAGEMENT

S-1 CLEARING AND GRUBBING OF SWM BASIN SITE - The area where the dam is to be constructed and the area upstream of the dam, to an elevation equal to the crest of the dam (maximum ponded water elevation), shall be cleared and grubbed in accordance with Section 301 of the applicable VDOT Road and Bridge Specifications.

S-2 SWM BASIN DAM CONSTRUCTION - The dam for detention basins (no permanent pool) shall conform to the details contained in the plans and shall be constructed in accordance with Section 303 of the applicable VDOT Road and Bridge Specifications. The native material on which the dam will set shall meet the specifications for AASHTO Type A-4 or finer material. Where the native material does not meet this requirement, the area beneath the dam is to be excavated a minimum of 4' and backfilled with a material meeting the AASHTO Type A-4 or finer classification unless otherwise specified in the plans. The material used for the embankment of the dam shall be AASHTO Type A-4 or finer or otherwise specified in the plans. Dams with foundation and embankment material not meeting the above requirements or dams greater than 15' in height, or dams for retention basins (permanent pool) shall incorporate a membrane-lined trench, a homogenous embankment with seepage controls, a zoned embankment or other such approved designs as specified in the plans.

S-3 SWM BASIN OUTLET PIPE - The pipe culvert under or through the dam for detention basins (no permanent pool) shall be reinforced concrete pipe with rubber gaskets in accordance with Section 232 and 212 of the applicable VDOT Road and Bridge Specifications. A concrete cradle shall extend the full length of the pipe culvert in accordance with the Standard Drawings. The connection between the pipe culvert and the SWM-1 Drainage Structure (or other control structure) shall be made watertight as approved by the Engineer and the cost shall be included in the price bid for pipe.

S-4 The SWM-1 Drainage Structure (or other control structure) shall have 4" high numbers and 1" wide stripes painted at 1' intervals as shown on the Standard Drawings or detail sheets. The numbers and stripes are to be installed at the time of the initial installation of the SWM-1 Drainage Structure (or other control structure). Paint and application shall be in accordance with Section 231 and 411 of the applicable VDOT Road and Bridge Specifications and the cost is to be included in the price bid for the applicable structure.

S-5 All SWM Basins designated for use as temporary sediment basins shall be constructed during the initial phase of earth moving activities or as specified by the plans or directed by the Engineer. During project construction, the SWM-1 Drainage Structure (or other control structure) shall be modified in accordance with the Standard Drawings or plan details in order to provide a temporary sediment basin with both a "wet" storage volume (permanent pool) and a "dry" storage volume. Sediment accumulated in the basin shall be removed when the volume of the "wet" storage (permanent pool) has been reduced by 50%. Sediment shall be disposed of in accordance with Section 106.04 of the applicable VDOT Road and Bridge Specifications. When project construction is complete to a stage where no additional sediment from the project is expected to enter the basin, as determined by the Engineer, the basin shall be cleaned out and restored to the original design elevations, the area stabilized and all temporary modifications to the SWM-1 Drainage Structure (or other control structure) removed.

*SEE ESC GENERAL NOTES SHEET 2C FOR ESC LEGEND

PROJECT MANAGER
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

TYPICAL SECTIONS

COMMONWEALTH OF VIRGINIA
CHRISTOPHER M. KIEFER
Lic. No. 23346
12/30/2025
PROFESSIONAL ENGINEER

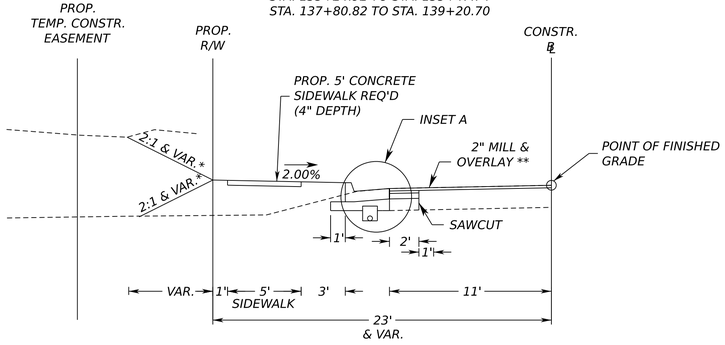
Timmons Group
Richmond, Virginia
ROADWAY ENGINEER

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	2A

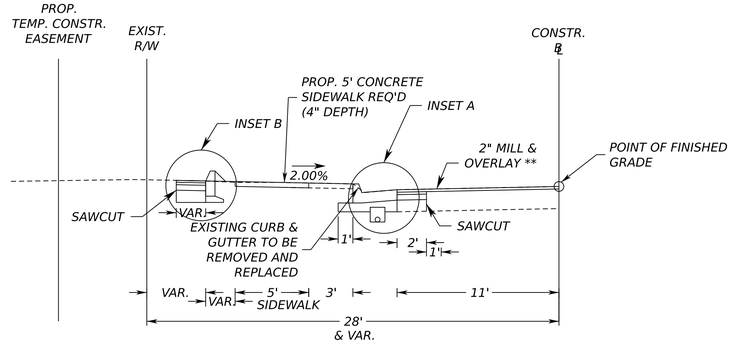
DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

CN PLANS

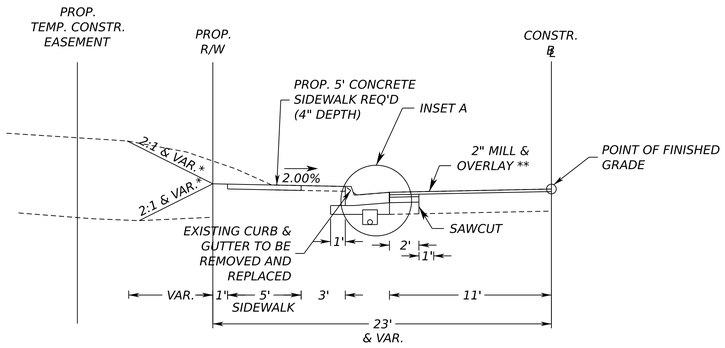
FLORIDA AVE (RTE. 6033)
URBAN MINOR ARTERIAL (GS-6)
35 MPH DESIGN SPEED
STA. 127+83.94 TO STA. 134+23.53
STA. 135+24.92 TO STA. 135+47.74
STA. 137+80.82 TO STA. 139+20.70



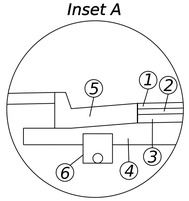
FLORIDA AVE (RTE. 6033)
URBAN MINOR ARTERIAL (GS-6)
35 MPH DESIGN SPEED
STA. 135+47.74 TO STA. 137+80.82



FLORIDA AVE (RTE. 6033)
URBAN MINOR ARTERIAL (GS-6)
35 MPH DESIGN SPEED
STA. 134+23.53 TO STA. 135+47.44



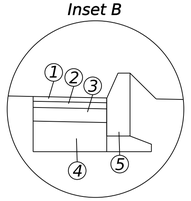
Inset A



NOT TO SCALE

1. 2" Asphalt Concrete Surface Course, Type SM-12.5D
2. 2" Asphalt Concrete Intermediate Course, Type IM-19.0D
3. 3" Asphalt Concrete Base Course, Type BM-25.0
4. 8" Aggregate Base Material, Type I No. 21B
5. VDOT St'd. CG-6 Curb and Gutter
6. VDOT St'd. UD-4 Underdrain

Inset B

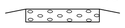


NOT TO SCALE

1. 2" Asphalt Concrete Surface Course, Type SM-12.5D
2. 2" Asphalt Concrete Intermediate Course, Type IM-19.0D
3. 3" Asphalt Concrete Base Course, Type BM-25.0
4. 8" Aggregate Base Material, Type I No. 21B
5. VDOT St'd. CG-2 Curb

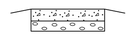
PRIVATE AND COMMERCIAL ENTRANCES

TYPE I
Crusher Run Aggr.



6" Crusher Run Aggr. 25 or 26

TYPE II
Concrete



Concrete Entrance Pavement
7" HES
4" Aggr. Base Mat'l. Ty. I No. 21B

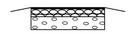
NOT TO SCALE

TYPE III
Asphalt



Asphalt Conc. Type SM-12.5D @ 220 Lbs. per S.Y.
4" Aggr. Base Mat'l. Ty. I No. 21B

TYPE IV
Asphalt Commercial



Asphalt Conc. Type SM-12.5D @ 165 Lbs. per S.Y.
4" Asphalt Conc. Base Course BM-25.0
6" Aggr. Base Mat'l. Ty. I No. 21B

* REFER TO CROSS SECTIONS FOR SLOPES

** TO BE CONSTRUCTED IN ACCORDANCE WITH VDOT ST'D. WP-2

	PROJECT	SHEET NO.
	U000-118-287	2A

PROJECT MANAGER
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

EROSION & SEDIMENT CONTROL NOTES

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	2C

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CN PLANS

PROJECT DESCRIPTION

THE PURPOSE OF THIS PROJECT IS TO PROVIDE SIDEWALK BETWEEN 0.2 MILES NORTH OF GREENFIELD DRIVE AND GREENFIELD DRIVE. A TOTAL OF 0.67 ACRES WILL BE DISTURBED DURING CONSTRUCTION.

EXISTING SITE CONDITIONS

THE SURROUNDING TOPOGRAPHY CONSISTS OF SLOPING ROAD GRADES. THE ROADWAY WITHIN THE PROJECT LIMITS DRAINS TO AN EXISTING DITCH WHICH HAS A HISTORY OF EROSION.

ADJACENT PROPERTY

THIS PROJECT LIES ADJACENT TO EXISTING COMMERCIAL AND RESIDENTIAL PROPERTY.

SOILS

THE PREDOMINANT SOILS FOR THIS PROJECT ARE:
- 112B ORANGEBURG-FACEVILLE SANDY LOAMS, 2-6% SLOPES, HYDROLOGIC SOIL GROUP D
- LUCY-ORANGEBURG LOAMY SANDS, 2-6% SLOPES, HYDROLOGIC SOIL GROUP A
- 158B TETOTUM LOAM,, CLAYEY SUBSTATUM, 2-6% SLOPES, HYDROLOGIC SOIL GROUP C

OFF SITE AREAS

NO OFF-SITE STOCKPILE AREAS ARE NEEDED FOR THIS PROJECT. STOCKPILES WILL BE DETERMINED AND LOCATED BY THE CONTRACTOR AS REQUIRED.

CRITICAL EROSION AREAS

CRITICAL EROSION AREAS INCLUDE EXISTING ROADWAYS AND WORK AREAS IN AND AROUND EXISTING WETLANDS AND WATERS OF THE U.S. ALL APPROPRIATE MEASURES HAVE BEEN ACCOUNTED FOR IN THE EROSION AND SEDIMENT CONTROL MEASURES SHOWN ON THE PLANS.

EROSION & SEDIMENT CONTROL MEASURES

UNLESS OTHERWISE INDICATED, ALL VEGETATIVE AND STRUCTURAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED ACCORDING TO THE MINIMUM STANDARDS AND SPECIFICATIONS OF THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK (VESCH). THE MINIMUM STANDARDS OF THE VESCH SHALL BE ADHERED TO UNLESS OTHERWISE WAIVED OR APPROVED BY A VARIANCE.

THE TEMPORARY EROSION AND SILTATION CONTROL ITEMS SHOWN ON THE PLANS ARE INTENDED TO PROVIDE A GENERAL PLAN FOR CONTROLLING EROSION AND SILTATION WITHIN THE PROJECT LIMITS. THE EROSION & SEDIMENT CONTROL PLAN (ESC) IS BASED ON FIELD CONDITIONS AT THE TIME OF PLAN DEVELOPMENT AND AN ASSUMED SEQUENCE OF CONSTRUCTION FOR THE PROJECT. THE CONTRACTOR, IN CONJUNCTION WITH THE ENGINEER AND/OR ENVIRONMENTAL MONITOR, SHALL ADJUST THE LOCATION, QUANTITY, AND TYPE OF EROSION AND SEDIMENT CONTROL ITEMS REQUIRED BASED ON ACTUAL FIELD CONDITIONS ENCOUNTERED AT THE TIME OF CONSTRUCTION AND THE ACTUAL SCHEDULING AND SEQUENCING OF THE CONSTRUCTION ACTIVITIES. SIGNIFICANT CHANGES TO THE PROPOSED ESC PLAN (E.G. THOSE THAT REQUIRE EMERGENCY ANALYSIS) SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW AND APPROVAL. ANY CHANGES TO THE ESC PLAN MUST BE NOTED ON A DESIGNATED PLAN SET (RECORD SET) WHICH SHALL BE RETAINED ON THE PROJECT SITE ANDMADE AVAILABLE UPON REQUEST.

SEQUENCE OF CONSTRUCTION

1. SCHEDULE A PRECONSTRUCTION MEETING. GIVE 48 HOUR NOTIFICATION OF THE PRECONSTRUCTION MEETING TO THE CITY OF LYNCHBURG ENVIRONMENTAL ENGINEERING DEPARTMENT (EE). A CERTIFIED RESPONSIBLE LAND DISTURBER (CRLD) MUST BE PRESENT AT THE ON-SITE MEETING WITH THE EE INSPECTOR.
2. INSTALL PERIMETER CONTROLS AS SHOWN ON THE EROSION CONTROL PLANS. INSTALL INLET PROTECTION ON EXISTING STRUCTURES.
3. IF NECESSARY, THE CONTRACTOR IS RESPONSIBLE FOR ACQUIRING ANY AGREEMENTS WITH PROPERTY OWNERS TO UTILIZE A STOCKPILE/STAGING AREA FOR THE STAGING AND STORAGE OF ALL MATERIALS.
4. TEMPORARY SEEDING IS REQUIRED WITHIN 7 DAYS OF DISTURBANCE FOR ALL AREAS WHICH ARE NOT TO BE ACTIVELY CONSTRUCTED UPON WITHIN 14 DAYS OF INITIAL DISTURBANCE.
5. INSPECTIONS AND APPROVALS FOR COMPLETION OF INITIAL EROSION AND SEDIMENT CONTROL ACTIVITIES MUST BE RECEIVED BEFORE FURTHER CONSTRUCTION ACTIVITIES CAN BEGIN. ALL APPROVALS SHALL BE FROM THE EE INSPECTOR.
6. COMMENCE ROUGH GRADING AS REQUIRED FOR THE PROPOSED SIDEWALKS. MAINTAIN SILT FENCE AT ALL TIMES AS DENOTED ON THE PLANS.
7. CONSTRUCT THE SIDEWALKS IN ACCORDANCE WITH THE MAINTENANCE OF TRAFFIC PLANS, ALL EROSION CONTROL PRACTICES SHALL BE MAINTAINED, ADJUSTED, AND/OR ADDED PER THE PHASE II EROSION CONTROL PLANS TO ENSURE APPROPRIATE SEDIMENT CONTROL.
8. THE SITE SHALL BE PERMANENTLY STABILIZED AFTER ALL GRADING HAS BEEN COMPLETED BY SEEDING ALL DENUDED AREAS. EC-2 MATTING SHALL BE INSTALLED ON ALL SLOPES 2:1 AND STEEPER.
9. UPON CONSTRUCTION COMPLETION, THE CONTRACTOR MUST CONTACT THE CITY OF LYNCHBURG ENVIRONMENTAL ENGINEERING DEPARTMENT FOR EROSION CONTROL INSPECTION OF SLOPE STABILITY. EROSION CONTROL MEASURES MAY NOT BE REMOVED WITHOUT AUTHORIZATION BY THE COUNTY INSPECTOR.
10. ADDITIONAL EROSION CONTROL MEASURES MAY BE REQUESTED BY THE CITY OF LYNCHBURG ENVIRONMENTAL ENGINEERING DEPARTMENT AND/OR THE INSPECTOR AT ANY TIME DURING LAND DISTURBANCE.

MINIMUM STANDARDS

MS-1: PERMANENT SOIL STABILIZATION SHALL BE APPLIED TO DENUDED AREAS WITHIN SEVEN DAYS AFTER FINAL GRADE IS REACHED ON ANY PORTION OF THE SITE. TEMPORARY SOIL STABILIZATION SHALL BE APPLIED WITHIN SEVEN DAYS TO DENUDED AREAS THAT MAY NOT BE AT FINAL GRADE BUT WILL REMAIN DORMANT (UNDISTURBED) FOR LONGER THAN 14 DAYS. PERMANENT STABILIZATION SHALL BE APPLIED TO AREAS THAT ARE TO BE LEFT DORMANT FOR MORE THAN ONE YEAR.

MS-2: TEMPORARY SOIL STOCKPILES SHALL BE STABILIZED OR PROTECTED WITH SEDIMENT TRAPPING MEASURES. PROVIDE TEMPORARY PROTECTION AND PERMANENT STABILIZATION OF ALL SOIL STOCKPILES ON SITE AS WELL AS SOIL TRANSPORTED FROM THE PROJECT SITE.

MS-3: A PERMANENT VEGETATIVE COVER SHALL BE ESTABLISHED ON DENUDED AREAS NOT OTHERWISE PERMANENTLY STABILIZED. PERMANENT VEGETATION SHALL NOT BE CONSIDERED ESTABLISHED UNTIL A GROUND COVER IS ACHIEVED THAT IN THE OPINION OF THE ARCHITECT/ENGINEER, IS UNIFORM, MATURE ENOUGH TO SURVIVE AND WILL INHIBIT EROSION.

MS-4: SEDIMENT BASINS AND TRAPS, PERIMETER DIKES, SEDIMENT BARRIERS AND OTHER MEASURES INTENDED TO TRAP SEDIMENT SHALL BE CONSTRUCTED AS A FIRST STEP IN ANY LAND-DISTRIBUTING ACTIVITY AND SHALL BE MADE FUNCTIONAL BEFORE UPSLOPE LAND DISTURBANCE OR TIMBERING TAKES PLACE.

MS-5: STABILIZATION MEASURES SHALL BE APPLIED TO EARTHEN STRUCTURES SUCH AS DAMS, DIKES AND DIVERSIONS IMMEDIATELY AFTER INSTALLATION.

MS-6: SURFACE RUNOFF FROM DISTURBED AREAS THAT IS COMPRISED OF FLOW FROM DRAINAGE AREAS GREATER THAN OR EQUAL TO THREE ACRES SHALL BE CONTROLLED TO ACCOMMODATE THE ANTICIPATED SEDIMENT LOADING FROM THE LAND-DISTURBING ACTIVITY. THE OUTFALL DEVICE OR SYSTEM DESIGN SHALL TAKE INTO ACCOUNT THE TOTAL DRAINAGE AREAS FLOWING THROUGH THE DISTURBED AREA TO BE SERVED BY THE BASIN.

MS-7: CUT AND FILL SLOPES SHALL BE CONSTRUCTED IN A MANNER THAT WILL MINIMIZE EROSION. SLOPES THAT ARE FOUND TO BE ERODING EXCESSIVELY WITHIN ONE YEAR OF PERMANENT STABILIZATION SHALL BE PROVIDED WITH ADDITIONAL SLOPE STABILIZING MEASURES UNTIL THE PROBLEM IS CORRECTED.

MS-8: CONCENTRATED RUNOFF SHALL NOT FLOW DOWN CUT OR FILL SLOPES UNLESS CONTAINED WITHIN AN ADEQUATE TEMPORARY OR PERMANENT CHANNEL OR SLOPE DRAIN STRUCTURE.

MS-9: WHENEVER WATER SEEPS FROM A SLOPE FACE, ADEQUATE DRAINAGE OR OTHER PROTECTION SHALL BE PROVIDED.

MS-10: ALL STORM SEWER INLETS THAT ARE MADE OPERABLE DURING CONSTRUCTION SHALL BE PROTECTED SO THAT SEDIMENT-LADEN WATER CANNOT ENTER THE CONVEYANCE SYSTEM WITHOUT FIRST BEING FILTERED OR OTHERWISE TREATED TO REMOVE SEDIMENT.

MS-11: BEFORE STORMWATER CONVEYANCE CHANNELS ARE MADE OPERATIONAL, ADEQUATE OUTLET PROTECTION AND ANY REQUIRED TEMPORARY OR PERMANENT CHANNEL LINING SHALL BE INSTALLED IN BOTH THE CONVEYANCE CHANNEL AND RECEIVING CHANNEL.

MS-12: WHEN WORK IN A LIVE WATERCOURSE IS PERFORMED, PRECAUTIONS SHALL BE TAKEN TO MINIMIZE ENCROACHMENT, CONTROL SEDIMENT TRANSPORT AND STABILIZE THE WORK AREA TO THE GREATEST EXTENT POSSIBLE DURING CONSTRUCTION. NON-ERODIBLE MATERIAL SHALL BE USED FOR THE CONSTRUCTION OF CAUSEWAYS AND COFFERDAMS, EARTHEN FILL MAY BE USED FOR THESE STRUCTURES IF ARMORED BY NON-ERODIBLE COVER MATERIALS.

MS-13: WHEN A LIVE WATERCOURSE MUST BE CROSSED BY CONSTRUCTION VEHICLES MORE THAN TWICE IN ANY SIX-MONTH PERIOD,A TEMPORARY STREAM CROSSING CONSTRUCTED OF NON-ERODIBLE MATERIAL SHALL BE PROVIDED.

MS-14: ALL APPLICABLE FEDERAL, STATE, AND LOCAL REGULATIONS PERTAINING TO WORKING IN OR CROSSING LIVE WATERCOURSES SHALL BE MET.

MS-15: THE BED AND BANKS OF A WATERCOURSE SHALL BE STABILIZED IMMEDIATELY FOLLOWING AFTER WORK IN THE WATERCOURSE IS COMPLETED.

MS-16: UNDERGROUND UTILITY LINES SHALL BE INSTALLED IN ACCORDANCE WITH THE STANDARDS IN ADDITION TO OTHER APPLICABLE CRITERIA:
A. NO MORE THAN 500' OF TRENCH SHALL BE OPENED AT ONE TIME.
B. EXCAVATED MATERIAL SHALL BE PLACED ON THE UPHILL SIDE OF TRENCHES.
C. EFFLUENT FROM DEWATERING OPERATIONS SHALL BE FILTERED OR PASSED THROUGH AN APPROVED SEDIMENT TRAPPING DEVICE OR BOTH, AND DISCHARGED IN A MANNER THAT DOES NOT ADVERSELY AFFECT FLOWING STREAMS OR OFFSITE PROPERTY.
D. RESTABILIZATION SHALL BE ACCOMPLISHED IN ACCORDANCE WITH THESE REGULATIONS.
E. APPLICABLE SAFETY REGULATIONS SHALL BE COMPLIED WITH.

MS-17: WHERE CONSTRUCTION VEHICLE ACCESS ROUTES INTERSECT PAVED PUBLIC ROADS, PROVISIONS SHALL BE MADE TO MINIMIZE THE TRANSPORT OF SEDIMENT BY VEHICULAR TRACKING ONTO THE PAVED SURFACE. THE ROAD SHALL BE CLEANED THOROUGHLY AT THE END OF EACH DAY. SEDIMENT SHALL BE REMOVED FROM THE ROADS BY SHOVELING OR SWEEPING AND TRANSPORTED TO A SEDIMENT CONTROL DISPOSAL AREA. STREET WASHING SHALL BE ALLOWED ONLY AFTER SEDIMENT IS REMOVED IN THIS MANNER.

MS-18: ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED WITHIN 30 DAYS AFTER FINAL SITE STABILIZATION OR AFTER THE TEMPORARY MEASURES ARE NO LONGER NEEDED, UNLESS OTHERWISE AUTHORIZED BY THE LOCAL AUTHOIRTY HAVING JURISDICTION. TRAPPED SEDIMENT AND THE DISTURBED SOIL AREAS RESULTING FROM THE DISPOSITION OF TEMPORARY MEASURES SHALL BE PERMANENTLY STABLIZED TO PREVENT FURTHER EROSION AND SEDIMENTATION.

MS-19: PROPERTIES AND WATERWAYS DOWNSTREAM FROM DEVELOPMENT SITES SHALL BE PROTECTED FROM SEDIMENT DEPOSITION, EROSION AND DAMAGE DUE TO INCREASES IN VOLUME, VELOCITY AND PEAK FLOW RATE OF STORMWATER RUNOFF FOR THE STATED FREQUENCY STORM OF 24-HOUR DURATION IN ACCORDANCE WITH THE MINIMUM STANDARDS SET FORTH BY VIRGINIA REGULATIONS. SEE PROVIDED DRAINAGE AND STORMWATER MANAGEMENT BOOKLET FOR REVIEW OF COMPLIANCE AND MITIGATION.

ADDITIONAL NOTES

1. THE CONTRACTOR MUST DETERMINE A STOCKPILE AREA (IF NEEDED). IF AREA IS OUTSIDE THE LIMITS OF DISTURBANCE AS SHOWN IN THESE PLANS, THE LOCATION MUST BE SUBMITTED TO AND APPROVED BY CITY OF LYNCHBURG WATER RESOURCES DEPARTMENT PRIOR TO CONSTRUCTION.

PROJECT	SHEET NO.
U000-118-287	2B

PROJECT MANAGER _____
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

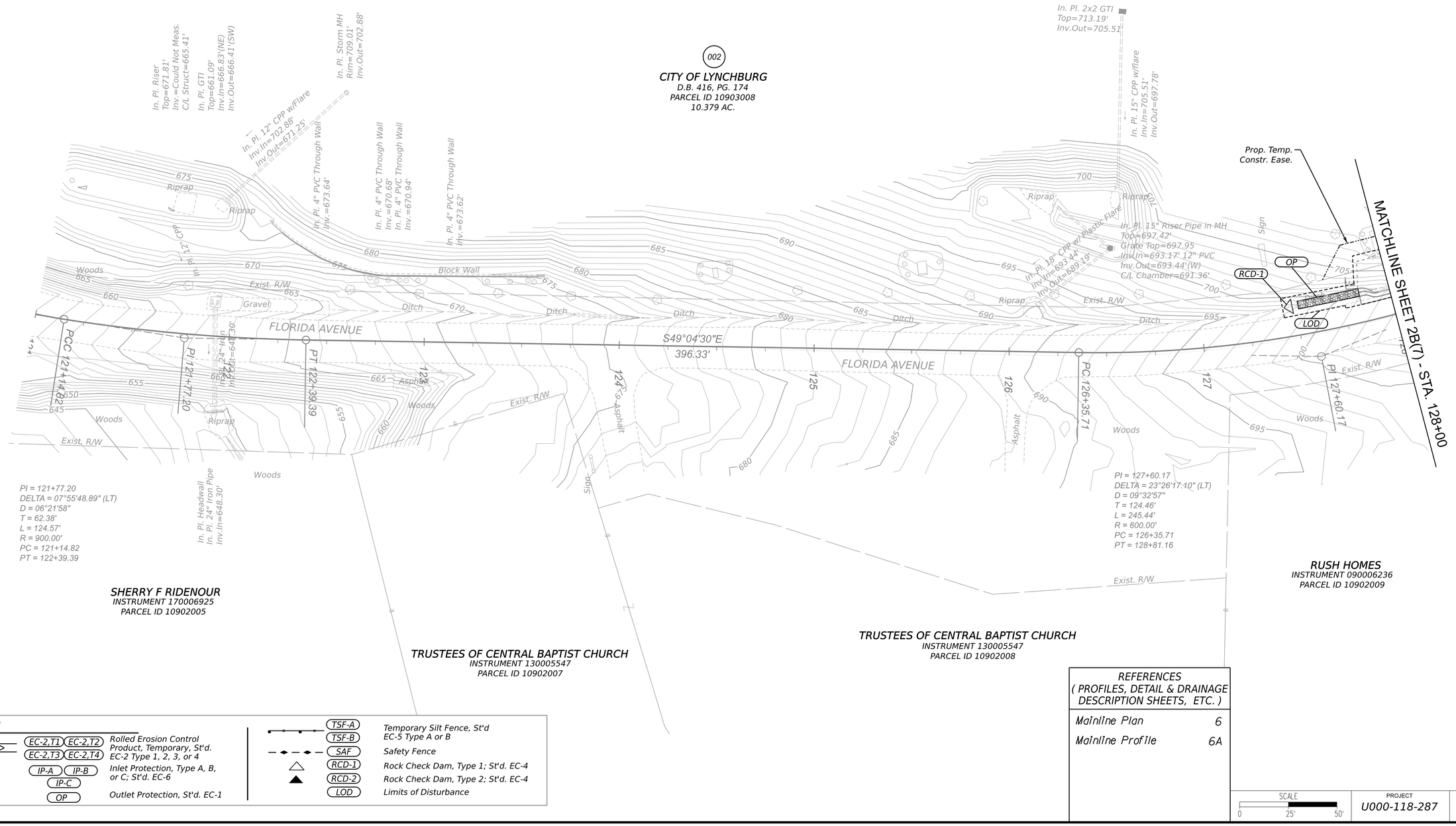
CN PLANS

COMMONWEALTH OF VIRGINIA
CHRISTOPHER M. KIEFER
Lic. No. 23346
PROFESSIONAL ENGINEER
12/30/2025

Timmons Group
Richmond, Virginia
ROADWAY ENGINEER

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	2B(6)

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT



Legend

EC-2,T1 EC-2,T2 EC-2,T3 EC-2,T4	Rolled Erosion Control Product, Temporary, St'd. EC-2 Type 1, 2, 3, or 4
IP-A IP-B IP-C	Inlet Protection, Type A, B, or C; St'd. EC-6
OP	Outlet Protection, St'd. EC-1
TSF-A TSF-B	Temporary Silt Fence, St'd EC-5 Type A or B
SAF	Safety Fence
RCD-1	Rock Check Dam, Type 1; St'd. EC-4
RCD-2	Rock Check Dam, Type 2; St'd. EC-4
LOD	Limits of Disturbance

REFERENCES
(PROFILES, DETAIL & DRAINAGE DESCRIPTION SHEETS, ETC.)

Mainline Plan	6
Mainline Profile	6A

SCALE 0 25' 50'

PROJECT	SHEET NO.
U000-118-287	2B(6)

PROJECT MANAGER
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
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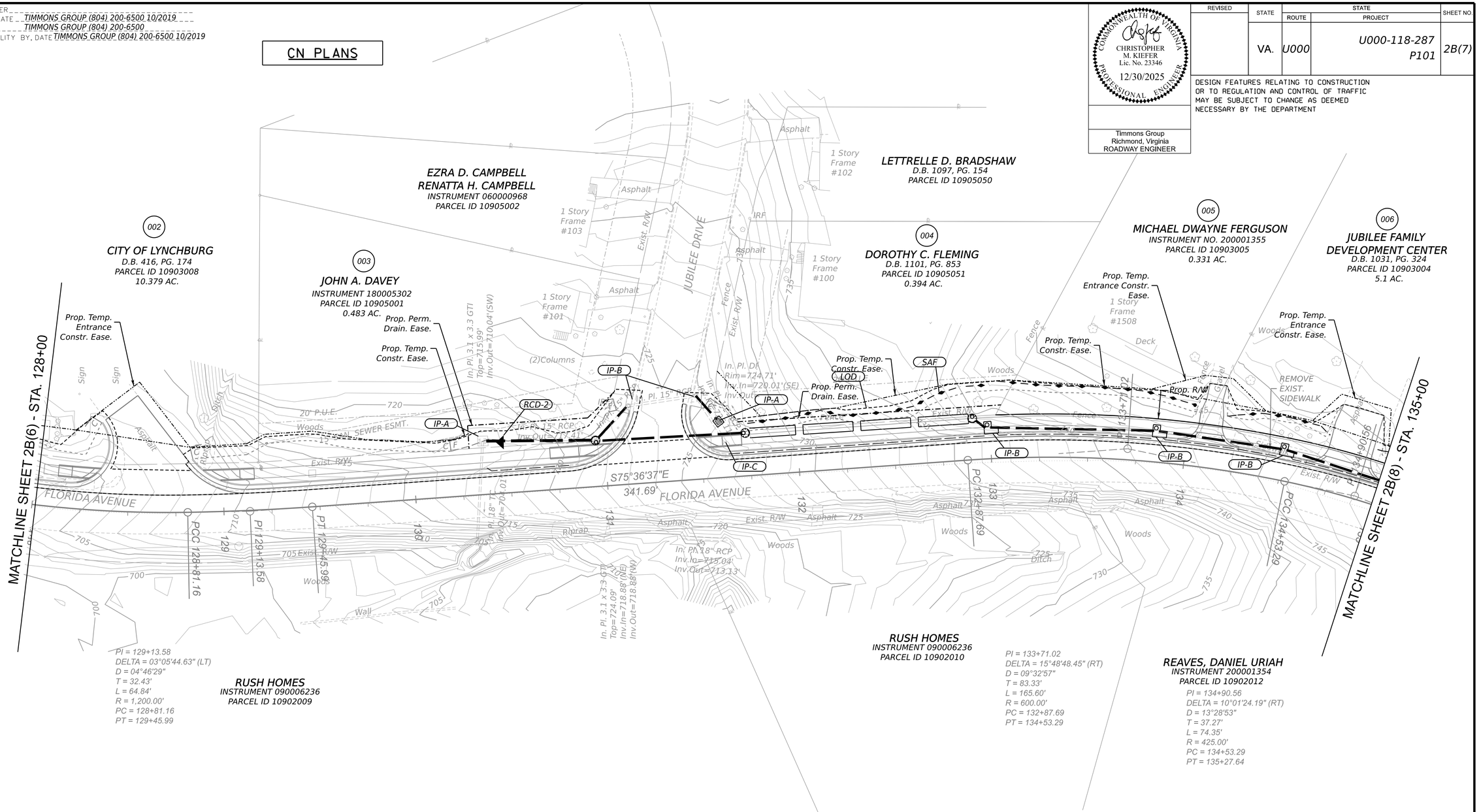
CN PLANS

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REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	2B(7)

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT



PI = 129+13.58
DELTA = 03°05'44.63" (LT)
D = 04°46'29"
T = 32.43'
L = 64.84'
R = 1,200.00'
PC = 128+81.16
PT = 129+45.99

RUSH HOMES
INSTRUMENT 090006236
PARCEL ID 10902009

RUSH HOMES
INSTRUMENT 090006236
PARCEL ID 10902010

PI = 133+71.02
DELTA = 15°48'48.45" (RT)
D = 09°32'57"
T = 83.33'
L = 165.60'
R = 600.00'
PC = 132+87.69
PT = 134+53.29

REAVES, DANIEL URIAH
INSTRUMENT 200001354
PARCEL ID 10902012

PI = 134+90.56
DELTA = 10°01'24.19" (RT)
D = 13°28'53"
T = 37.27'
L = 74.35'
R = 425.00'
PC = 134+53.29
PT = 135+27.64

Legend

EC-2,T1 EC-2,T2 EC-2,T3 EC-2,T4	Rolled Erosion Control Product, Temporary, St'd. EC-2 Type 1, 2, 3, or 4
IP-A IP-B IP-C	Inlet Protection, Type A, B, or C; St'd. EC-6
OP	Outlet Protection, St'd. EC-1
TSF-A TSF-B	Temporary Silt Fence, St'd EC-5 Type A or B
SAF	Safety Fence
RCD-1	Rock Check Dam, Type 1; St'd. EC-4
RCD-2	Rock Check Dam, Type 2; St'd. EC-4
LOD	Limits of Disturbance

REFERENCES
(PROFILES, DETAIL & DRAINAGE DESCRIPTION SHEETS, ETC.)

Mainline Plan	7
Mainline Profile	7A

SCALE 0 25' 50'

PROJECT	SHEET NO.
U000-118-287	2B(7)

PROJECT MANAGER
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

CN PLANS

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REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	2B(8)

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

006
JUBILEE FAMILY DEVELOPMENT CENTER
D.B. 1031, PG. 324
PARCEL ID 10903004
5.1 AC.

007
JUBILEE FAMILY DEVELOPMENT CENTER
INSTRUMENT #030008200
PARCEL ID 10903022
2.019 AC.

008
OM SHRIJI II LLC
INSTRUMENT #170004632
PARCEL ID 10903021
0.431 AC.

ELEVATION LLC
INSTRUMENT #190004283
PARCEL ID 10904001

BRENDA B. WILLIAMSON
D.B. 977, PG. 865
PARCEL ID 10904002

MICHAEL F. SMITH
D.B. 940, PG. 487
PARCEL ID 10904003

REAVES, DANIEL URIAH
INSTRUMENT 200001354
PARCEL ID 10902012

MATCHLINE SHEET 2B(7) - STA. 135+00

GREENFIELD DRIVE
FLORIDA AVENUE
PINEHURST STREET
S49°46'25"E 324.62'
S38°25'39"E
PC 138+52.26
PT 139+71.07
POT 139+79.57
PI 139+11.86
Exist. R/W
Prop. R/W
Sidewalk
Dirt Path
Gravel
Fence
IRF
Conc.
Asphalt
Woods
Porch
2 Story Frame #1603
1 Story Frame #1004
1 Story Frame #1006
Well
(3)Sign
Sign
Bollard T.B.R.
REMOVE EXIST. SIDEWALK
Prop. Temp. Entrance Constr. Ease.
Prop. Temp. Constr. Ease.
IP-A
IP-B
IP-C
SAF
LOD
TSF-A
TSF-B
RCD-1
RCD-2
OP

PI = 139+11.86
DELTA = 11°20'45.62" (RT)
D = 09°32'57"
T = 59.60'
L = 118.82'
R = 600.00'
PC = 138+52.26
PT = 139+71.07

Legend

EC-2,T1 EC-2,T2 EC-2,T3 EC-2,T4	Rolled Erosion Control Product, Temporary, St'd. EC-2 Type 1, 2, 3, or 4
IP-A IP-B IP-C	Inlet Protection, Type A, B, or C; St'd. EC-6
OP	Outlet Protection, St'd. EC-1
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RCD-1	Rock Check Dam, Type 1; St'd. EC-4
RCD-2	Rock Check Dam, Type 2; St'd. EC-4
LOD	Limits of Disturbance

REFERENCES (PROFILES, DETAIL & DRAINAGE DESCRIPTION SHEETS, ETC.)

Mainline Plan	8
Mainline Profile	8A

SCALE 0 25' 50'

PROJECT	SHEET NO.
U000-118-287	2B(8)

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SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

CN PLANS

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REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	2C(6)

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

In. Pl. Riser
Top=671.81'
Inv=Could Not Meas.
C/L Struct=665.41'

In. Pl. GTI
Top=661.09'
Inv.In=666.83'(NE)
Inv.Out=666.41'(SW)

In. Pl. 12" CPP w/Flare
Inv.In=702.68'
Inv.Out=671.25'

In. Pl. Storm MH
Rim=709.01'
Inv.Out=702.88'

In. Pl. 9.4" PVC Through Wall
Inv.=673.64'

In. Pl. 4" PVC Through Wall
Inv.=670.68'

In. Pl. 4" PVC Through Wall
Inv.=670.94'

In. Pl. 4" PVC Through Wall
Inv.=673.62'

In. Pl. 2x2 GTI
Top=713.19'
Inv.Out=705.51'

In. Pl. 15" CPP w/flare
Inv.In=705.51'
Inv.Out=697.78'

In. Pl. 18" CPP w/ Plastic Flare
Inv.In=693.44'
Inv.Out=689.19'

In. Pl. 15" Riser Pipe in MH
Top=697.42'
Grate Top=697.95
Inv.In=693.17' 12" PVC
Inv.Out=693.44'(W)
C/L Chamber=691.36'

In. Pl. 12" CPP
Inv.In=649.24'(N)
Inv.Out=648.30'

In. Pl. Headwall
In. Pl. 24" Iron Pipe
Inv.In=648.30'

Woods
Gravel
Block Wall
Ditch
Riprap
Asphalt
Sign

FLORIDA AVENUE

S49°04'30"E
396.33'

PCC 121+14.82
PI 121+77.20
PT 122+39.39
PC 126+35.71
PI 127+60.17

MATCHLINE SHEET 2C(7) - STA. 128+00

Drainage Area Map Legend

Drainage Area Divide

Area Number — A1 — C-Factor 0.90 — 0.41 Ac. — Acreage

SCALE	PROJECT	SHEET NO.
0 25' 50'	U000-118-287	2C(6)

PROJECT MANAGER
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

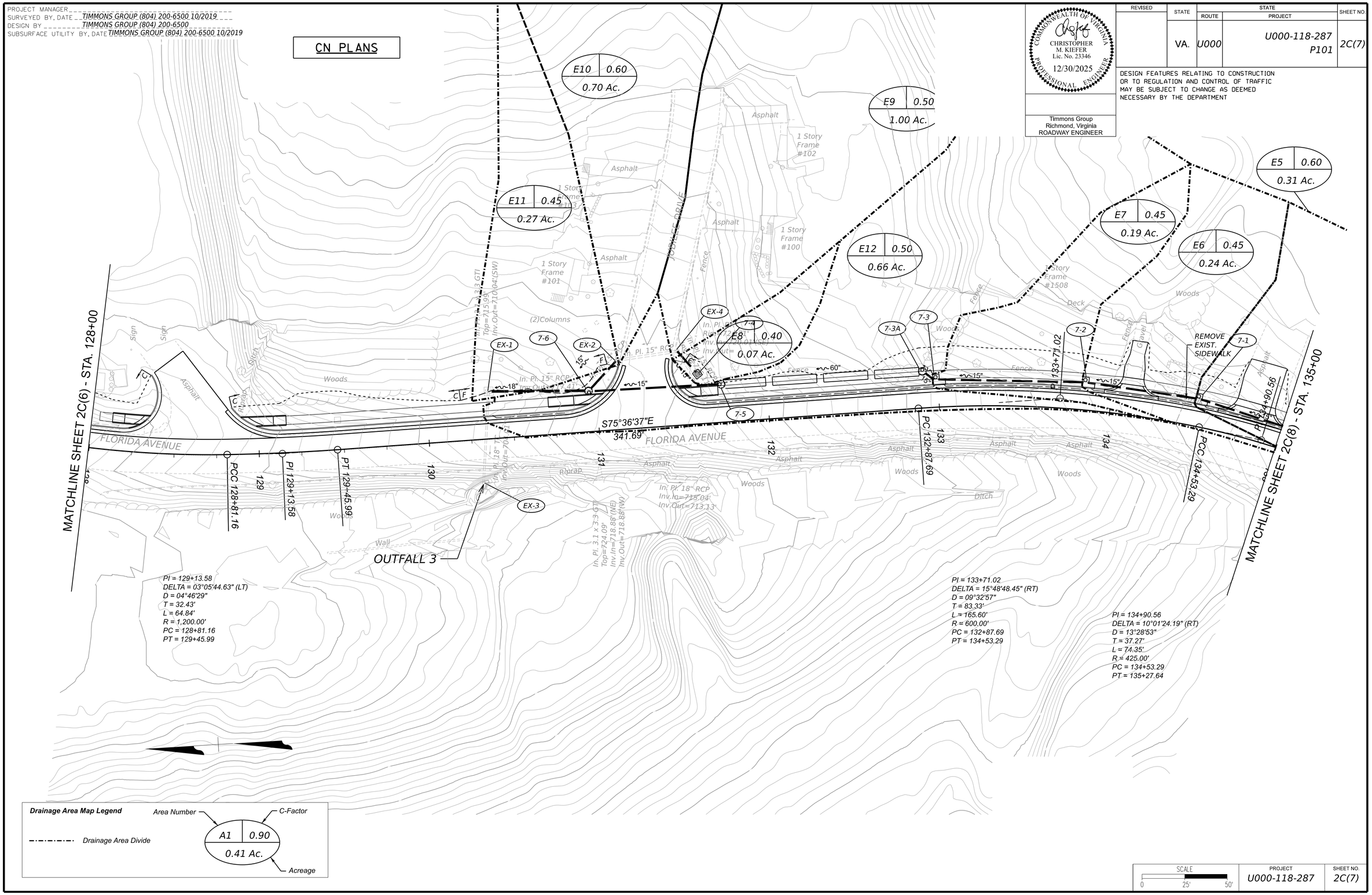
CN PLANS

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REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	2C(7)

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Drainage Area Map Legend

Area Number — C-Factor

A1 | 0.90
0.41 Ac.

Acreage

Drainage Area Divide

SCALE	PROJECT	SHEET NO.
0 25' 50'	U000-118-287	2C(7)

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REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	2C(8)

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

E2 | 0.65
1.28 Ac.

E3 | 0.85
0.08 Ac.

E4 | 0.85
0.22 Ac.

E1 | 0.65
0.85 Ac.

REMOVE EXIST. SIDEWALK

MATCHLINE SHEET 2C(7) - STA. 135+00

GREENFIELD DRIVE

FLORIDA AVENUE

S49°46'25"E
324.62'

S38°25'39"E

PI 139+11.86

PC 138+52.26

PT 139+71.07

PT 135+27.64

PINEHURST STREET

Gravel
Sidewalk
Dirt Path
Fence
Sign
(3)Sign
Bollard T.B.R.
Bollard (3)Bollard
Conc.
Asphalt
Woods
Porch
2 Story Frame #1603
1 Story Frame #1004
1 Story Frame #1006
8-1
8-2
8-3
8-4
15"
136
137
138
139

PI = 139+11.86
DELTA = 11°20'45.62" (RT)
D = 09°32'57"
T = 59.60'
L = 118.82'
R = 600.00'
PC = 138+52.26
PT = 139+71.07

Drainage Area Map Legend

Drainage Area Divide

Area Number — A1 | 0.90 — C-Factor
0.41 Ac. — Acreage

SCALE	PROJECT	SHEET NO.
0 25' 50'	U000-118-287	2C(8)

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SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

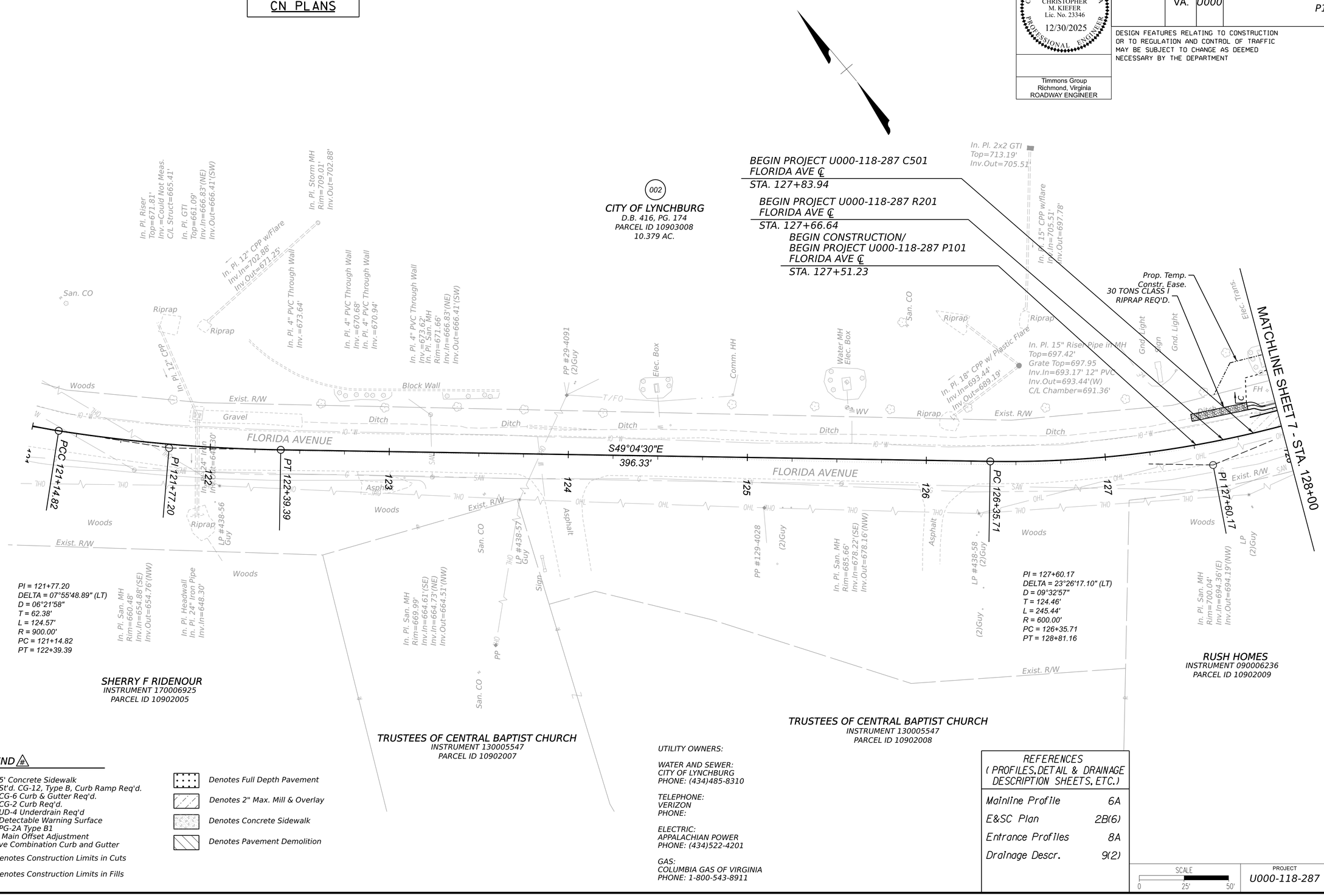
CN PLANS

COMMONWEALTH OF VIRGINIA
CHRISTOPHER M. KIEFER
Lic. No. 23346
PROFESSIONAL ENGINEER
12/30/2025

Timmons Group
Richmond, Virginia
ROADWAY ENGINEER

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	6

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT



PI = 121+77.20
DELTA = 07°55'48.89" (LT)
D = 06°21'58"
T = 62.38'
L = 124.57'
R = 900.00'
PC = 121+14.82
PT = 122+39.39

PI = 127+60.17
DELTA = 23°26'17.10" (LT)
D = 09°32'57"
T = 124.46'
L = 245.44'
R = 600.00'
PC = 126+35.71
PT = 128+81.16

SHERRY F RIDENOUR
INSTRUMENT 170006925
PARCEL ID 10902005

TRUSTEES OF CENTRAL BAPTIST CHURCH
INSTRUMENT 130005547
PARCEL ID 10902007

TRUSTEES OF CENTRAL BAPTIST CHURCH
INSTRUMENT 130005547
PARCEL ID 10902008

RUSH HOMES
INSTRUMENT 090006236
PARCEL ID 10902009

LEGEND ⚠#

1. Prop. 5' Concrete Sidewalk
2. Prop. St'd. CG-12, Type B, Curb Ramp Req'd.
3. Prop. CG-6 Curb & Gutter Req'd.
4. Prop. CG-2 Curb Req'd.
5. Prop. UD-4 Underdrain Req'd
6. Prop. Detectable Warning Surface
7. Prop. PG-2A Type B1
8. Water Main Offset Adjustment
9. Remove Combination Curb and Gutter

C ---- Denotes Construction Limits in Cuts
F _ _ Denotes Construction Limits in Fills

Denotes Full Depth Pavement
Denotes 2" Max. Mill & Overlay
Denotes Concrete Sidewalk
Denotes Pavement Demolition

UTILITY OWNERS:

WATER AND SEWER:
CITY OF LYNCHBURG
PHONE: (434)485-8310

TELEPHONE:
VERIZON
PHONE:

ELECTRIC:
APPALACHIAN POWER
PHONE: (434)522-4201

GAS:
COLUMBIA GAS OF VIRGINIA
PHONE: 1-800-543-8911

REFERENCES
(PROFILES, DETAIL & DRAINAGE DESCRIPTION SHEETS, ETC.)

Mainline Profile	6A
E&SC Plan	2B(6)
Entrance Profiles	8A
Drainage Descr.	9(2)

SCALE	PROJECT	SHEET NO.
0 25' 50'	U000-118-287	6

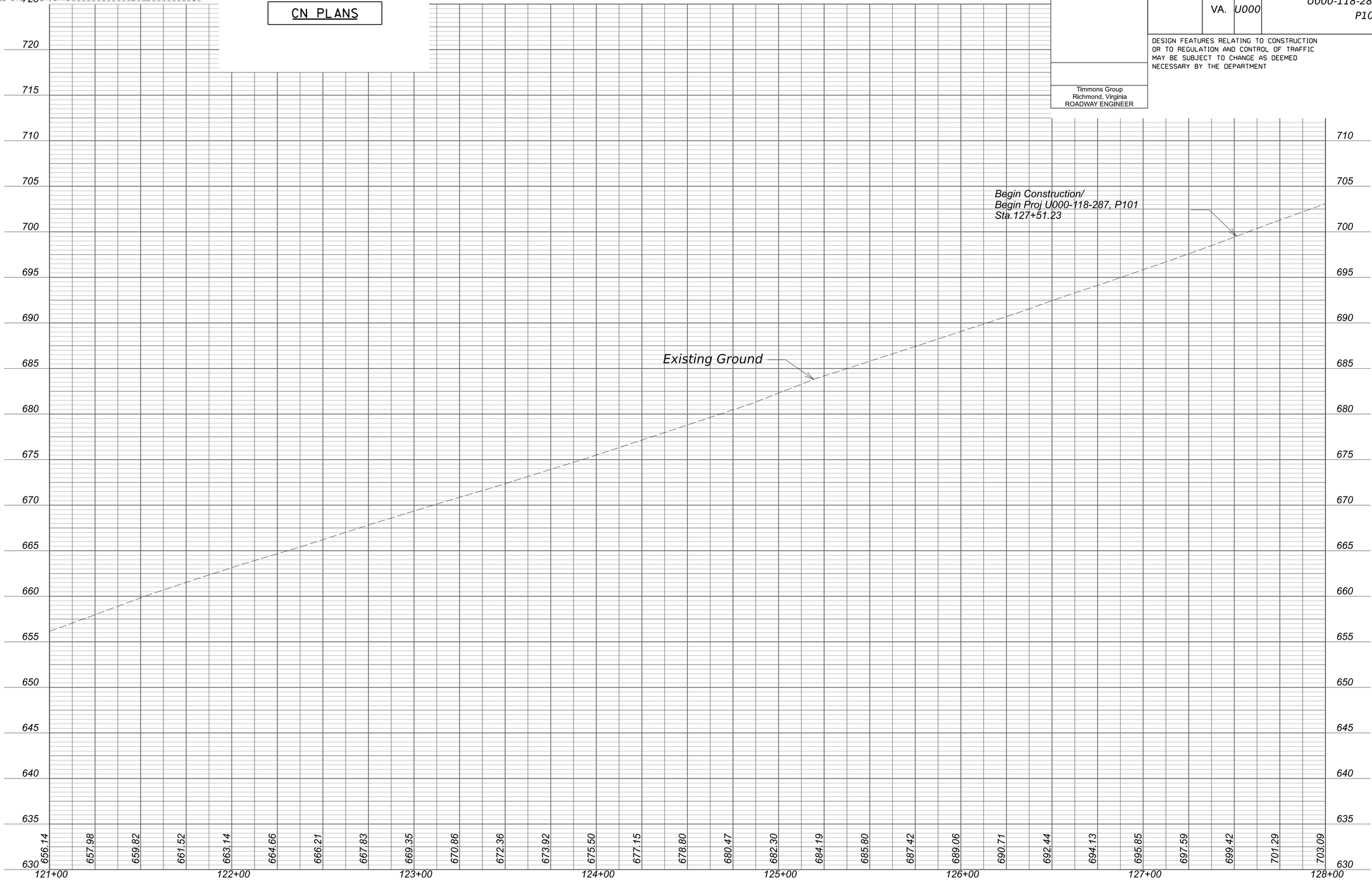
PROJECT MANAGER
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTIL. BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

CN PLANS

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	6A

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

Timmons Group
Richmond, Virginia
ROADWAY ENGINEER



PROJECT	SHEET NO.
U000-118-287	6A

PROJECT MANAGER _____
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

CN PLANS

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	6RW

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

Timmons Group
Richmond, Virginia
LAND SURVEYOR

APPROXIMATE AREAS

PARCEL NO.	TAX PARCEL ID	R/W Take	PRESCRIPTIVE EASEMENTS	EASEMENTS			
				PERMANENT		TEMPORARY	
				SLOPE & DRAINAGE	VDOT JOINT-USE UTILITY	CONSTR	ENTRANCE CONSTR
		ACRES	ACRES	SQ FT	SQ FT	SQ FT	SQ FT
002	10903008	-	-	-	-	1765	885

NOTES:

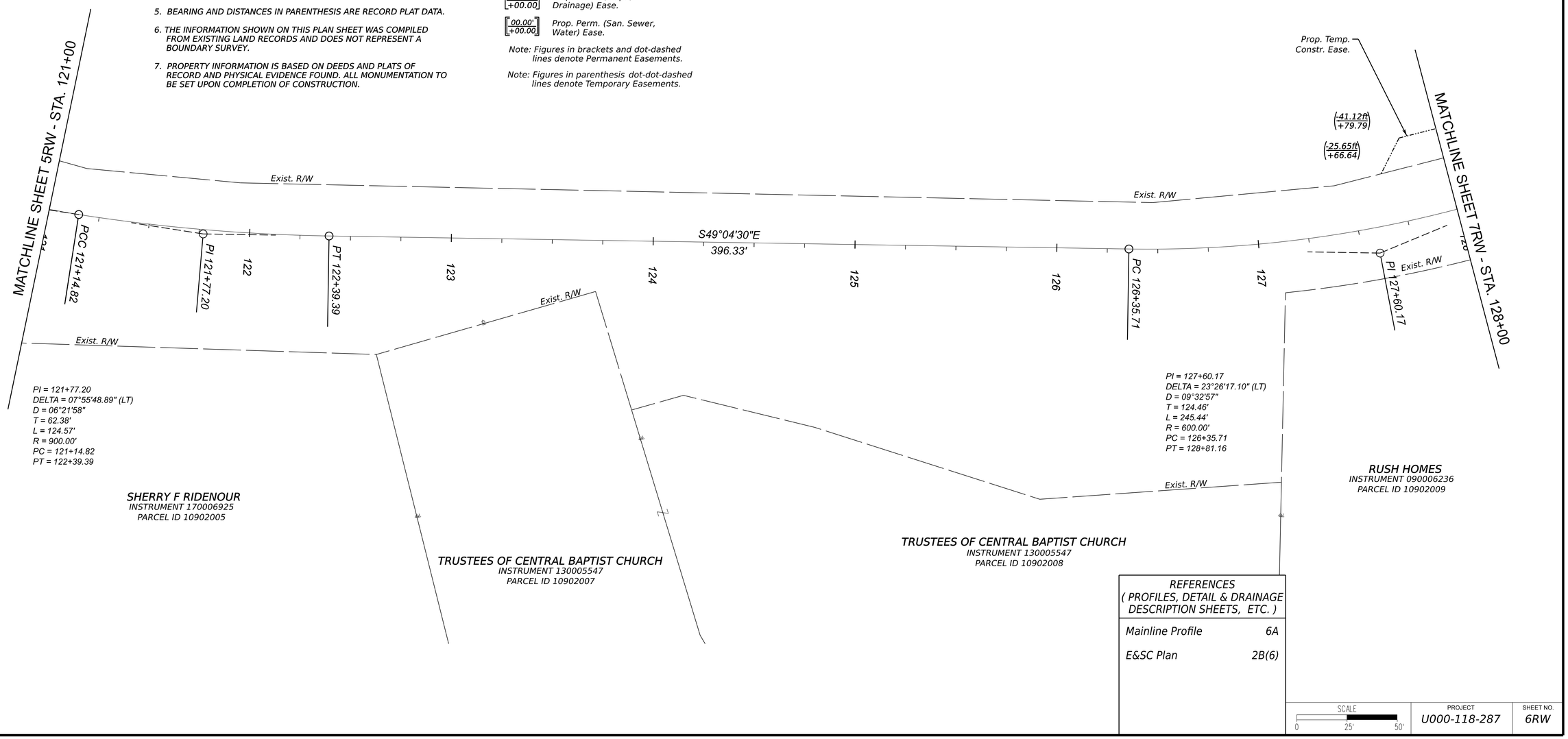
1. *THIS RIGHT OF WAY SHEET REPRESENTS A FIELD RUN PERIMETER SURVEY OF THE PROPOSED R/W LIMITS. ALL ADJOINING/DEPARTING BOUNDARY LINES SHOWN FROM EXISTING R/W ARE COMPILED FROM VARIOUS SOURCES: FOUND FIELD DOCUMENTATION, METES AND BOUNDS DESCRIPTIONS, AND RECORDED PLATS. THE ADJOINING LINES DO NOT REPRESENT A FIELD RUN SURVEY OF THE ADJOINING PROPERTIES AND ARE BEST FIT BASED ON COMPILED DATA. ALL AREAS SHOWN FOR EASEMENT TAKES ARE APPROXIMATE ONLY.*
2. *THIS PLAN SHEET WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT SHOW ALL EASEMENTS WHICH MAY EFFECT THE PROPERTY SHOWN HEREON.*
3. *NO DESIGNATION OR LOCATION OF SUBSURFACE UTILITIES WAS PERFORMED DURING PREPARATION OF THIS PLAT.*
4. *ALL OF THE PROPERTIES PHYSICAL IMPROVEMENTS ARE NOT SHOWN HEREON.*
5. *BEARING AND DISTANCES IN PARENTHESIS ARE RECORD PLAT DATA.*
6. *THE INFORMATION SHOWN ON THIS PLAN SHEET WAS COMPILED FROM EXISTING LAND RECORDS AND DOES NOT REPRESENT A BOUNDARY SURVEY.*
7. *PROPERTY INFORMATION IS BASED ON DEEDS AND PLATS OF RECORD AND PHYSICAL EVIDENCE FOUND. ALL MONUMENTATION TO BE SET UPON COMPLETION OF CONSTRUCTION.*

SYMBOL LEGEND

- *Prop. R/W Monument (St'd. RM-2)*
- *00.00' / +00.00 — Prop. Right of Way*
- *(00.00' / +00.00) — Prop. Temp. (Constr., Entr. Reconstr.) Ease.*
- *[00.00' / +00.00] — Prop. Perm. (Slope, Drainage) Ease.*
- *[[00.00' / +00.00]] — Prop. Perm. (San. Sewer, Water) Ease.*

Note: Figures in brackets and dot-dashed lines denote Permanent Easements.

Note: Figures in parenthesis dot-dot-dashed lines denote Temporary Easements.



REFERENCES (PROFILES, DETAIL & DRAINAGE DESCRIPTION SHEETS, ETC.)	
Mainline Profile	6A
E&SC Plan	2B(6)

SCALE	PROJECT	SHEET NO.
0 25' 50'	U000-118-287	6RW

PROJECT MANAGER
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

CN PLANS

COMMONWEALTH OF VIRGINIA
CHRISTOPHER M. KIEFER
Lic. No. 23346
PROFESSIONAL ENGINEER
12/30/2025

Timmons Group
Richmond, Virginia
ROADWAY ENGINEER

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	7

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

No construction work shall begin on this parcel wherein until the right of way and temporary costruction easement has been acquired by the City of Lynchburg and written notice has been provided to the contractor.

002 **CITY OF LYNCHBURG**
D.B. 416, PG. 174
PARCEL ID 10903008
10.379 AC.

003 **JOHN A. DAVEY**
INSTRUMENT 180005302
PARCEL ID 10905001
0.483 AC.

EZRA D. CAMPBELL
RENATTA H. CAMPBELL
INSTRUMENT 060000968
PARCEL ID 10905002

LETTRELLE D. BRADSHAW
D.B. 1097, PG. 154
PARCEL ID 10905050

004 **DOROTHY C. FLEMING**
D.B. 1101, PG. 853
PARCEL ID 10905051
0.394 AC.

005 **MICHAEL DWAYNE FERGUSON**
INSTRUMENT NO. 200001355
PARCEL ID 10903005
0.331 AC.

006 **JUBILEE FAMILY DEVELOPMENT CENTER**
D.B. 1031, PG. 324
PARCEL ID 10903004
5.1 AC.

JUBILEE DRIVE

FLORIDA AVENUE

S75°36'37"E
341.69'

MATCHLINE SHEET 6 - STA. 128+00

MATCHLINE SHEET 8 - STA. 135+00

PC 128+81.16
PI 129+13.58
PT 129+45.99
PC 132+87.69
PI 133+71.02
PCC 134+53.29
PI 134+90.56

PI = 129+13.58
DELTA = 03°05'44.63" (LT)
D = 04°46'29"
T = 32.43'
L = 64.84'
R = 1,200.00'
PC = 128+81.16
PT = 129+45.99

RUSH HOMES
INSTRUMENT 090006236
PARCEL ID 10902009

RUSH HOMES
INSTRUMENT 090006236
PARCEL ID 10902010

PI = 133+71.02
DELTA = 15°48'48.45" (RT)
D = 09°32'57"
T = 83.33'
L = 165.60'
R = 600.00'
PC = 132+87.69
PT = 134+53.29

REAVES, DANIEL URIAH
INSTRUMENT 200001354
PARCEL ID 10902012

PI = 134+90.56
DELTA = 10°01'24.19" (RT)
D = 13°28'53"
T = 37.27'
L = 74.35'
R = 425.00'
PC = 134+53.29
PT = 135+27.64

LEGEND

1. Prop. 5' Concrete Sidewalk
2. Prop. St'd. CG-12, Type B, Curb Ramp Req'd.
3. Prop. CG-6 Curb & Gutter Req'd.
4. Prop. CG-2 Curb Req'd.
5. Prop. UD-4 Underdrain Req'd
6. Prop. Detectable Warning Surface
7. Prop. PG-2A Type B1
8. Water Main Offset Adjustment
9. Remove Combination Curb and Gutter

T.B.R. = TO BE REMOVED
D.N.D. = DO NOT DISTURB

C Denotes Construction Limits in Cuts
F Denotes Construction Limits in Fills

Denotes Full Depth Pavement
Denotes 2" Max. Mill & Overlay
Denotes Concrete Sidewalk
Denotes Pavement Demolition

A Adjusting Existing Valve/Meter Box to Grade
S Adjusting Existing Frame and Cover to Grade
W Reconnect and Adjust Exiting Water Service Line
F Relocate Existing Fire Hydrant and Valve
G Contractor to Coordinate with Columbia Gas of VA to Have Service Line Adjusted

REFERENCES (PROFILES, DETAIL & DRAINAGE DESCRIPTION SHEETS, ETC.)	
Mainline Profile	7A
E&SC Plan	2B(7)
Entrance Profiles	8A
Drainage Descr.	9(2)

SCALE 0 25' 50'

PROJECT	SHEET NO.
U000-118-287	7

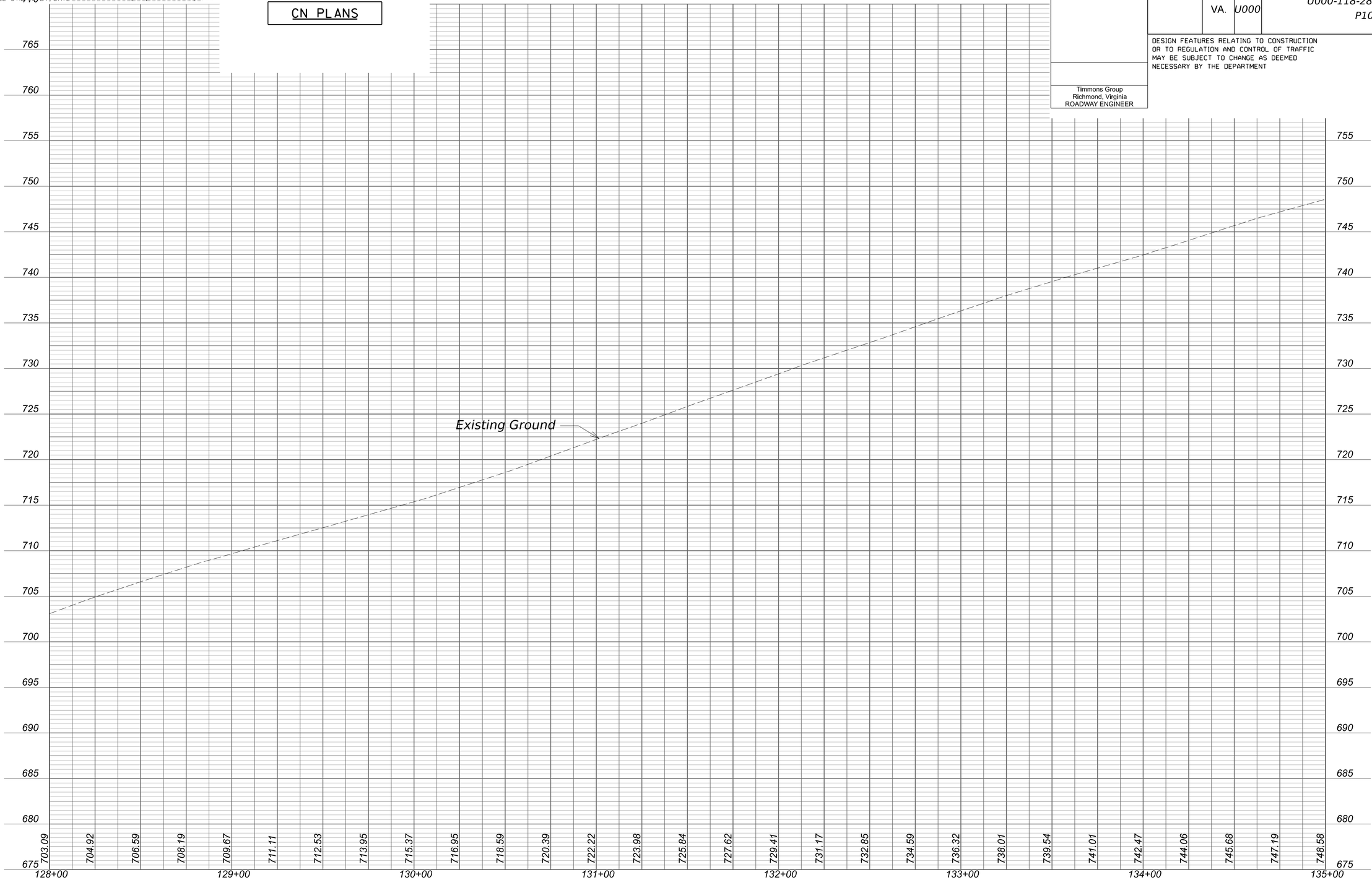
PROJECT MANAGER
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTIL. BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

CN PLANS

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	7A

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

Timmons Group
Richmond, Virginia
ROADWAY ENGINEER



PROJECT	SHEET NO.
U000-118-287	7A

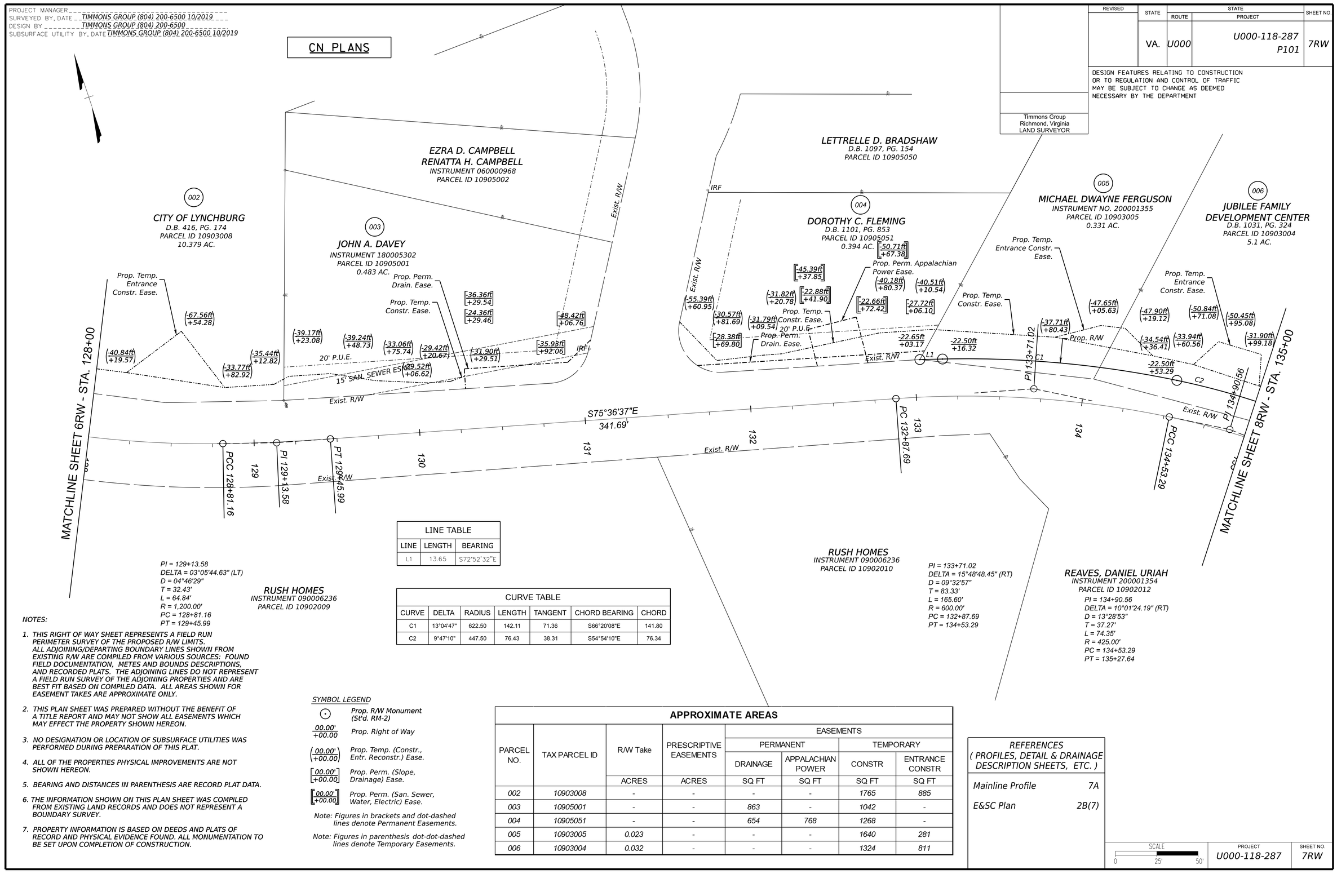
PROJECT MANAGER _____
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DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

CN PLANS

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	7RW

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

Timmons Group
Richmond, Virginia
LAND SURVEYOR



LINE TABLE		
LINE	LENGTH	BEARING
L1	13.65	S72°52'32"E

CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD
C1	13°04'47"	622.50	142.11	71.36	S66°20'08"E	141.80
C2	9°47'10"	447.50	76.43	38.31	S54°54'10"E	76.34

PI = 129+13.58
DELTA = 03°05'44.63" (LT)
D = 04°46'29"
T = 32.43'
L = 64.84'
R = 1,200.00'
PC = 128+81.16
PT = 129+45.99

RUSH HOMES
INSTRUMENT 090006236
PARCEL ID 10902009

RUSH HOMES
INSTRUMENT 090006236
PARCEL ID 10902010

PI = 133+71.02
DELTA = 15°48'48.45" (RT)
D = 09°32'57"
T = 83.33'
L = 165.60'
R = 600.00'
PC = 132+87.69
PT = 134+53.29

REAVES, DANIEL URIAH
INSTRUMENT 200001354
PARCEL ID 10902012
PI = 134+90.56
DELTA = 10°01'24.19" (RT)
D = 13°28'53"
T = 37.27'
L = 74.35'
R = 425.00'
PC = 134+53.29
PT = 135+27.64

NOTES:

1. THIS RIGHT OF WAY SHEET REPRESENTS A FIELD RUN PERIMETER SURVEY OF THE PROPOSED R/W LIMITS. ALL ADJOINING/DEPARTING BOUNDARY LINES SHOWN FROM EXISTING R/W ARE COMPILED FROM VARIOUS SOURCES: FOUND FIELD DOCUMENTATION, METES AND BOUNDS DESCRIPTIONS, AND RECORDED PLATS. THE ADJOINING LINES DO NOT REPRESENT A FIELD RUN SURVEY OF THE ADJOINING PROPERTIES AND ARE BEST FIT BASED ON COMPILED DATA. ALL AREAS SHOWN FOR EASEMENT TAKES ARE APPROXIMATE ONLY.
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SYMBOL LEGEND

- Prop. R/W Monument (St'd. RM-2)
- 00.00' +00.00 — Prop. Right of Way
- (00.00' +00.00) — Prop. Temp. (Constr., Entr. Reconstr.) Ease.
- [00.00' +00.00] — Prop. Perm. (Slope, Drainage) Ease.
- [[00.00' +00.00]] — Prop. Perm. (San. Sewer, Water, Electric) Ease.

Note: Figures in brackets and dot-dashed lines denote Permanent Easements.

Note: Figures in parenthesis dot-dot-dashed lines denote Temporary Easements.

APPROXIMATE AREAS

PARCEL NO.	TAX PARCEL ID	R/W Take	PRESCRIPTIVE EASEMENTS	EASEMENTS			
				PERMANENT		TEMPORARY	
				DRAINAGE	APPALACHIAN POWER	CONSTR	ENTRANCE CONSTR
		ACRES	ACRES	SQ FT	SQ FT	SQ FT	SQ FT
002	10903008	-	-	-	-	1765	885
003	10905001	-	-	863	-	1042	-
004	10905051	-	-	654	768	1268	-
005	10903005	0.023	-	-	-	1640	281
006	10903004	0.032	-	-	-	1324	811

REFERENCES
(PROFILES, DETAIL & DRAINAGE DESCRIPTION SHEETS, ETC.)

Mainline Profile	7A
E&SC Plan	2B(7)

SCALE 0 25' 50'

PROJECT	SHEET NO.
U000-118-287	7RW

PROJECT MANAGER
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

CN PLANS

COMMONWEALTH OF VIRGINIA
CHRISTOPHER M. KIEFER
Lic. No. 23346
PROFESSIONAL ENGINEER
12/30/2025

Timmons Group
Richmond, Virginia
ROADWAY ENGINEER

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	8

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

006
JUBILEE FAMILY DEVELOPMENT CENTER
D.B. 1031, PG. 324
PARCEL ID 10903004
5.1 AC.

007
JUBILEE FAMILY DEVELOPMENT CENTER
INSTRUMENT #030008200
PARCEL ID 10903022
2.019 AC.

008 LP #129-5028
OM SHRIJI II LLC
INSTRUMENT #170004632
PARCEL ID 10903021
0.431 AC.

ELEVATION LLC
INSTRUMENT #190004283
PARCEL ID 10904001

BRENDA B. WILLIAMSON
D.B. 977, PG. 865
PARCEL ID 10904002

MICHAEL F. SMITH
D.B. 940, PG. 487
PARCEL ID 10904003

REAVES, DANIEL URIAH
INSTRUMENT 200001354
PARCEL ID 10902012

MATCHLINE SHEET 7 - STA. 135+00

REMOVE EXIST. SIDEWALK
Prop. Temp. Entrance Constr. Ease.
St'd. CG-13 Entrance Req'd. Type III, W=30'
Prop. Temp. Constr. Ease.
St'd. CG-13 Entrance Req'd. Type III, W=22'
St'd. CG-13 Entrance Req'd. Type I, W=30'
Prop. St'd. City Comb. C&G Req'd.
Prop. R/W
Bollard T.B.R.
(3)Sign Gnd. Light Elec. Box
Tel. Ped.
Asphalt
Conc.
Gravel
Dirt Path
Sidewalk
Fence
Exist. R/W
GREENFIELD DRIVE
In. San. MH Rim=763.17' Inv.In=751.12'(NW) Inv.In=751.49'(N) In=753.35'(NE) Top of Pipe Inv.Out=751.08'(SW)
Elec. Box
LP
Tele Box
Sign
Porch
2 Story Frame #1603
1 Story Frame #1004
1 Story Frame #1006
Woods
Wall
Guy
PP
LP #435-63
LP #438-64
(2)Guy
PINEHURST STREET
In. San. MH Rim=745.19' Inv.In=740.34'(NE)
Fire Hyd.
WV
FH
WM
OHL
THO
IRF
IRF °
PP #438-65

FLORIDA AVENUE
S49°46'25"E
324.62'
S38°25'39"E
R =35'
R =32'
TH °05
15"
PI 139+11.86
PC 138+52.26
PT 139+71.07
POT 139+79.57

END CONSTRUCTION/
END PROJECT U000-118-287 P101, C501
FLORIDA AVE ℄
STA. 139+20.70

END PROJECT U000-118-287 R201
FLORIDA AVE ℄
STA. 138+10.04
PI = 139+11.86
DELTA = 11°20'45.62" (RT)
D = 09°32'57"
T = 59.60'
L = 118.82'
R = 600.00'
PC = 138+52.26
PT = 139+71.07

PT 135+27.64

LEGEND

1. Prop. 5' Concrete Sidewalk
2. Prop. St'd. CG-12, Type B, Curb Ramp Req'd.
3. Prop. CG-6 Curb & Gutter Req'd.
4. Prop. CG-2 Curb Req'd.
5. Prop. UD-4 Underdrain Req'd
6. Prop. Detectable Warning Surface
7. Prop. PG-2A Type B1
8. Water Main Offset Adjustment
9. Remove Combination Curb and Gutter

C ---- Denotes Construction Limits in Cuts
F _ _ Denotes Construction Limits in Fills

Denotes Full Depth Pavement
Denotes 2" Max. Mill & Overlay
Denotes Concrete Sidewalk
Denotes Pavement Demolition

A Adjusting Existing Valve/Meter Box to Grade
S Adjusting Existing Frame and Cover to Grade
W Reconnect and Adjust Exiting Water Service Line
F Relocate Existing Fire Hydrant and Valve
G Contractor to Coordinate with Columbia Gas of VA to Have Service Line Adjusted

REFERENCES (PROFILES, DETAIL & DRAINAGE DESCRIPTION SHEETS, ETC.)

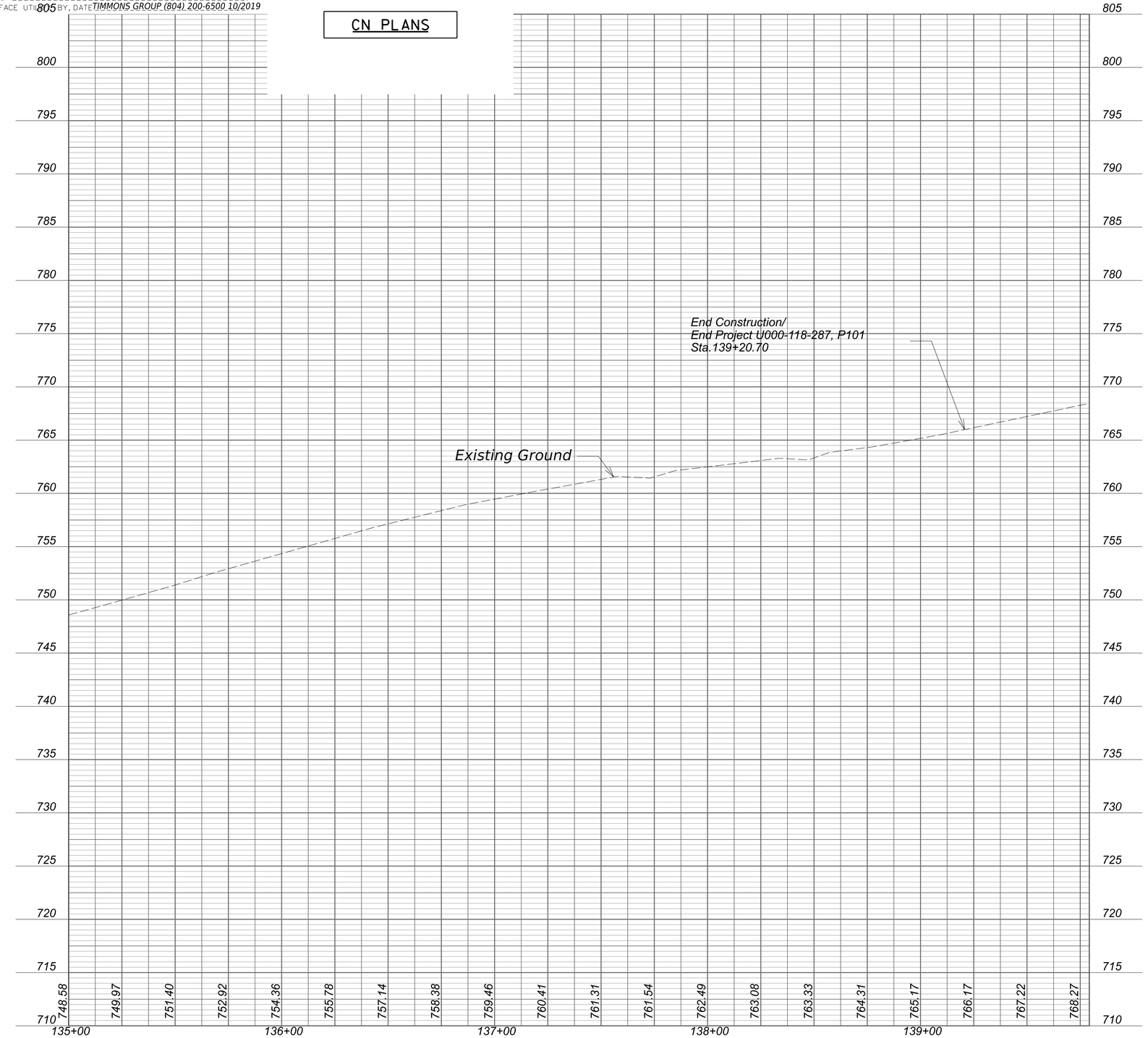
Mainline Profile	8A
E&SC Plan	2B(8)
Entrance Profiles	8A
Drainage Descr.	9(2)

SCALE 0 25' 50'

PROJECT	SHEET NO.
U000-118-287	8

PROJECT MANAGER
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTIL BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

CN PLANS

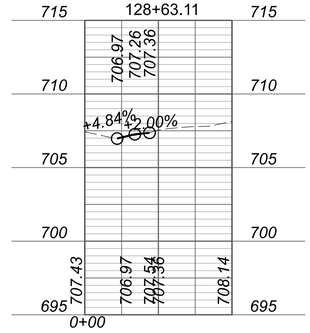


REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	8A

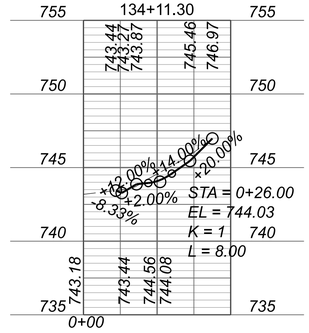
DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

Timmons Group
Richmond, Virginia
ROADWAY ENGINEER

ENTRANCE
128+63.11



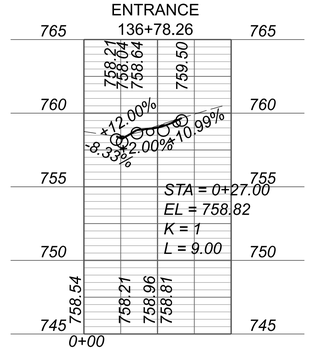
ENTRANCE
134+11.30



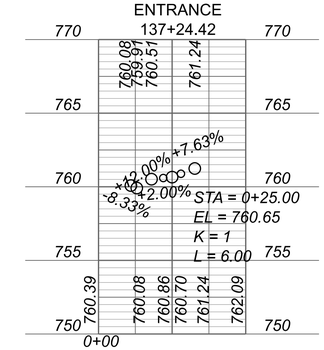
ENTRANCE
134+82.14

ENTRANCE
135+80.53

ENTRANCE
136+78.26



ENTRANCE
137+24.42



	PROJECT	SHEET NO.
	U000-118-287	8A

PROJECT MANAGER
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	8RW

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

Timmons Group
Richmond, Virginia
LAND SURVEYOR

CN PLANS

006
JUBILEE FAMILY DEVELOPMENT CENTER
D.B. 1031, PG. 324
PARCEL ID 10903004
5.1 AC.

007
JUBILEE FAMILY DEVELOPMENT CENTER
INSTRUMENT #030008200
PARCEL ID 10903022
2.019 AC.

008
OM SHRIJI II LLC
INSTRUMENT #170004632
PARCEL ID 10903021
0.431 AC.

ELEVATION LLC
INSTRUMENT #190004283
PARCEL ID 10904001

BRENDA B. WILLIAMSON
D.B. 977, PG. 865
PARCEL ID 10904002

MICHAEL F. SMITH
D.B. 940, PG. 487
PARCEL ID 10904003

REAVES, DANIEL URIAH
INSTRUMENT 200001354
PARCEL ID 10902012

Exist. R/W
IRF
Prop. Temp. Entrance Constr. Ease.
Prop. Temp. Constr. Ease.
(-52.88ft / +68.20)
(-52.86ft / +93.28)
(-33.75ft / +65.31)
(-33.90ft / +95.75)
(-33.61ft / +38.63)
(-35.02ft / +10.04)
-22.50ft / +25.88
Prop. R/W
C2
MATCHLINE SHEET 7RW - STA. 135+00
PT 135+27.64
S49°46'25"E
324.62'
136
137
138
PC 138+52.26
139
PI 139+11.86
S38°25'39"E
PT 139+71.07
POT 139+79.57
Exist. R/W

PI = 139+11.86
DELTA = 11°20'45.62" (RT)
D = 09°32'57"
T = 59.60'
L = 118.82'
R = 600.00'
PC = 138+52.26
PT = 139+71.07

CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD
C2	9°47'10"	447.50	76.43	38.31	S54°54'10"E	76.34

SYMBOL LEGEND

- ⊙ Prop. R/W Monument (St'd. RM-2)
- 00.00' / +00.00 Prop. Right of Way
- (00.00' / +00.00) Prop. Temp. (Constr., Entr. Reconstr.) Ease.
- [00.00' / +00.00] Prop. Perm. (Slope, Drainage) Ease.
- [[00.00' / +00.00]] Prop. Perm. (San. Sewer, Water) Ease.

Note: Figures in brackets and dot-dashed lines denote Permanent Easements.

Note: Figures in parenthesis dot-dot-dashed lines denote Temporary Easements.

NOTES:

1. THIS RIGHT OF WAY SHEET REPRESENTS A FIELD RUN PERIMETER SURVEY OF THE PROPOSED R/W LIMITS. ALL ADJOINING/DEPARTING BOUNDARY LINES SHOWN FROM EXISTING R/W ARE COMPILED FROM VARIOUS SOURCES: FOUND FIELD DOCUMENTATION, METES AND BOUNDS DESCRIPTIONS, AND RECORDED PLATS. THE ADJOINING LINES DO NOT REPRESENT A FIELD RUN SURVEY OF THE ADJOINING PROPERTIES AND ARE BEST FIT BASED ON COMPILED DATA. ALL AREAS SHOWN FOR EASEMENT TAKES ARE APPROXIMATE ONLY.
2. THIS PLAN SHEET WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT SHOW ALL EASEMENTS WHICH MAY EFFECT THE PROPERTY SHOWN HEREON.
3. NO DESIGNATION OR LOCATION OF SUBSURFACE UTILITIES WAS PERFORMED DURING PREPARATION OF THIS PLAT.
4. ALL OF THE PROPERTIES PHYSICAL IMPROVEMENTS ARE NOT SHOWN HEREON.
5. BEARING AND DISTANCES IN PARENTHESIS ARE RECORD PLAT DATA.
6. THE INFORMATION SHOWN ON THIS PLAN SHEET WAS COMPILED FROM EXISTING LAND RECORDS AND DOES NOT REPRESENT A BOUNDARY SURVEY.
7. PROPERTY INFORMATION IS BASED ON DEEDS AND PLATS OF RECORD AND PHYSICAL EVIDENCE FOUND. ALL MONUMENTATION TO BE SET UPON COMPLETION OF CONSTRUCTION.

APPROXIMATE AREAS

PARCEL NO.	TAX PARCEL ID	R/W Take	PRESCRIPTIVE EASEMENTS	EASEMENTS			
				PERMANENT		TEMPORARY	
				SLOPE & DRAINAGE	VDOT JOINT-USE UTILITY	CONSTR	ENTRANCE CONSTR
		ACRES	ACRES	SQ FT	SQ FT	SQ FT	SQ FT
006	10903004	0.032	-	-	-	1324	811
007	10903022	-	-	-	-	1082	529
008	10903021	-	-	-	-	611	-

REFERENCES (PROFILES, DETAIL & DRAINAGE DESCRIPTION SHEETS, ETC.)

Mainline Profile	8A
E&SC Plan	2B(8)

SCALE 0 25' 50'

PROJECT	SHEET NO.
U000-118-287	8RW

PROJECT MANAGER _____
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

CN PLANS

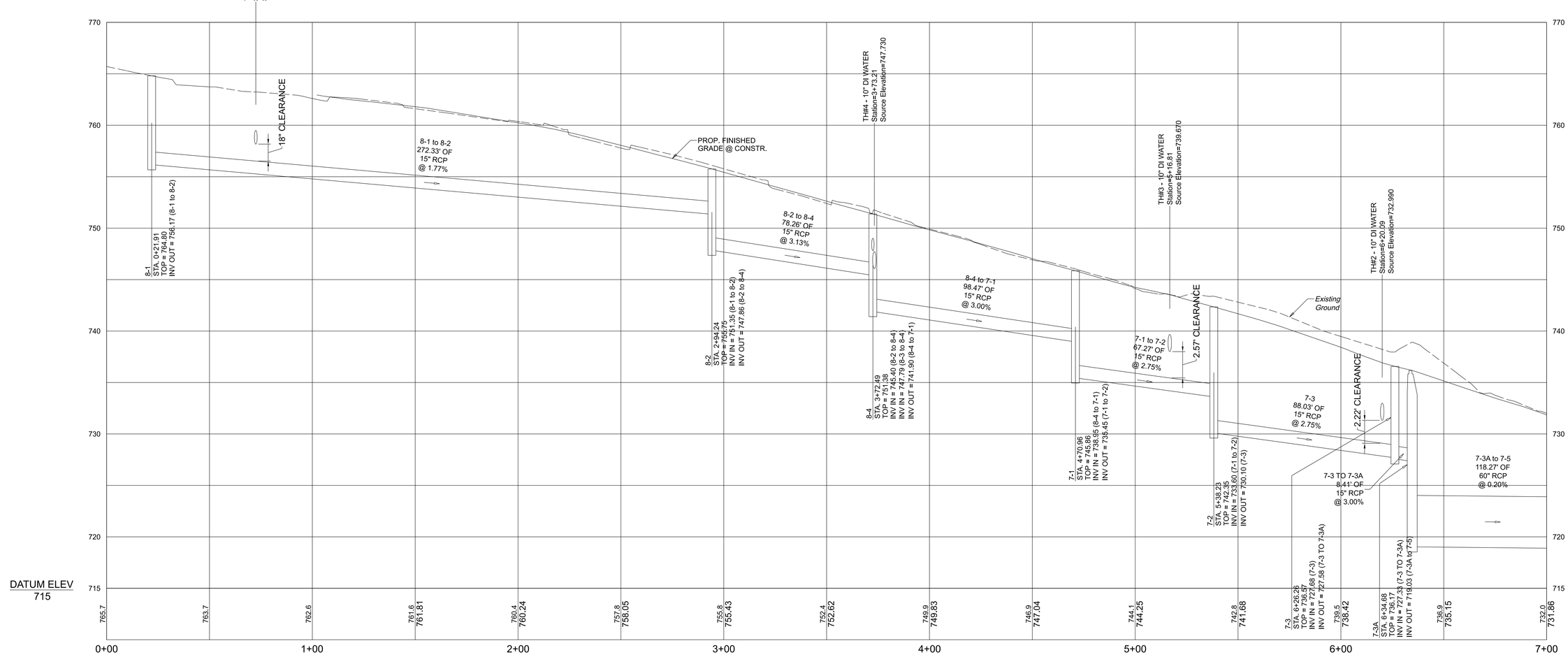
COMMONWEALTH OF VIRGINIA
CHRISTOPHER M. KIEFER
Lic. No. 23346
PROFESSIONAL ENGINEER
12/30/2025

Timmons Group
Richmond, Virginia
ROADWAY ENGINEER

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	9(1)

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

8-1 TO EX-3



	PROJECT	SHEET NO.
	U000-118-287	9(1)

PROJECT MANAGER
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

CN PLANS

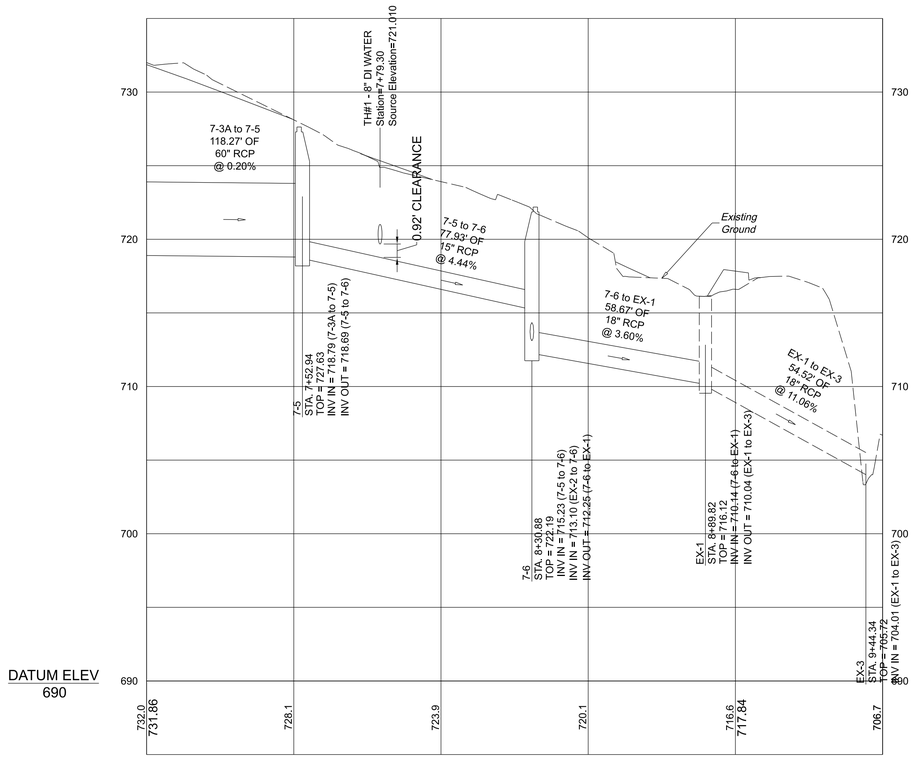
COMMONWEALTH OF VIRGINIA
CHRISTOPHER M. KIEFER
Lic. No. 23346
PROFESSIONAL ENGINEER
12/30/2025

Timmons Group
Richmond, Virginia
ROADWAY ENGINEER

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	9(2)

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

8-1 TO EX-3



7-1 — 7-2
1 ST'D. DI-3EE REQ'D.
L = 6', INV. = 735.45, H = 10.4'
ST'D. IS-1 REQ'D., ST'D ST-1 REQ'D.,
1 UD-4 CONN. REQ'D.

7-1 — 7-2
68' - 15" STORM SEWER PIPE REQ'D.
INV.(IN) = 735.45', INV.(OUT) = 733.60'
COVER = 7' & VAR.

7-2
1 ST'D. DI-3EE REQ'D.
L = 6', INV. = 730.10, H = 12.2'
ST'D. IS-1 REQ'D., ST'D ST-1 REQ'D.,
ST'D. SL-1 REQ'D., 1 UD-4 CONN. REQ'D.

7-2 — 7-3
89' - 15" STORM SEWER PIPE REQ'D.
INV.(IN) = 730.10', INV.(OUT) = 727.68'
COVER = 7' & VAR.

7-3
1 ST'D. DI-3EE REQ'D.
L = 6', INV. = 727.58', H = 9.0'
ST'D. IS-1 REQ'D., ST'D ST-1 REQ'D.,
ST'D. SL-1 REQ'D., 1 UD-4 CONN. REQ'D.

7-3 — 7-3A
9' - 15" STORM SEWER PIPE REQ'D.
INV.(IN) = 727.58', INV.(OUT) = 727.41'
COVER = 4' & VAR.

7-3A
17.1 LF MH-1 OR 2 REQ'D.
INV. = 719.03'
ST'D. MH-1 FRAME AND COVER REQ'D.
ST'D. ST-1 REQ'D., ST'D. SL-1 REQ'D.

7-3A — 7-5
119' - 60" STORM SEWER PIPE REQ'D.
INV.(IN) = 719.03', INV.(OUT) = 718.79'
COVER = 4' & VAR.
SEE SHEET 11 FOR UNDERGROUND
STORAGE DETAILS

7-4
1 ST'D. DI-1 REQ'D.
H = 4.9', INV. = 721.25'
TYPE AIII GRATE REQ'D.
ST'D. ST-1 REQ'D.

7-4 — EX-4
18' - 15" STORM SEWER PIPE REQ'D.
INV.(IN) = 721.25', INV.(OUT) = 720.89'
COVER = 2' & VAR.

EX-4 — EX-2
36' - 15" EXIST. STORM SEWER PIPE
INV.(IN) = 717.81' (EXIST.) INV.(OUT) =
717.10' (EXIST.)
COVER = 5' & VAR.

EX-2 — 7-6
25' - 15" STORM SEWER PIPE REQ'D.
INV.(IN) = 714.00', INV.(OUT) = 713.10'
COVER = 6' & VAR.

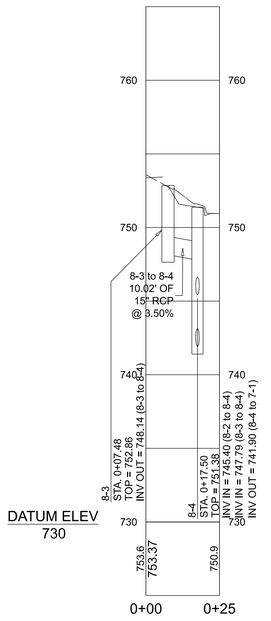
7-5
8.9 LF MH-1 OR 2 REQ'D.
INV. = 718.69'
ST'D. MH-1 FRAME AND COVER REQ'D.
SEE SHEET 11 FOR UNDERGROUND
STORAGE DETAILS

7-5 — 7-6
41' - 18" STORM SEWER PIPE REQ'D.
INV.(IN) = 712.25', INV.(OUT) = 711.38'
COVER = 6' & VAR.

7-6
8.5 LF MH-1 OR 2 REQ'D.
INV. = 708.67'
ST'D. MH-1 FRAME AND COVER REQ'D.
ST'D. IS-1 REQ'D.

8-1
1 ST'D DI-3E REQ'D.
L = 8', H = 3.9', INV. = 760.88'

8-3 TO 8-4



8-1 — 8-2
273' - 15" STORM SEWER PIPE REQ'D.
INV.(IN) = 760.88', INV.(OUT) = 751.35'
COVER = 2' & VAR.

8-2
1 ST'D DI-3E REQ'D.
L = 8', H = 7.9', INV. = 747.86'
ST'D. IS-1 REQ'D., ST'D ST-1 REQ'D.,
1 UD-4 CONN. REQ'D.

8-2 — 8-4
79' - 15" STORM SEWER PIPE REQ'D.
INV.(IN) = 747.86', INV.(OUT) = 745.40'
COVER = 4' & VAR.

8-3
1 ST'D. DI-1 REQ'D.
H = 4.7', INV. = 748.14'
TYPE AIII GRATE REQ'D.
ST'D. ST-1 REQ'D.

8-3 — 8-4
11' - 15" STORM SEWER PIPE REQ'D.
INV.(IN) = 748.14', INV.(OUT) = 747.79'
COVER = 3' & VAR.

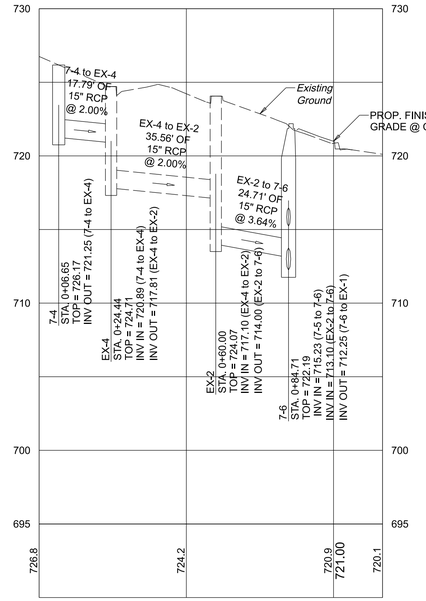
8-4
1 ST'D DI-3BB REQ'D.
L = 8', H = 9.5', INV. = 741.90'
ST'D. IS-1 REQ'D., ST'D. ST-1 REQ'D.,
1 UD-4 CONN. REQ'D.

8-4 — 7-1
99' - 15" STORM SEWER PIPE REQ'D.
INV.(IN) = 741.90', INV.(OUT) = 738.95'
COVER = 5' & VAR.

EX-2
EXISTING GRATE INLET
MODIFY TO ACCEPT 15" PIPE

EX-4
EXISTING GRATE INLET
MODIFY TO ACCEPT 15" PIPE

7-4 TO 7-6



PROJECT	SHEET NO.
U000-118-287	9(2)

PROJECT MANAGER
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

CN PLANS

GENERAL NOTES

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	12(1)

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

1. Unless otherwise approved by the Engineer, existing traffic signs which are to be relocated shall remain in place until the new sign structure is in place.
2. The removal or modification of existing sign panels, structures, or foundations shall conform to section 510 of the specifications.
3. New materials and items required to complete the removal or modification of existing items shall be submitted to the Engineer for review and approval in accordance with section 105 of the specifications.
4. All existing and proposed sign locations are approximate and shall be field verified by the contractor. All proposed sign locations shall be according to VDOT standards and shall be approved by the Engineer.
5. All striping, where matching to existing, shall be done in a manner approved by the Engineer.
6. Definition of Symbols:

   A / B — "A" indicates the type of structure or sign panel. (see "Definition of Types")

   EXAMPLE:

   SP-1 / Q — Sign Panel 0-100 S.F. Relocate existing sign panel, Type ( )

   USP-1 / G — U - Type Steel Post EA. Remove and dispose of sign structure, Type ( )

7. Raised pavement markers shall be installed according to the standard details.
8. Existing pavement markings and/or markers that conflict with the proposed markings and/or markers shawn herein shall be eradicated.
9. For lane and shoulder widths, see Roadway Plans and Typical Sections.
10. Proposed signs and pavement marking shall be according to VDOT standards.
11. Cost of Class A3 concrete foundation required for wood posts shall be included with the cost of the wood post.
12. Existing signs to be removed within project limits unless otherwise noted on plans.

PAVEMENT MARKING LEGEND

A — *TYPE B, CLASS I WHITE PAVEMENT LINE MARKING, 8" WIDTH*

B — *TYPE B, CLASS II WHITE PAVEMENT LINE, 24" WIDTH*

SIGNING LEGEND

EXISTING	PROPOSED	
☼	●	GROUND MOUNTED SIGN STRUCTURES (SINGLE POST)
		SIGN PANEL

SIGN LABELS

Proposed Sign Assemblies

2808 / 3 — *denotes Sign Assembly No.*; *denotes Text No.*

Relocated Sign Assemblies

2808 / 3 — *denotes Sign Assembly No.*; *denotes Text No.*

Sign Relocation or Payable Sign Disposal/Salvage

GM / A — *denotes Existing Sign Structure and/or Sign Panel Type*

STRUCTURE & SIGN PANEL
GM - Ground Mounted
OM - Overhead Mounted
CM - Cantilever Mounted

SIGN PANEL
SP-GM - Ground Mounted Sign Panel
SP-OH - Overhead Mounted Sign Panel

STRUCTURE ONLY
ST-GM - Ground Mounted

denotes Action and Measurement & Payment Item
A - Remove & Dispose
B - Remove & Salvage
C - Relocate
D - Overlay Sign Panel

Signs noted on plans to be removed that do not have an accompanying sign label shall not be measured separately for payment. Removal and disposal for such signs shall be incidental to other contract items.

*ACTION DESCRIPTIONS

G. REMOVE AND DISPOSE OF SIGN STRUCTURE, TYPE ( ), will be measured in units of each and paid for at the contract unit price per each, which price shall be full compensation for removal and disposal of sign panels, posts and foundations to at least two feet below existing ground line, backfilling and restoration (topsoiling and seeding), and for all materials, labor, tools, equipment and incidentals necessary to complete the work.

H. REMOVE AND SALVAGE OF SIGN STRUCTURE, TYPE ( ), will be measured in units of each and paid for at the contract unit price per each, which price shall be full compensation for removal and salvage of sign panels, posts and foundations to at least two feet below existing ground line, backfilling and restoration (topsoiling and seeding), and for all materials, labor, tools, equipment and incidentals necessary to complete the work.

Q. RELOCATE EXISTING SIGN PANEL, TYPE ( ), will be measured in units of each and paid for at the contract unit price per each, which price shall be full compensation for removing existing panel, refurbishing framing members, furnishing and installing necessary back panels, erecting existing sign panel to new breakway posts, and for all materials, labor, tools, equipment and incidentals necessary to complete the work.

S. REMOVE AND DISPOSE OF EXISTING SIGN PANEL, TYPE ( ), will be measured in units of each and paid for at the contract unit price per each, which price shall be full compensation for removing and disposing of sign panels, and for all materials, labor, tools, equipment, and incidentals necessary to complete the work.

*The cost of all action descriptions listed above shall be included in lump sum contract price.

DEFINITION OF TYPES

TYPE	DESCRIPTION	SIZE
DP-1	O/H Double Pole	50 - 75 L.F.
DP-2	O/H Double Pole	76 - 101 L.F.
DP-3	O/H Double Pole	102 - 127 L.F.
DP-4	O/H Double Pole	128 - 153 L.F.
DP-5	O/H Double Pole	154 - 179 L.F.
DP-6	O/H Double Pole	180 - 205 L.F.
DC-1	O/H Double Pole & Cantilever	75 - 100 L.F.
DC-2	O/H Double Pole & Cantilever	101 - 126 L.F.
DC-3	O/H Double Pole & Cantilever	127 - 152 L. F.
DC-4	O/H Double Pole & Cantilever	153 - 178 L. F.
DC-5	O/H Double Pole & Cantilever	179 - 204 L.F.
DC-6	O/H Double Pole & Cantilever	205 - 230 L.F.
CS-1	O/H Single Arm Cantilever	25 - 40 L.F.
CS-2	O/H Single Arm Cantilever	41 - 60 L.F.
CD-1	O/H Double Arm Cantilever	50 - 74 L.F.
CD-2	O/H Double Arm Cantilever	75 - 125 L.F.
CD-3	O/H Double Arm Cantilever	126 - 175 L.F.
CD-4	O/H Double Arm Cantilever	176 - 225 L.F.
BM	O/H Bridge Mount	*EA.*
I	Non-breakaway Single Metal Pole	*EA.*
II	Non-breakaway Two Metal Poles	*EA.*
III	Non-breakaway Three Metal Poles	*EA.*
V	Breakaway Single Round Metal Pole	*EA.*
VA	Breakaway Single Metal Pole	*EA.*
VIA	Breakaway Two Metal Pole	*EA.*
VIA3	Breakaway Three Metal Pole	*EA.*
VI1A	3 1/2" Rolled Rail Steel Pole	*EA.*
WP-1	Single Wood Post	*EA.*
WP-2	Two Wood Posts	*EA.*
SP-1	Sign Panel	0 - 100 S.F.
SP-2	Sign Panel	101 - 200 S.F.
SP-3	Sign Panel	201 - 300 S.F.
SP-4	Sign Panel	301 - 400 S.F.
SP-5	Sign Panel	401 - 500 S.F.
SP-6	Sign Panel	501 - 600 S.F.
STP-1	Square Tube Sign Post	*EA.*

SCALE	PROJECT	SHEET NO.
0 5' 10'	U000-118-287	12(1)

PROJECT MANAGER _____
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

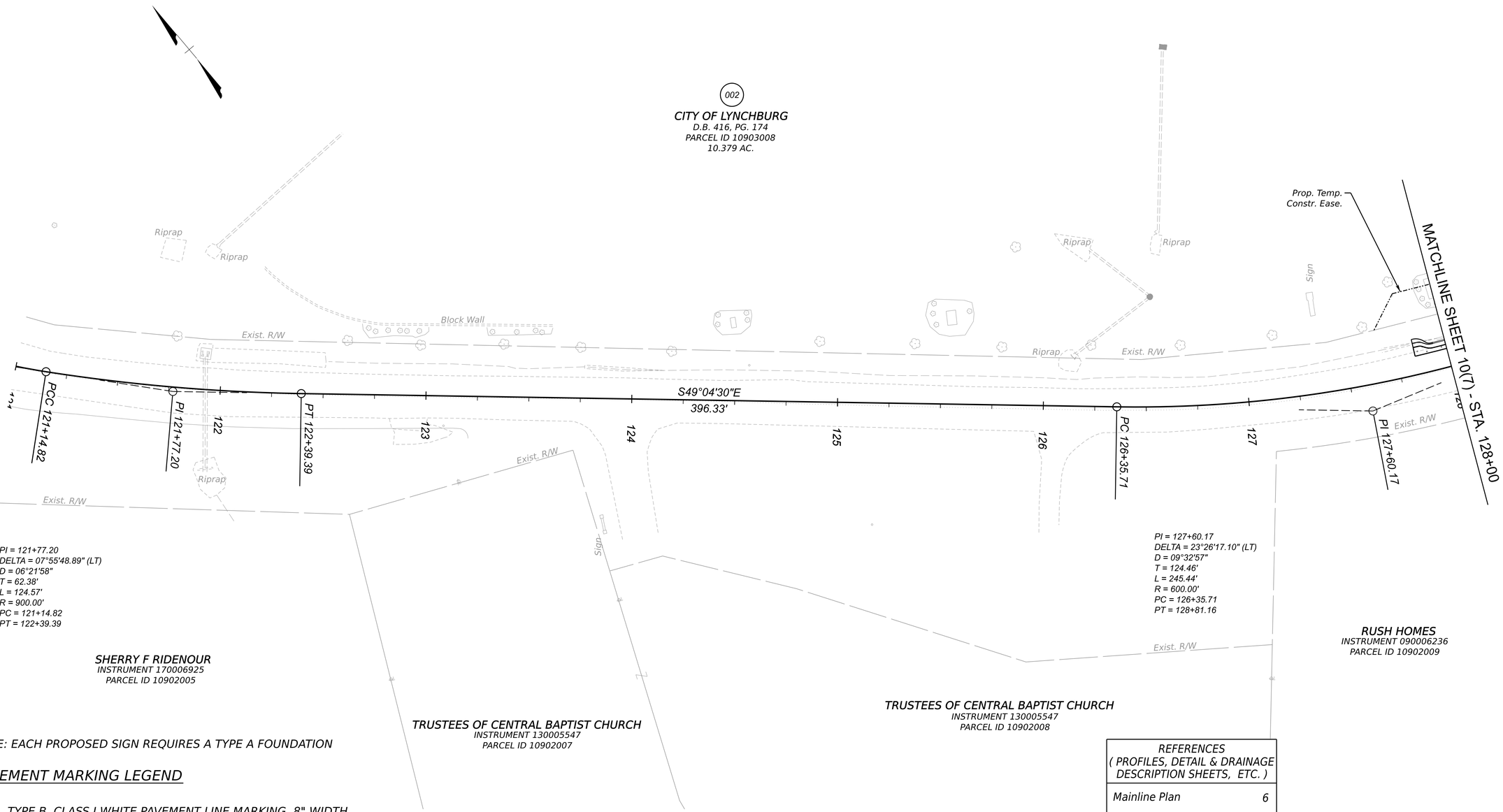
CN PLANS

COMMONWEALTH OF VIRGINIA
CHRISTOPHER M. KIEFER
Lic. No. 23346
12/30/2025
PROFESSIONAL ENGINEER

Timmons Group
Richmond, Virginia
ROADWAY ENGINEER

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	10(6)

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT



NOTE: EACH PROPOSED SIGN REQUIRES A TYPE A FOUNDATION

PAVEMENT MARKING LEGEND

A — TYPE B, CLASS I WHITE PAVEMENT LINE MARKING, 8" WIDTH

B — TYPE B, CLASS II WHITE PAVEMENT LINE, 24" WIDTH

REFERENCES (PROFILES, DETAIL & DRAINAGE DESCRIPTION SHEETS, ETC.)	
Mainline Plan	6
Mainline Profile	6A
E&SC Plan	2B(6)

SCALE	PROJECT	SHEET NO.
0 25' 50'	U000-118-287	10(6)

PROJECT MANAGER
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

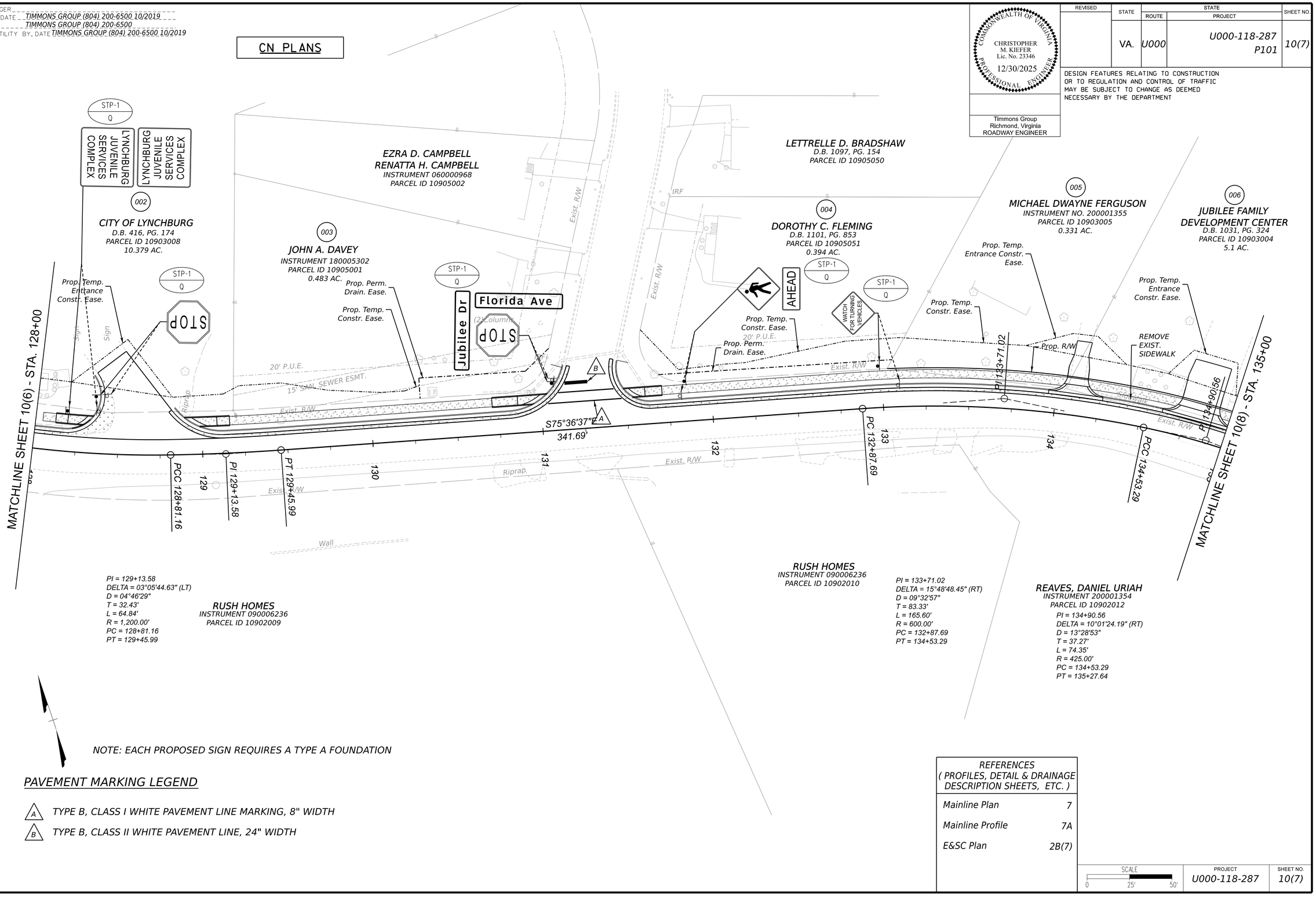
CN PLANS

COMMONWEALTH OF VIRGINIA
CHRISTOPHER M. KIEFER
Lic. No. 23346
12/30/2025
PROFESSIONAL ENGINEER

Timmons Group
Richmond, Virginia
ROADWAY ENGINEER

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	10(7)

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT



PI = 129+13.58
DELTA = 03°05'44.63" (LT)
D = 04°46'29"
T = 32.43'
L = 64.84'
R = 1,200.00'
PC = 128+81.16
PT = 129+45.99

RUSH HOMES
INSTRUMENT 090006236
PARCEL ID 10902009

RUSH HOMES
INSTRUMENT 090006236
PARCEL ID 10902010

PI = 133+71.02
DELTA = 15°48'48.45" (RT)
D = 09°32'57"
T = 83.33'
L = 165.60'
R = 600.00'
PC = 132+87.69
PT = 134+53.29

REAVES, DANIEL URIAH
INSTRUMENT 200001354
PARCEL ID 10902012

PI = 134+90.56
DELTA = 10°01'24.19" (RT)
D = 13°28'53"
T = 37.27'
L = 74.35'
R = 425.00'
PC = 134+53.29
PT = 135+27.64

NOTE: EACH PROPOSED SIGN REQUIRES A TYPE A FOUNDATION

PAVEMENT MARKING LEGEND

A — TYPE B, CLASS I WHITE PAVEMENT LINE MARKING, 8" WIDTH

B — TYPE B, CLASS II WHITE PAVEMENT LINE, 24" WIDTH

REFERENCES (PROFILES, DETAIL & DRAINAGE DESCRIPTION SHEETS, ETC.)	
Mainline Plan	7
Mainline Profile	7A
E&SC Plan	2B(7)

SCALE 0 25' 50'	PROJECT	SHEET NO.
	U000-118-287	10(7)

PROJECT MANAGER
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

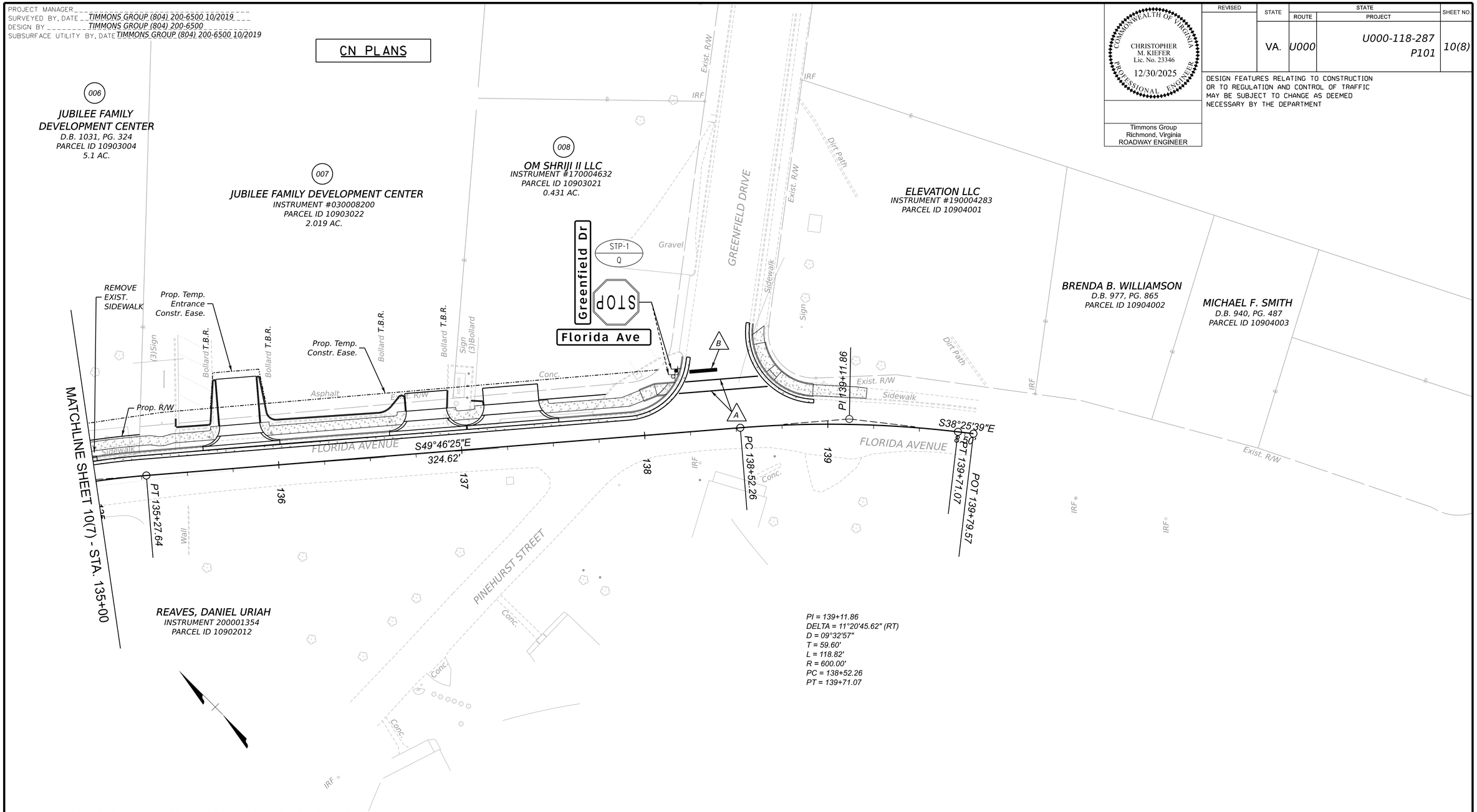
CN PLANS

COMMONWEALTH OF VIRGINIA
CHRISTOPHER M. KIEFER
Lic. No. 23346
12/30/2025
PROFESSIONAL ENGINEER

Timmons Group
Richmond, Virginia
ROADWAY ENGINEER

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	10(8)

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT



PI = 139+11.86
DELTA = 11°20'45.62" (RT)
D = 09°32'57"
T = 59.60'
L = 118.82'
R = 600.00'
PC = 138+52.26
PT = 139+71.07

NOTE: EACH PROPOSED SIGN REQUIRES A TYPE A FOUNDATION

PAVEMENT MARKING LEGEND

A — TYPE B, CLASS I WHITE PAVEMENT LINE MARKING, 8" WIDTH
B — TYPE B, CLASS II WHITE PAVEMENT LINE, 24" WIDTH

REFERENCES (PROFILES, DETAIL & DRAINAGE DESCRIPTION SHEETS, ETC.)	
Mainline Plan	8
Mainline Profile	8A
E&SC Plan	2B(8)

SCALE 0 25' 50'	PROJECT	SHEET NO.
	U000-118-287	10(8)

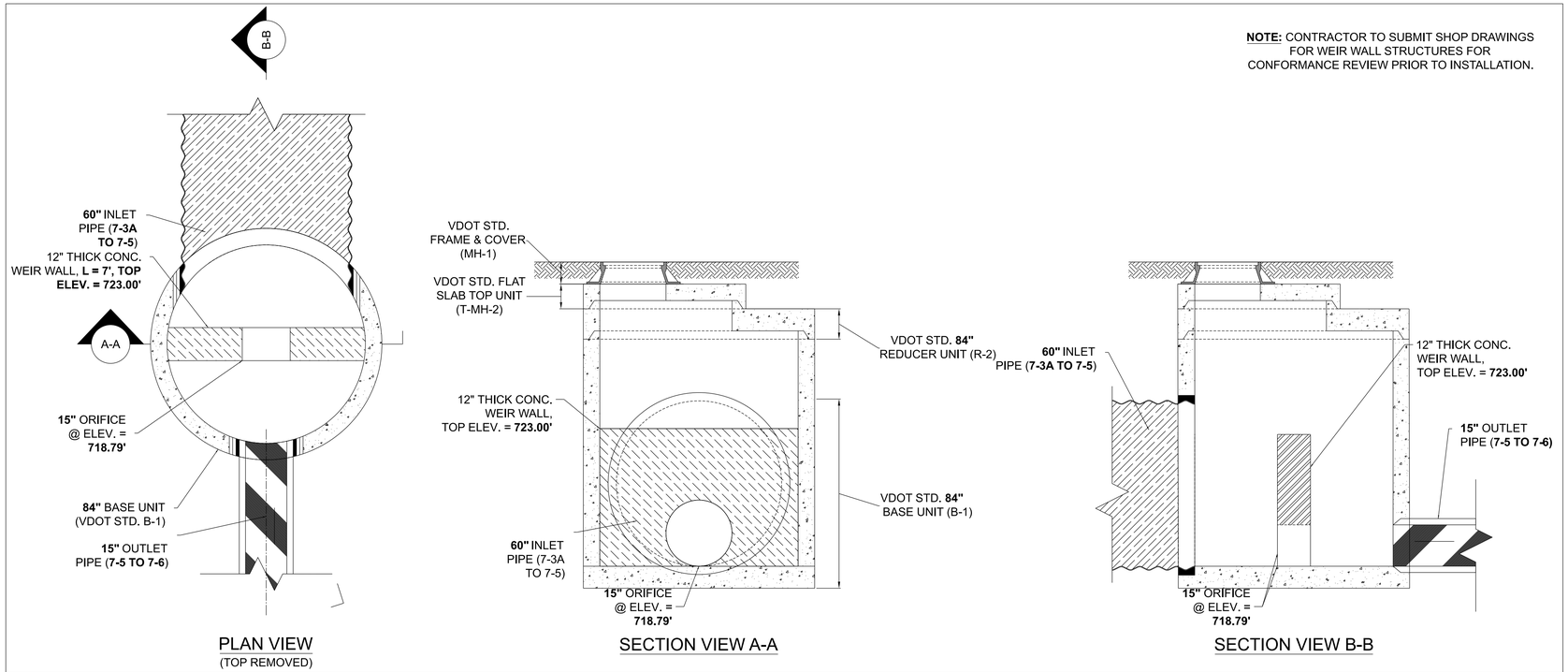
PROJECT MANAGER _____
SURVEYED BY, DATE TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

CN PLANS

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	11

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

NOTE: CONTRACTOR TO SUBMIT SHOP DRAWINGS FOR WEIR WALL STRUCTURES FOR CONFORMANCE REVIEW PRIOR TO INSTALLATION.



PLAN VIEW
(TOP REMOVED)

SECTION VIEW A-A

SECTION VIEW B-B

OUTLET CONTROL SCHEMATIC FOR STR. 7-5

NO SCALE

	PROJECT	SHEET NO.
	U000-118-287	11

PROJECT MANAGER _____
SURVEYED BY, DATE __*TIMMONS GROUP (804) 200-6500 10/2019*
DESIGN BY _____*TIMMONS GROUP (804) 200-6500*
SUBSURFACE UTILITY BY, DATE *TIMMONS GROUP (804) 200-6500 10/2019*

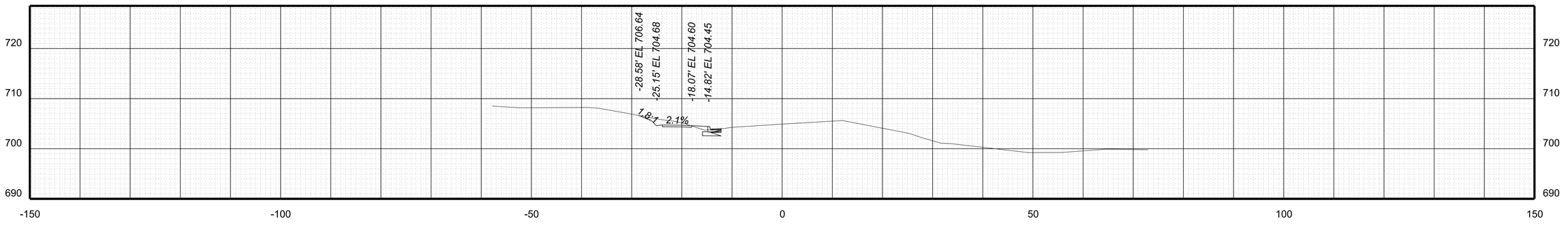
CN PLANS

CROSS SECTIONS

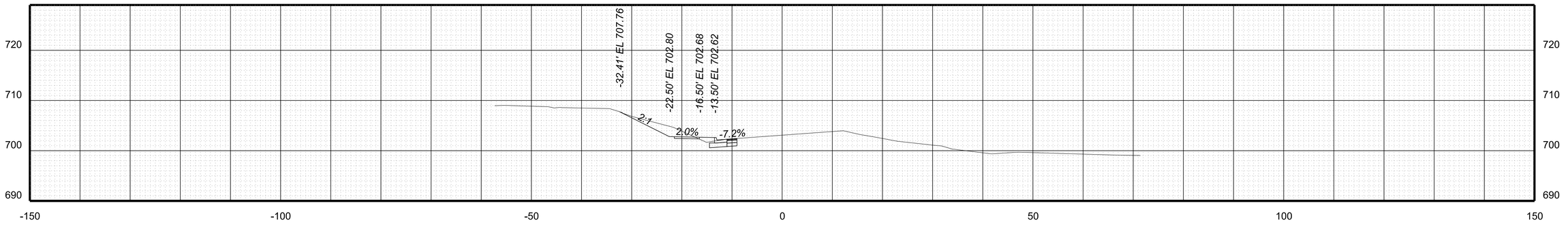
SCALE 1 IN. = 10 FT

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

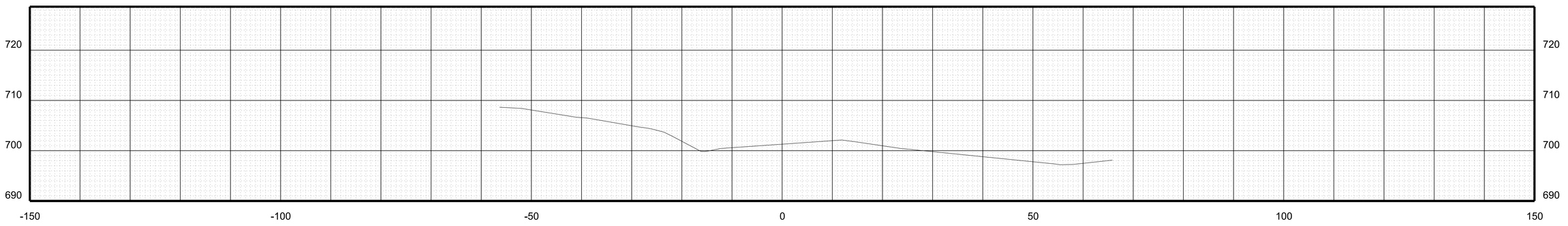
REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	XS-001



STA 128+25.00



STA 128+00.00



STA 127+75.00

PROJECT	SHEET NO.
U000-118-287	XS-001

PROJECT MANAGER _____
SURVEYED BY, DATE __*TIMMONS GROUP (804) 200-6500 10/2019*
DESIGN BY _____*TIMMONS GROUP (804) 200-6500*
SUBSURFACE UTILITY BY, DATE *TIMMONS GROUP (804) 200-6500 10/2019*

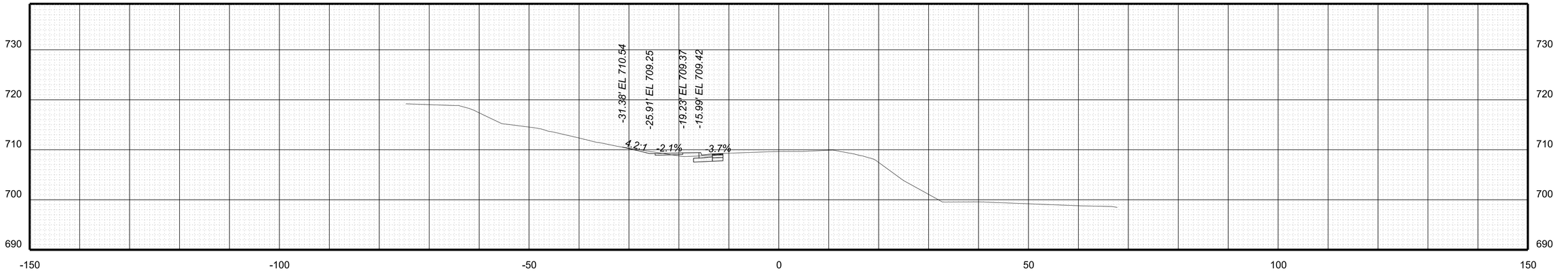
CN PLANS

CROSS SECTIONS

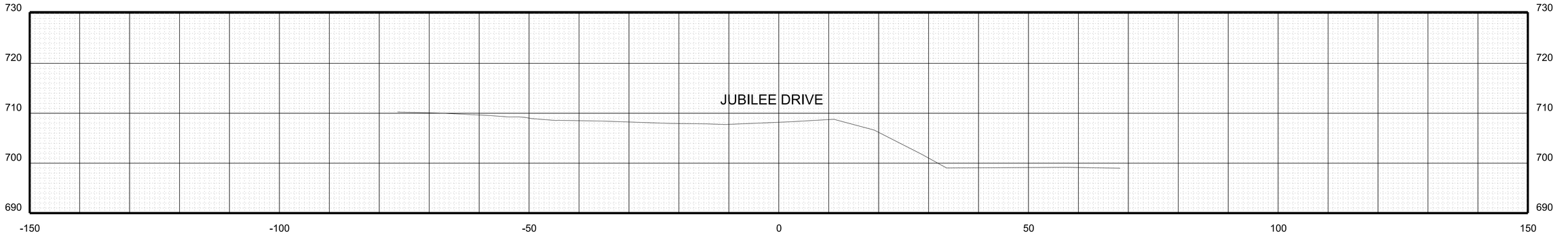
SCALE 1 IN. = 10 FT

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

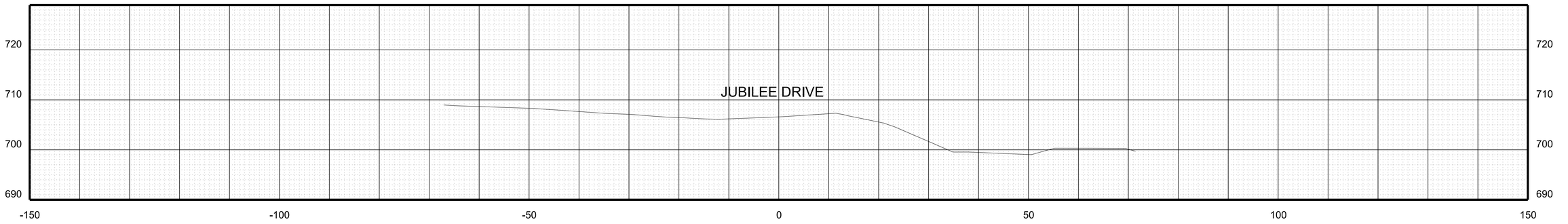
REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	XS-002



STA 129+00.00



STA 128+75.00



STA 128+50.00

PROJECT	SHEET NO.
U000-118-287	XS-002

PROJECT MANAGER _____
SURVEYED BY, DATE __TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY _____TIMMONS GROUP (804) 200-6500 _
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

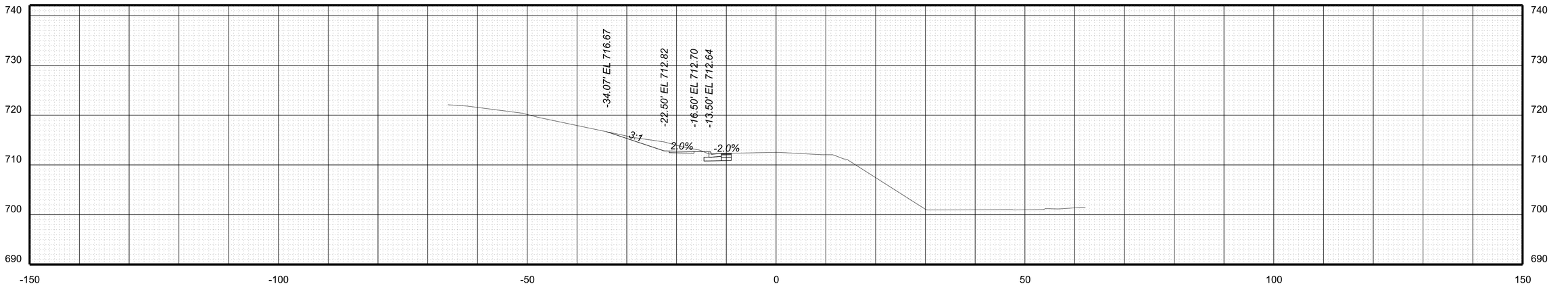
CN PLANS

CROSS SECTIONS

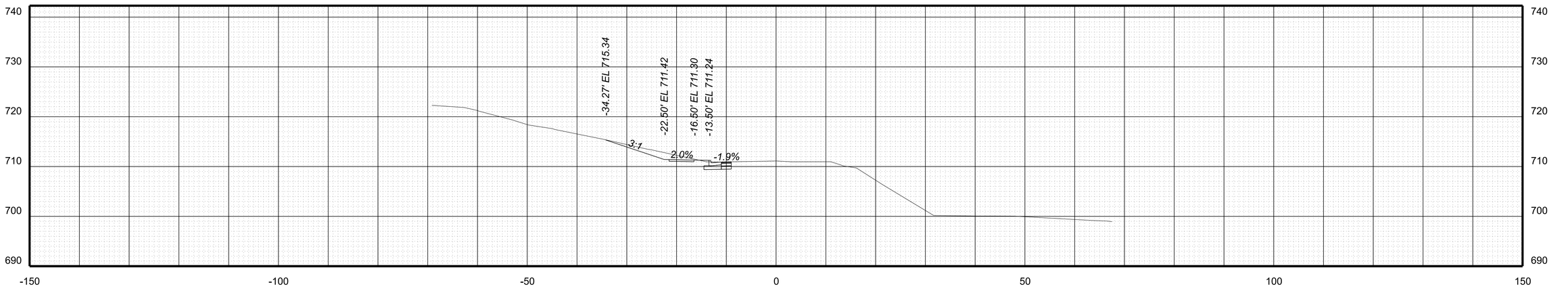
SCALE 1 IN. = 10 FT

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	XS-003



STA 129+50.00



STA 129+25.00

PROJECT	SHEET NO.
U000-118-287	XS-003

PROJECT MANAGER _____
SURVEYED BY, DATE __TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY _____TIMMONS GROUP (804) 200-6500 _
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

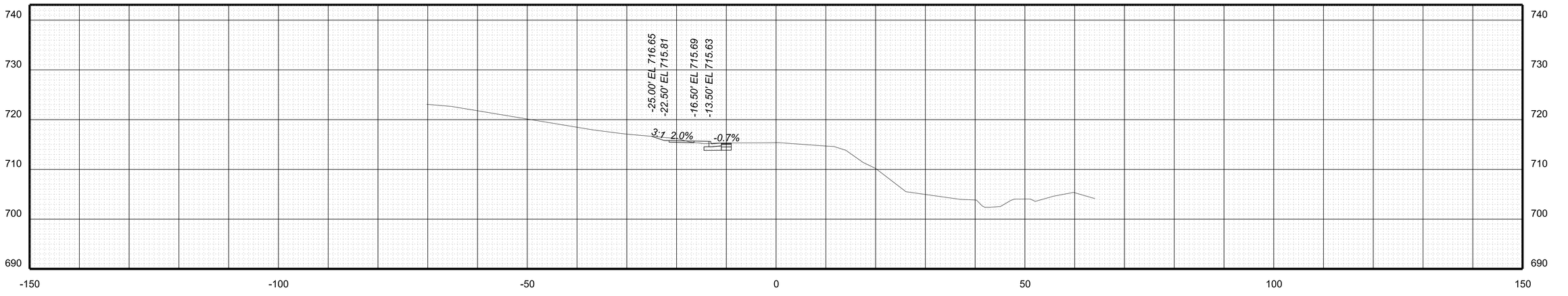
CN PLANS

CROSS SECTIONS

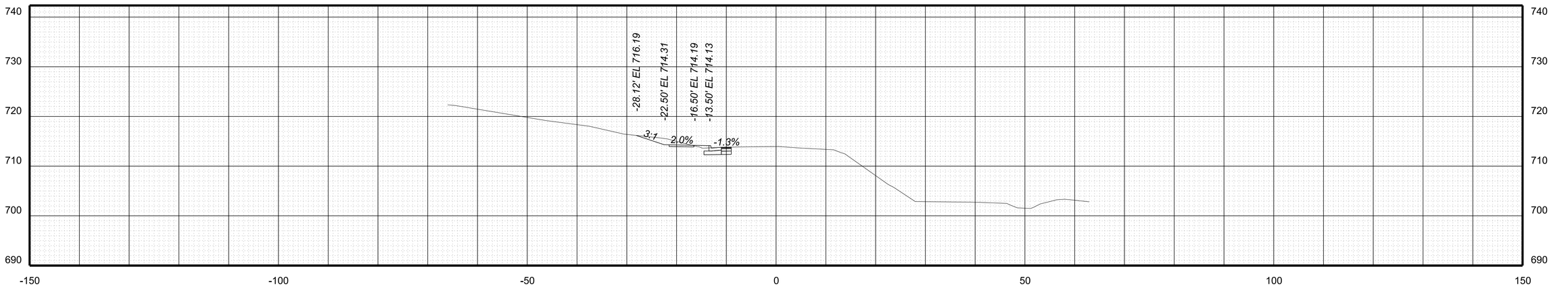
SCALE 1 IN. = 10 FT

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	XS-004



STA 130+00.00



STA 129+75.00

PROJECT	SHEET NO.
U000-118-287	XS-004

PROJECT MANAGER _____
SURVEYED BY, DATE __TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY _____TIMMONS GROUP (804) 200-6500 _
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

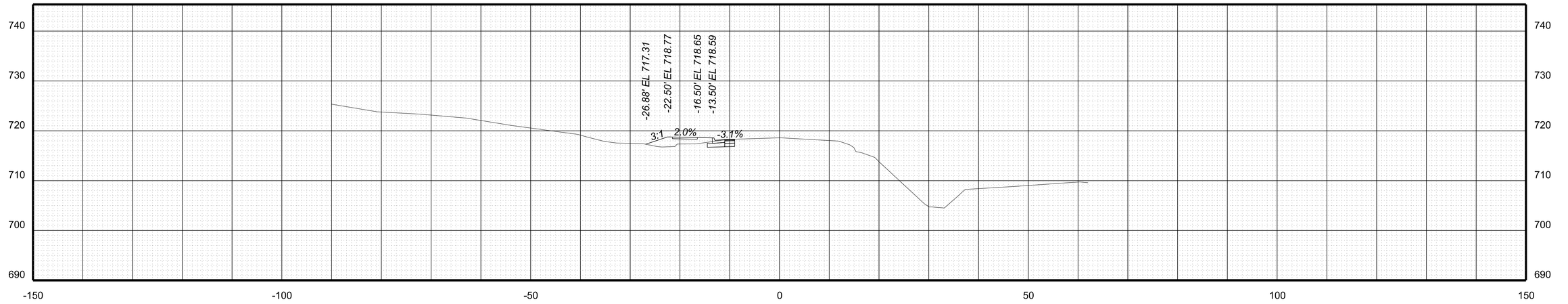
CN PLANS

CROSS SECTIONS

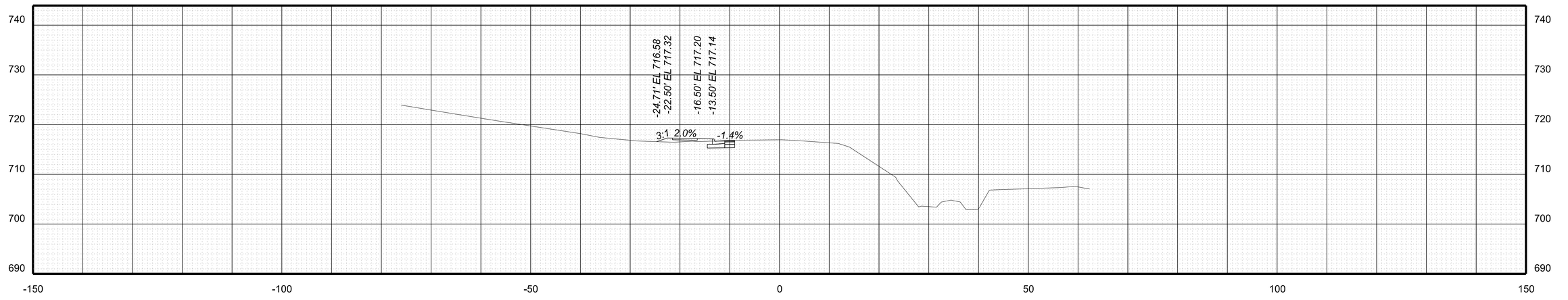
SCALE 1 IN. = 10 FT

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	XS-005



STA 130+50.00



STA 130+25.00

PROJECT	SHEET NO.
U000-118-287	XS-005

PROJECT MANAGER _____
SURVEYED BY, DATE __TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY _____TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

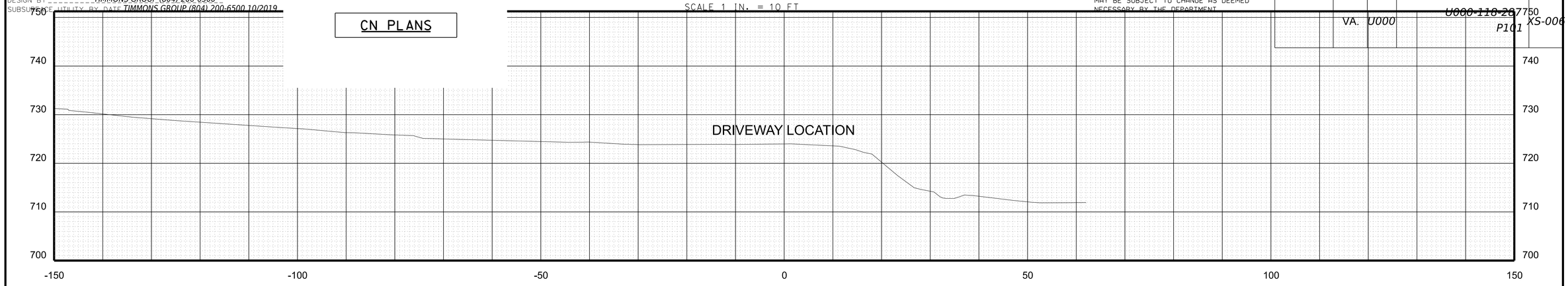
CROSS SECTIONS

SCALE 1 IN. = 10 FT

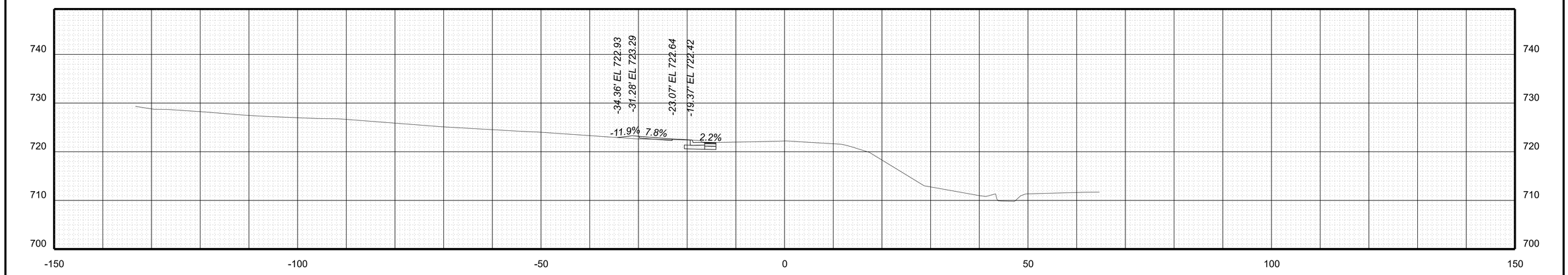
CN PLANS

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

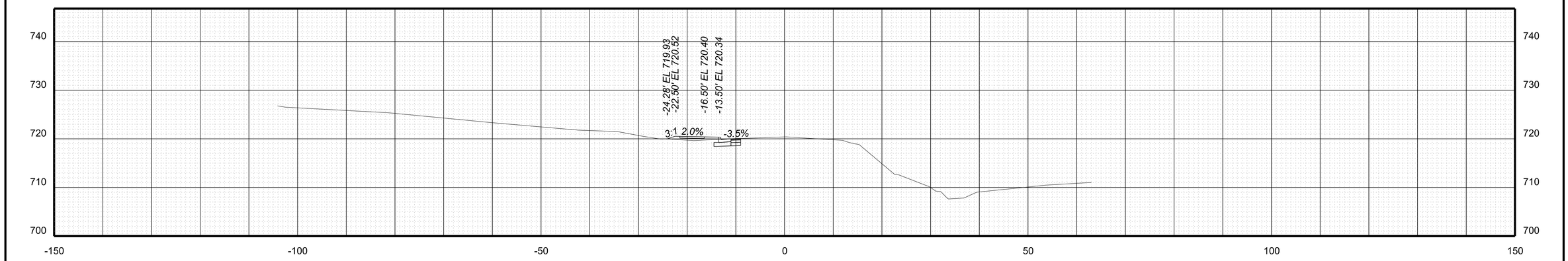
REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	XS-006



STA 131+25.00



STA 131+00.00



STA 130+75.00

PROJECT	SHEET NO.
U000-118-287	XS-006

4/9/2026
4:35:11 PM

PROJECT MANAGER _____
SURVEYED BY, DATE __TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY _____TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

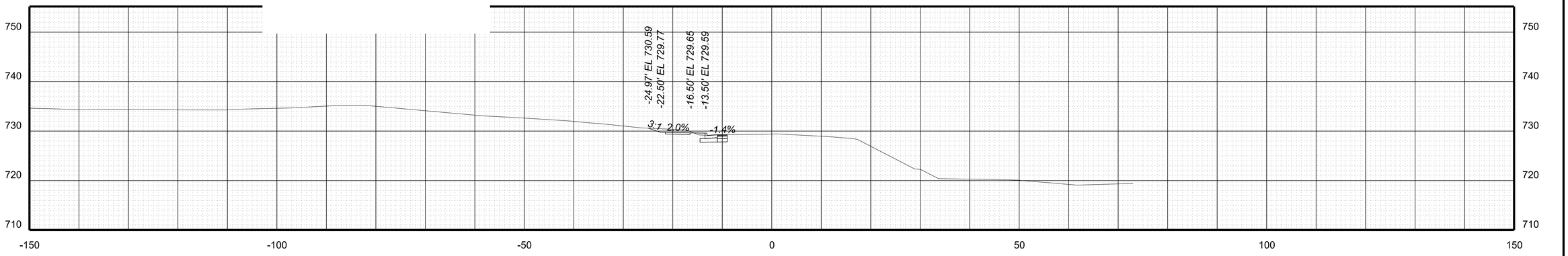
CN PLANS

CROSS SECTIONS

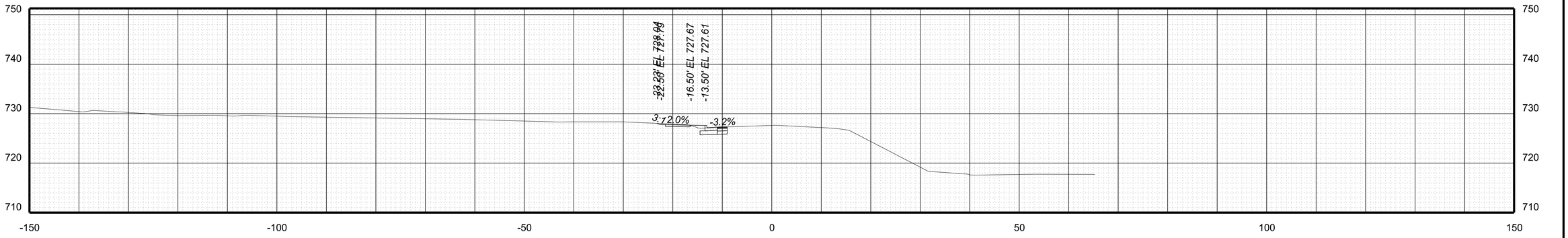
SCALE 1 IN. = 10 FT

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

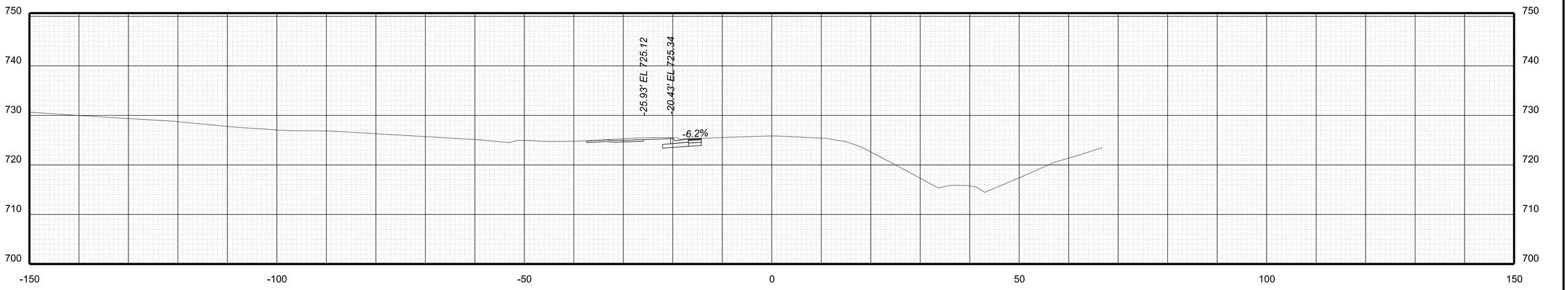
REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	XS-007



STA 132+00.00



STA 131+75.00



STA 131+50.00

PROJECT	SHEET NO.
U000-118-287	XS-007

4/9/2026
4:35:4 PM

PROJECT MANAGER _____
SURVEYED BY, DATE __TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY _____TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

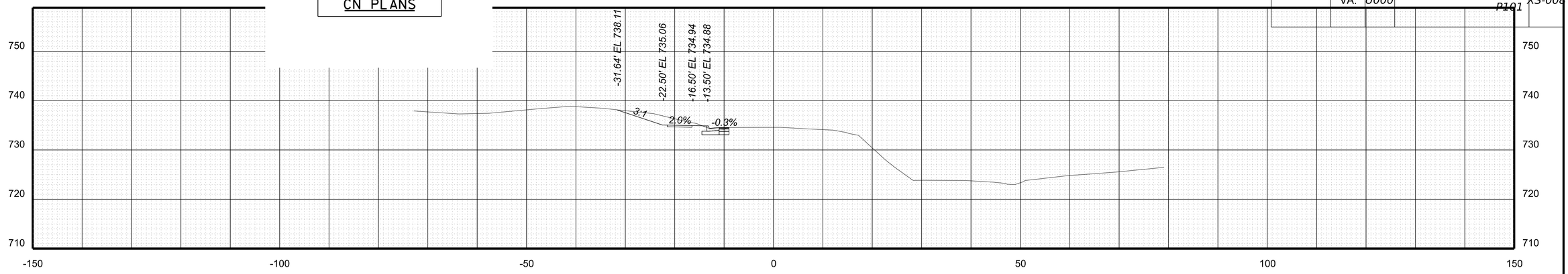
CN PLANS

CROSS SECTIONS

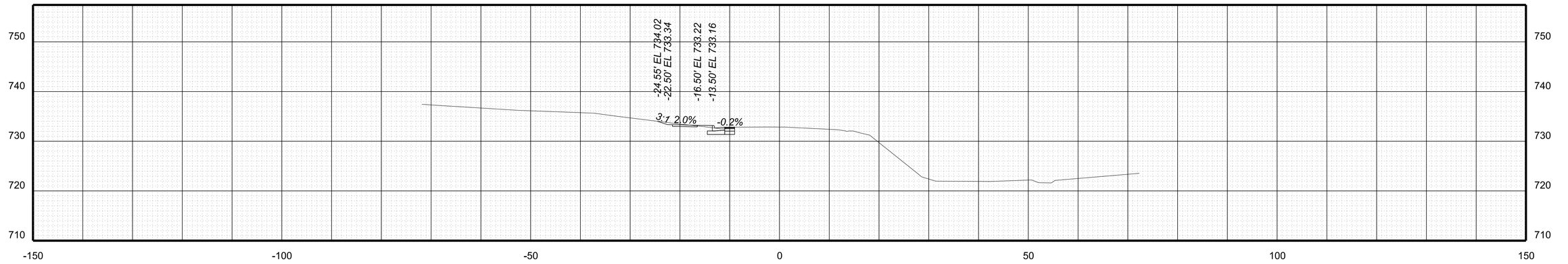
SCALE 1 IN. = 10 FT

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

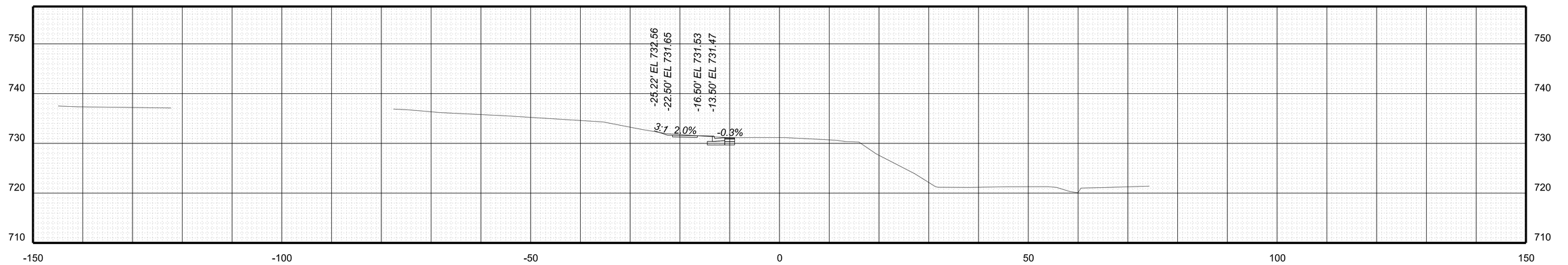
REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	XS-008



STA 132+75.00



STA 132+50.00



STA 132+25.00

PROJECT	SHEET NO.
U000-118-287	XS-008

PROJECT MANAGER _____
SURVEYED BY, DATE __TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY _____TIMMONS GROUP (804) 200-6500 _
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

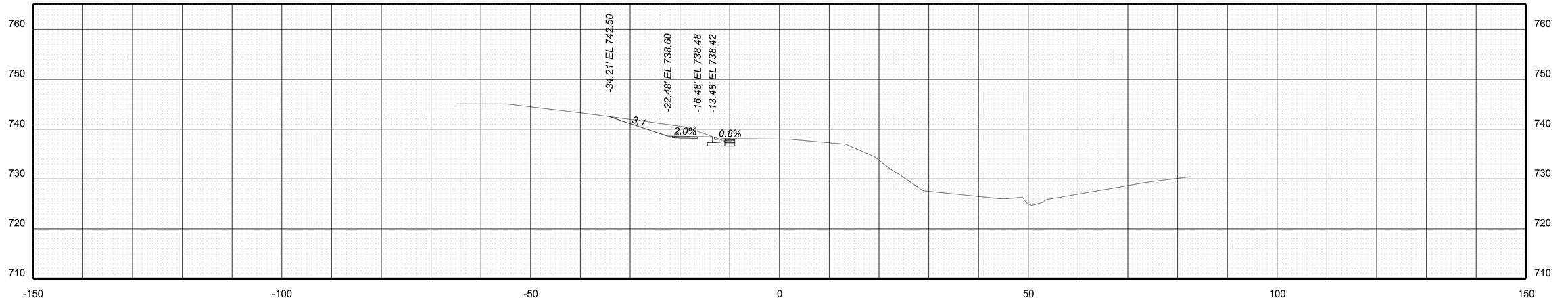
CN PLANS

CROSS SECTIONS

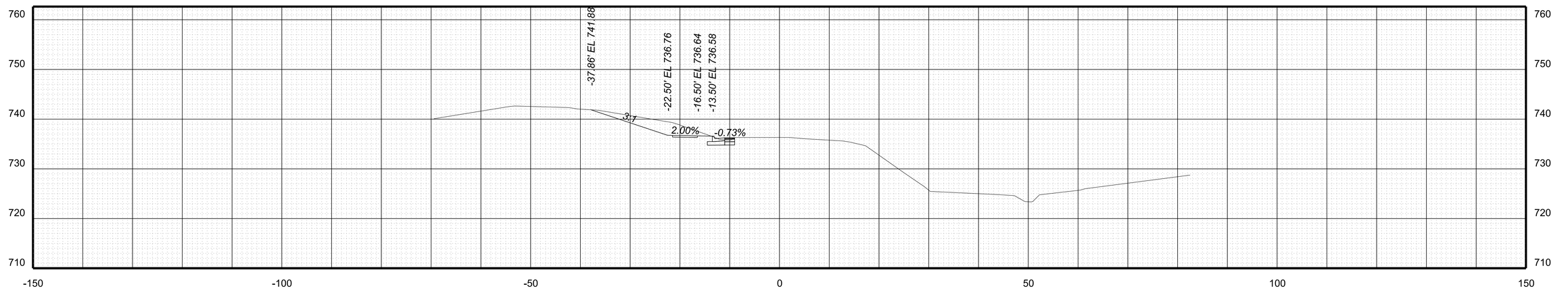
SCALE 1 IN. = 10 FT

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	XS-009



STA 133+25.00



STA 133+00.00

PROJECT	SHEET NO.
U000-118-287	XS-009

PROJECT MANAGER _____
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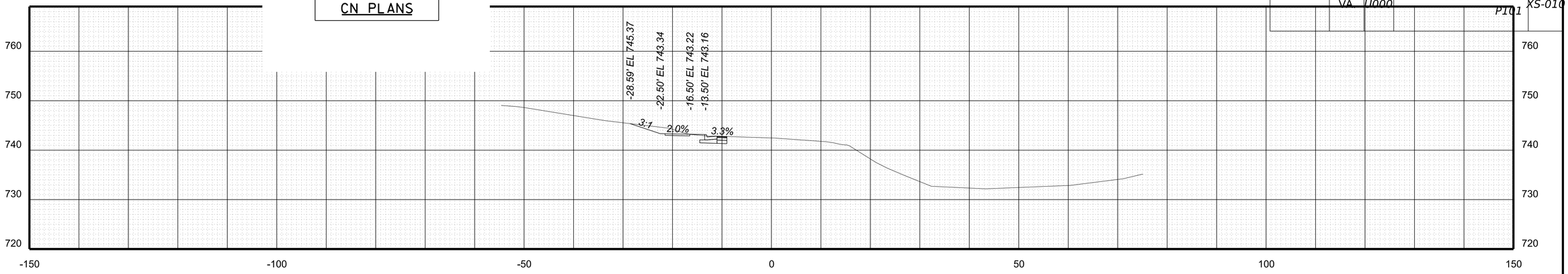
CN PLANS

CROSS SECTIONS

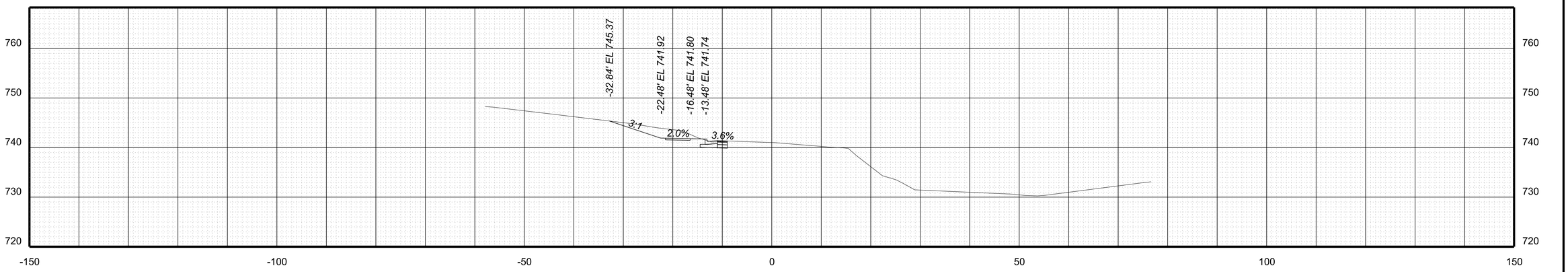
SCALE 1 IN. = 10 FT

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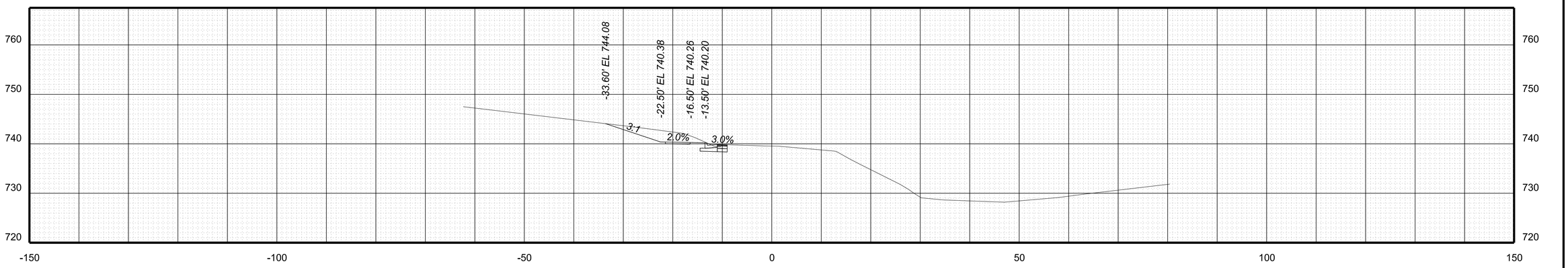
REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA	U000	U000-118-287 P101	XS-010



STA 134+00.00



STA 133+75.00



STA 133+50.00

PROJECT	SHEET NO.
U000-118-287	XS-010

PROJECT MANAGER _____
SURVEYED BY, DATE __TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY _____TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

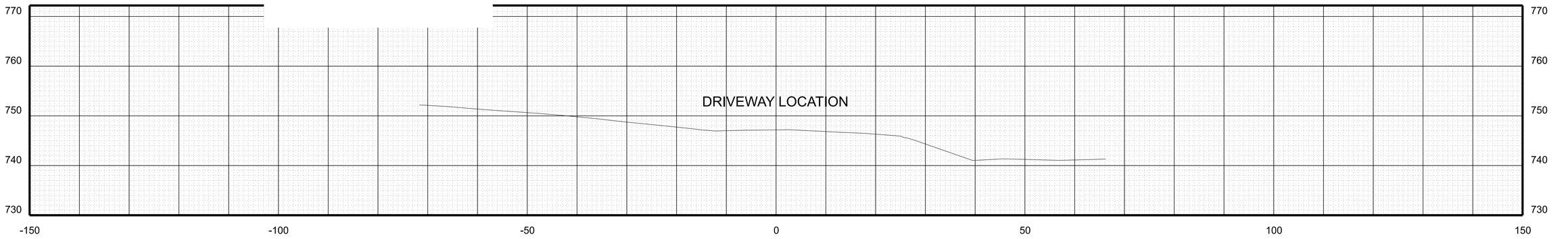
CN PLANS

CROSS SECTIONS

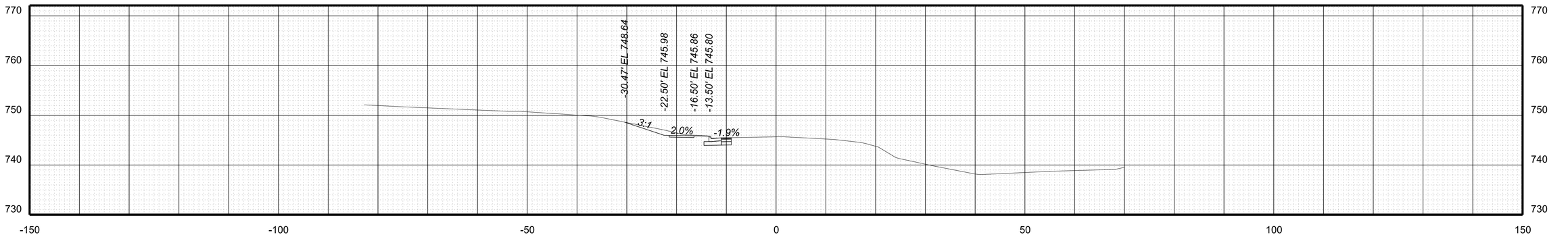
SCALE 1 IN. = 10 FT

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

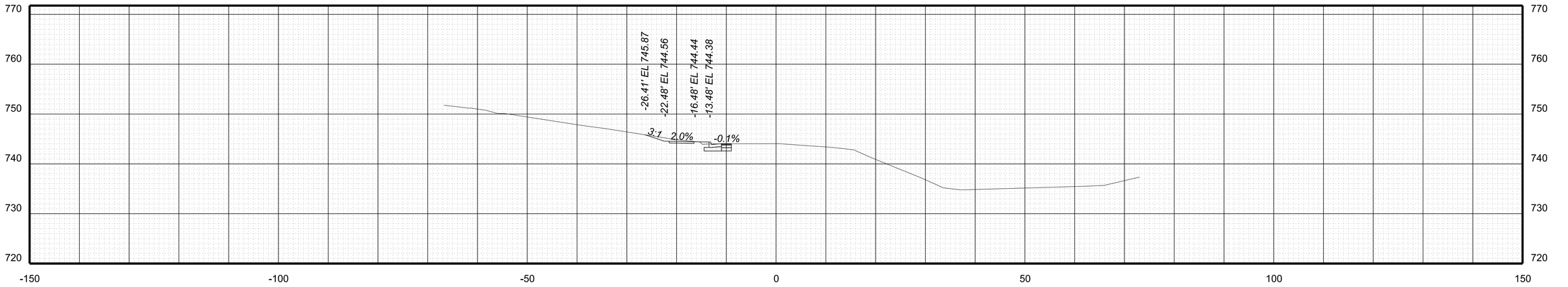
REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	XS-011



STA 134+75.00



STA 134+50.00



STA 134+25.00

PROJECT	SHEET NO.
U000-118-287	XS-011

PROJECT MANAGER _____
SURVEYED BY, DATE __*TIMMONS GROUP (804) 200-6500 10/2019*
DESIGN BY _____*TIMMONS GROUP (804) 200-6500*
SUBSURFACE UTILITY BY, DATE *TIMMONS GROUP (804) 200-6500 10/2019*

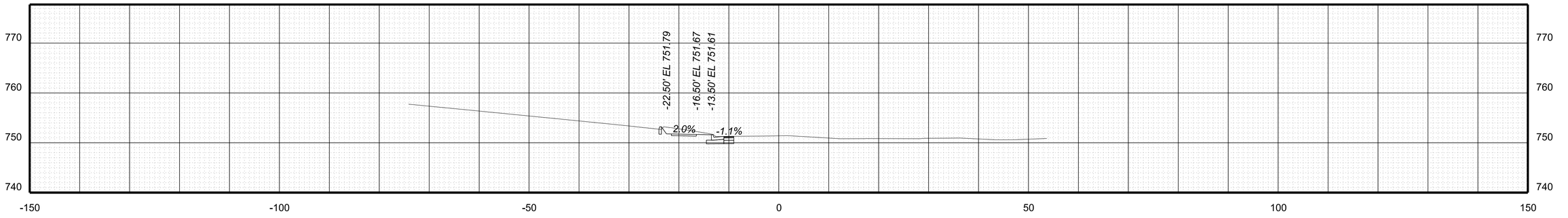
CN PLANS

CROSS SECTIONS

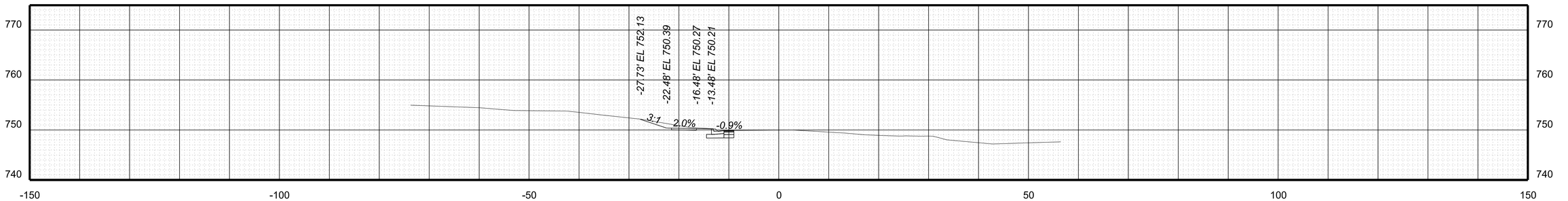
SCALE 1 IN. = 10 FT

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

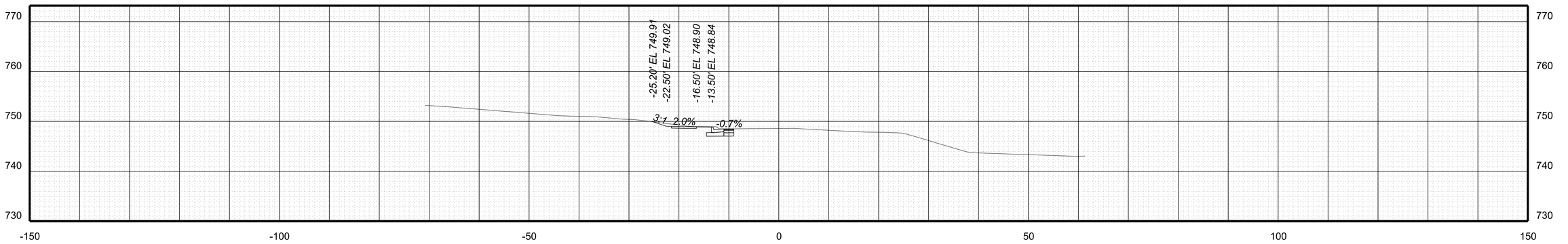
REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	XS-012



STA 135+50.00



STA 135+25.00



STA 135+00.00

PROJECT	SHEET NO.
U000-118-287	XS-012

PROJECT MANAGER _____
SURVEYED BY, DATE __*TIMMONS GROUP (804) 200-6500 10/2019*
DESIGN BY _____*TIMMONS GROUP (804) 200-6500*
SUBSURFACE UTILITY BY, DATE *TIMMONS GROUP (804) 200-6500 10/2019*

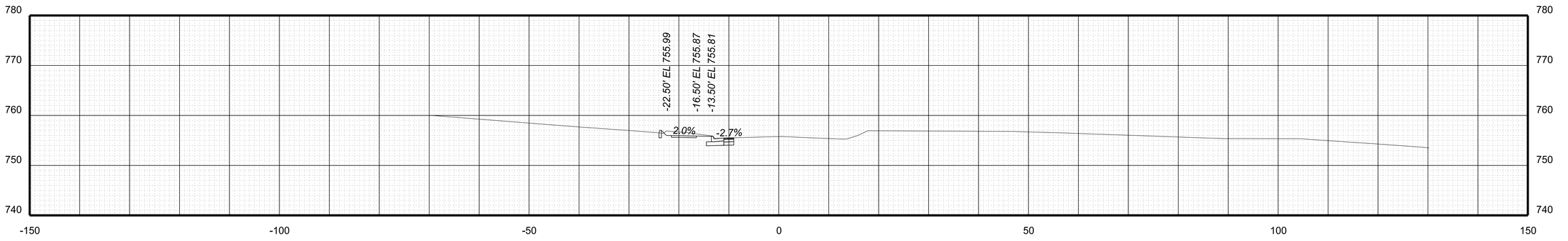
CN PLANS

CROSS SECTIONS

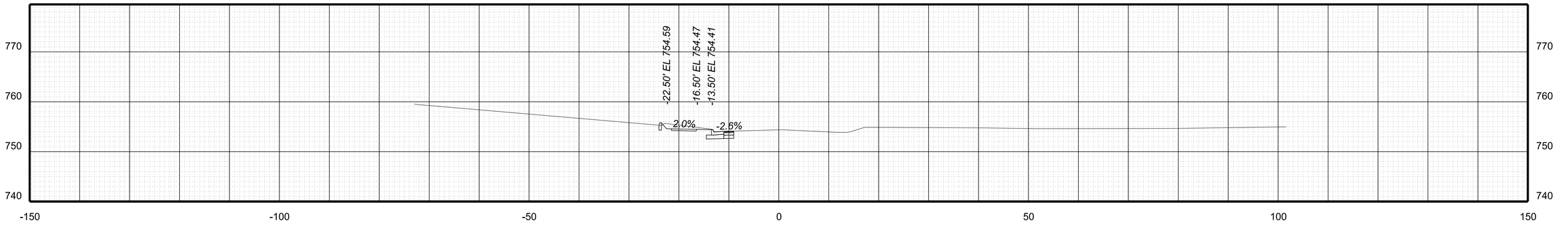
SCALE 1 IN. = 10 FT

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

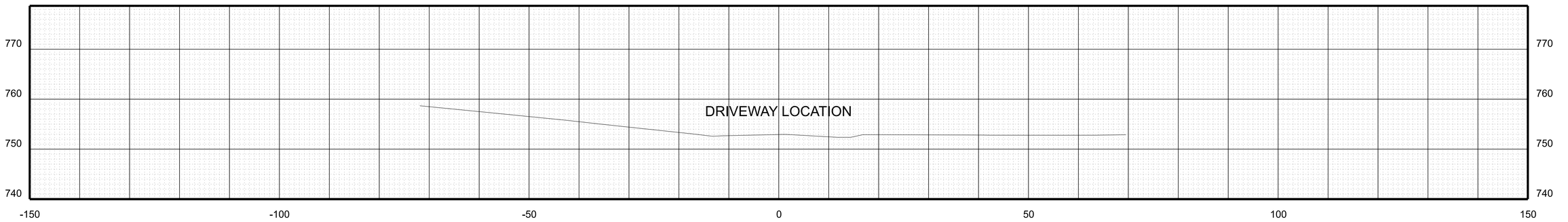
REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	XS-013



STA 136+25.00



STA 136+00.00



STA 135+75.00

PROJECT	SHEET NO.
U000-118-287	XS-013

PROJECT MANAGER _____
SURVEYED BY, DATE __*TIMMONS GROUP (804) 200-6500 10/2019*
DESIGN BY _____*TIMMONS GROUP (804) 200-6500*
SUBSURFACE UTILITY BY, DATE *TIMMONS GROUP (804) 200-6500 10/2019*

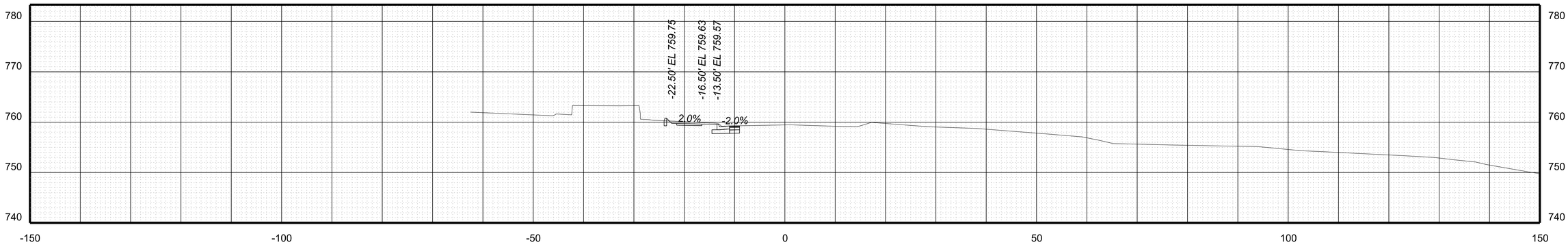
CN PLANS

CROSS SECTIONS

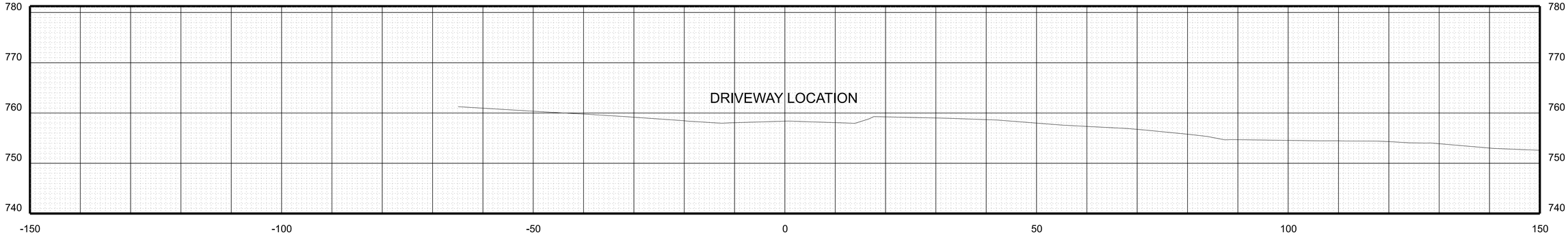
SCALE 1 IN. = 10 FT

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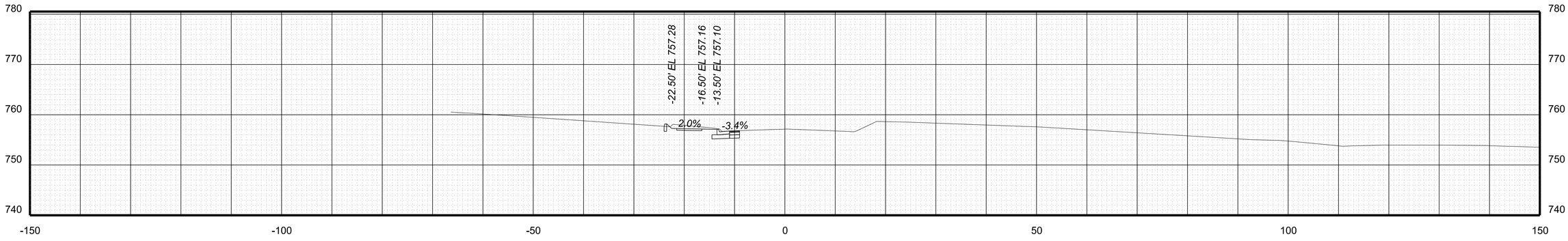
REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	XS-014



STA 137+00.00



STA 136+75.00



STA 136+50.00

PROJECT	SHEET NO.
U000-118-287	XS-014

PROJECT MANAGER _____
SURVEYED BY, DATE __TIMMONS GROUP (804) 200-6500 10/2019
DESIGN BY _____TIMMONS GROUP (804) 200-6500
SUBSURFACE UTILITY BY, DATE TIMMONS GROUP (804) 200-6500 10/2019

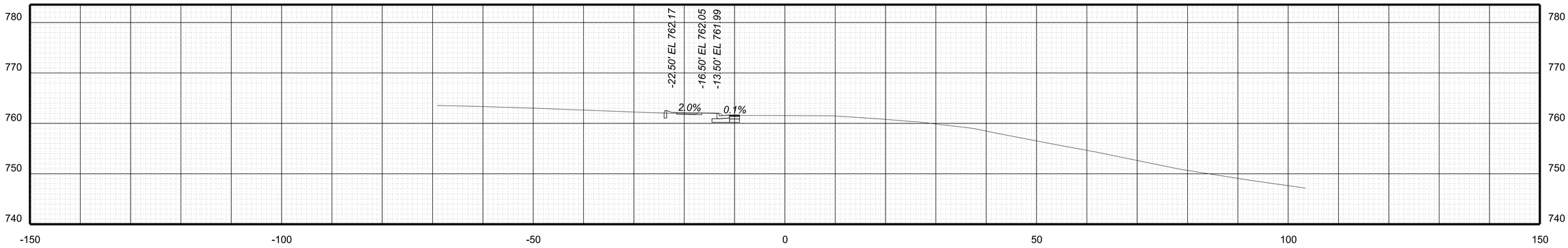
CN PLANS

CROSS SECTIONS

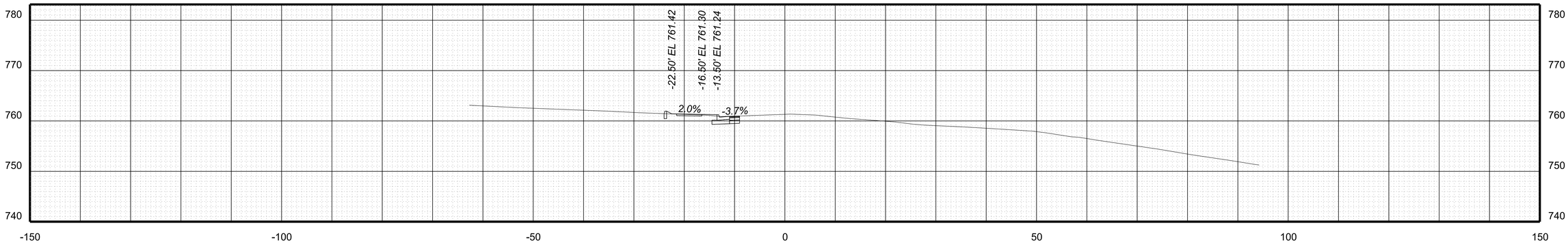
SCALE 1 IN. = 10 FT

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

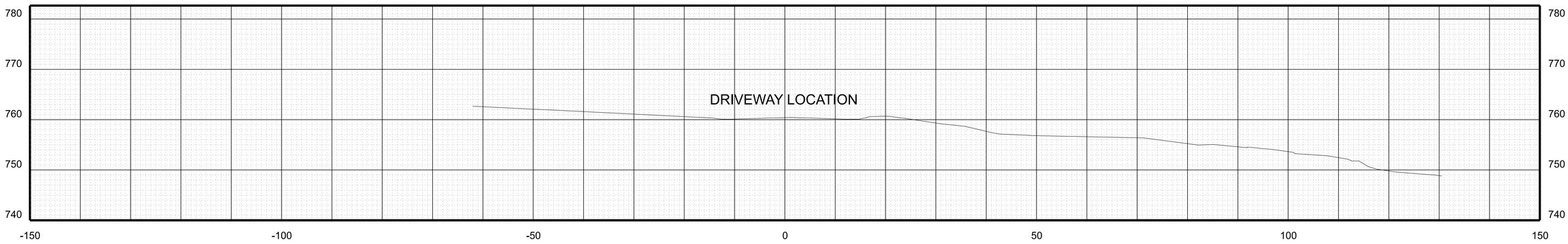
REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	XS-015



STA 137+75.00



STA 137+50.00



STA 137+25.00

PROJECT	SHEET NO.
U000-118-287	XS-015

PROJECT MANAGER _____
SURVEYED BY, DATE __*TIMMONS GROUP (804) 200-6500 10/2019*
DESIGN BY _____*TIMMONS GROUP (804) 200-6500*
SUBSURFACE UTILITY BY, DATE *TIMMONS GROUP (804) 200-6500 10/2019*

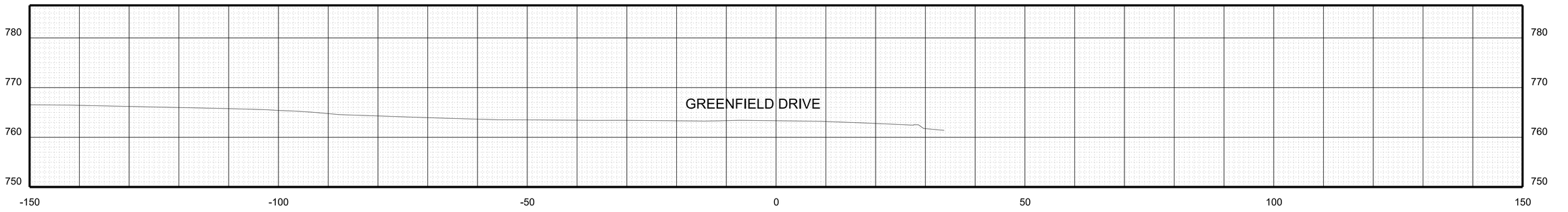
CN PLANS

CROSS SECTIONS

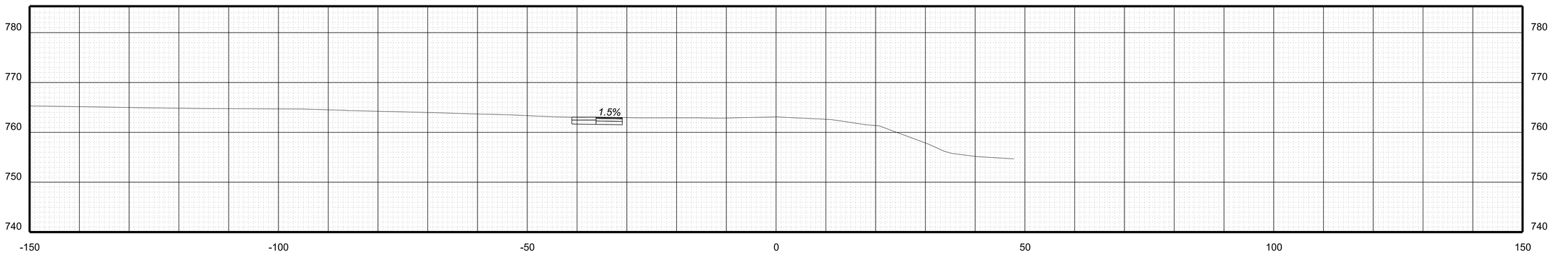
SCALE 1 IN. = 10 FT

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

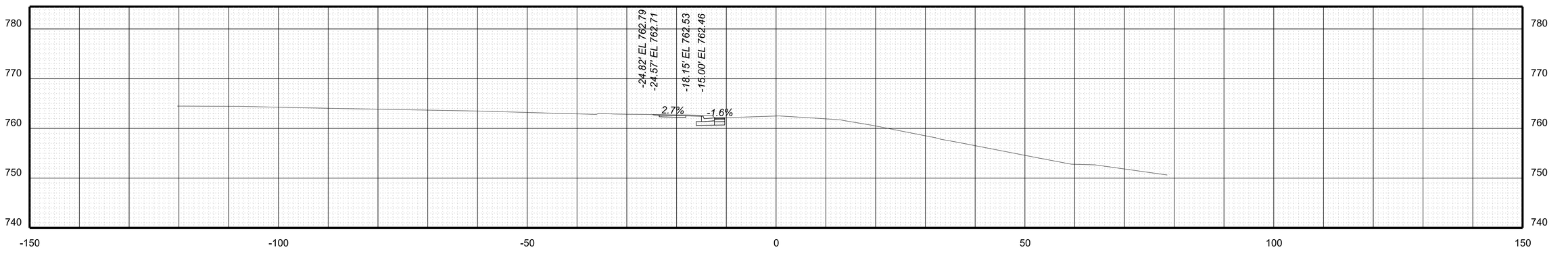
REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	*U000*	*U000-118-287 P101*	*XS-016*



STA 138+50.00



STA 138+25.00



STA 138+00.00

PROJECT	SHEET NO.
U000-118-287	*XS-016*

PROJECT MANAGER _____
SURVEYED BY, DATE __*TIMMONS GROUP (804) 200-6500 10/2019*
DESIGN BY _____*TIMMONS GROUP (804) 200-6500*
SUBSURFACE UTILITY BY, DATE *TIMMONS GROUP (804) 200-6500 10/2019*

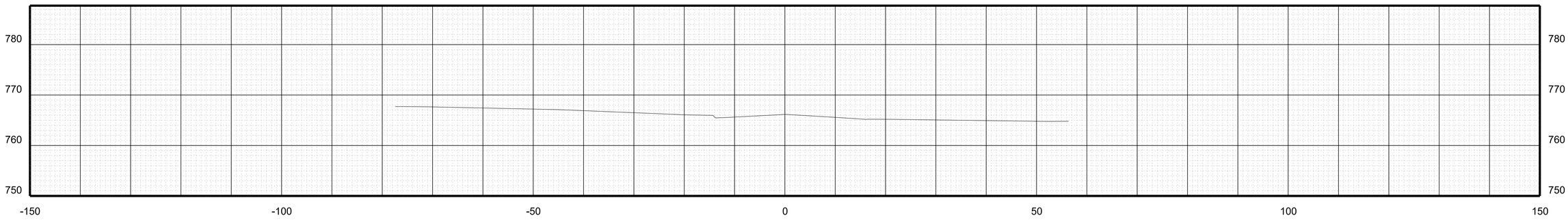
CN PLANS

CROSS SECTIONS

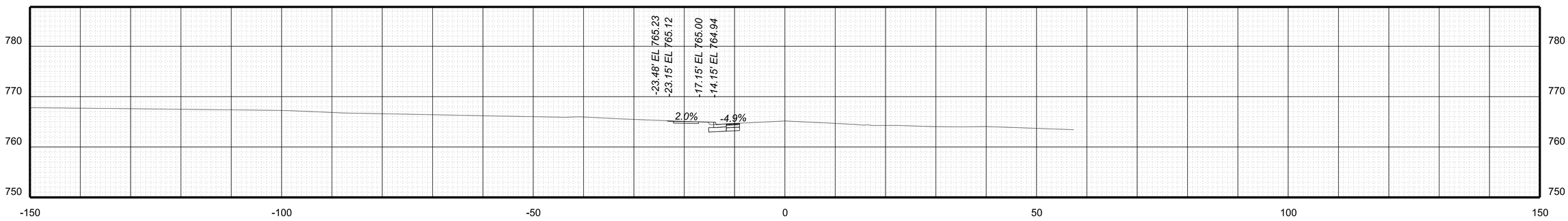
SCALE 1 IN. = 10 FT

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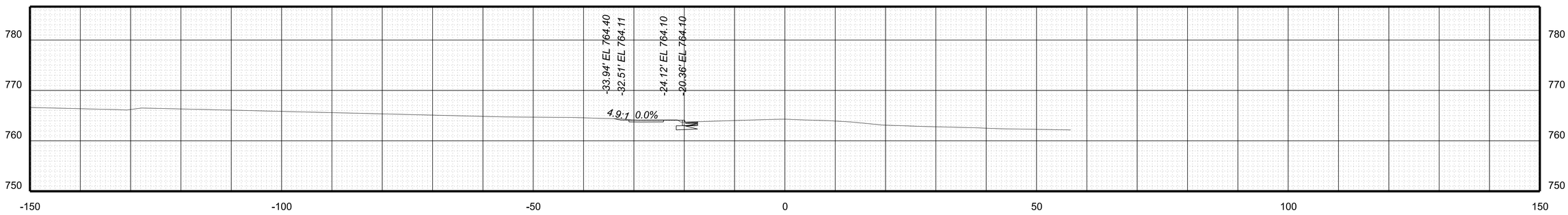
REVISED	STATE	STATE ROUTE	STATE PROJECT	SHEET NO.
	VA.	U000	U000-118-287 P101	XS-017



STA 139+25.00



STA 139+00.00



STA 138+75.00

PROJECT	SHEET NO.
U000-118-287	XS-017

Pursuant to the authority of Lynchburg City Code Section 24.1-45 an exception is being provided to the requirements of Section 24.1-42 as the subdivision is simple in nature and is only dedicating right-of-way to the City of Lynchburg for public use and making no other alterations to property lines.

R Ranschousen 9/26/25

City Planner *Date*

CITY ENGINEER APPROVAL:

[signature] 9/26/25

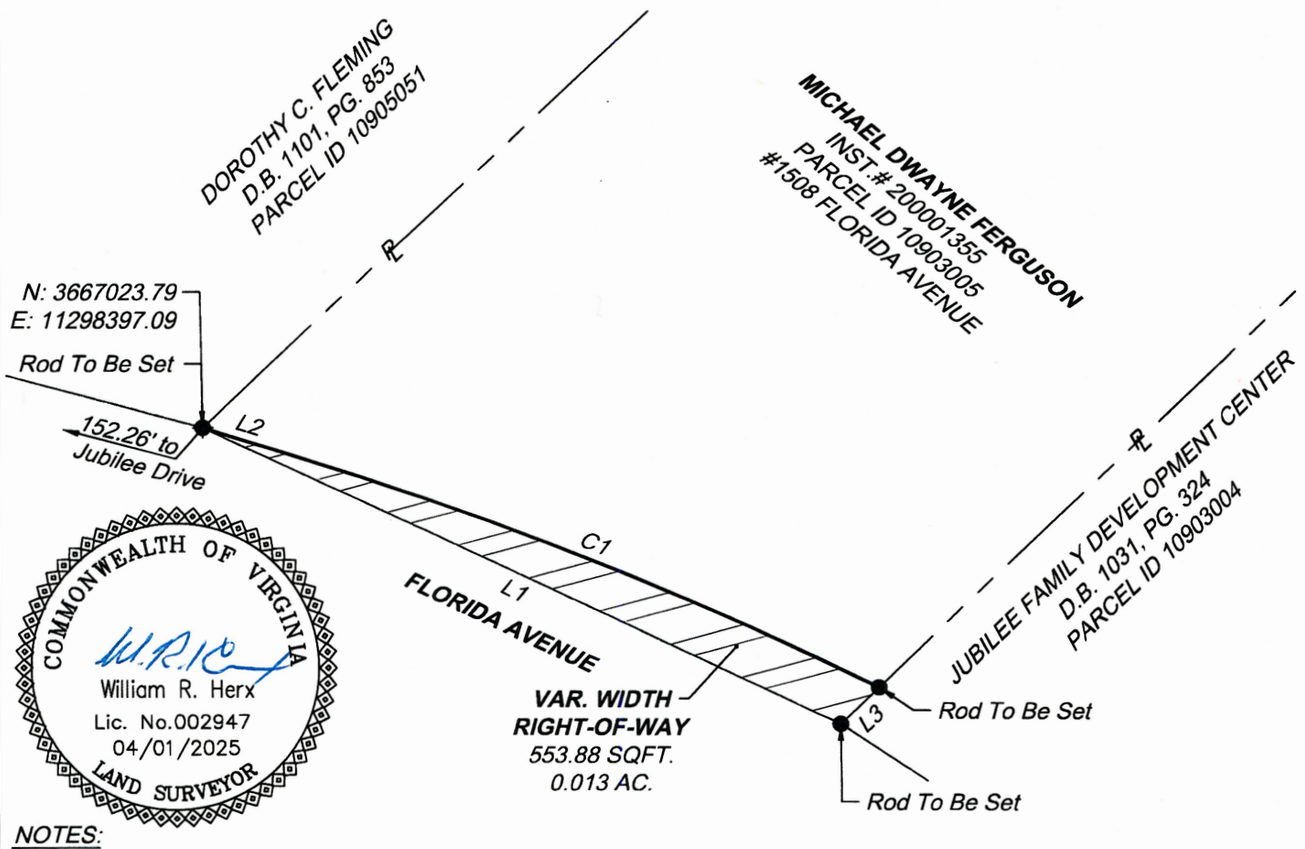
NAME *DATE*

VA83-SF

SCALE 1"=25'

0 25' 50'

LINE/CURVE TABLES ON SHEET 2.



COMMONWEALTH OF VIRGINIA
William R. Herx
Lic. No.002947
04/01/2025
LAND SURVEYOR

NOTES:

1. *Property line information was compiled.*
2. *This survey was performed without the benefit of a title report, as such, there may be easements and/or other encumbrances that are not shown.*
3. *Parcel acreage, if provided, is based on information provided by City of Lynchburg, Virginia real estate assessments. They have not been adjusted to reflect any proposed right-of-way acquisitions from this plat and may not necessarily agree with computed areas or recorded deeds.*

COMPILED PLAT SHOWING PROPOSED VARIABLE WIDTH RIGHT OF WAY ACROSS THE PROPERTY OF MICHAEL DWAYNE FERGUSON 1508 FLORIDA AVENUE

City of Lynchburg, Virginia

CITY FILE NUMBER: A-3636

THIS DRAWING PREPARED AT THE
CORPORATE OFFICE
7053 Celebration Park Ave, Suite 300 | Richmond, VA 23225
TEL 804.200.6500 FAX 804.560.1016 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

CITY PROJECT: 24042-R	
Date:April 1, 2025	*Scale:1" = 25'*
Sheet 1 of 2	*J.N.:40057.002*
Drawn by:W.R. Herx	*Checked by:W.R. Herx*

TIMMONS GROUP

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	CHORD
C1	622.50'	94.98'	47.58'	8°44'32"	S68°30'16"E	94.89'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N65°08'30"W	105.35'
L2	S72°52'32"E	13.65'
L3	S46°14'40"W	7.95'

Pursuant to the authority of Lynchburg City Code Section 24.1-45 an exception is being provided to the requirements of Section 24.1-42 as the subdivision is simple in nature and is only dedicating right-of-way to the City of Lynchburg for public use and making no other alterations to property lines.

RDruschussen 9/26/25

City Planner *Date*

CITY ENGINEER APPROVAL:

[signature] 9/26/25

NAME *DATE*

COMMONWEALTH OF VIRGINIA
W.R.H
William R. Herx
Lic. No.002947
04/01/2025
LAND SURVEYOR

NOTES:

1. *Property line information was compiled.*
2. *This survey was performed without the benefit of a title report, as such, there may be easements and/or other encumbrances that are not shown.*
3. *Parcel acreage, if provided, is based on information provided by City of Lynchburg, Virginia real estate assessments. They have not been adjusted to reflect any proposed right-of-way acquisitions from this plat and may not necessarily agree with computed areas or recorded deeds.*

COMPILED PLAT SHOWING PROPOSED VARIABLE WIDTH RIGHT OF WAY ACROSS THE PROPERTY OF MICHAEL DWAYNE FERGUSON 1508 FLORIDA AVENUE

City of Lynchburg, Virginia

CITY FILE NUMBER: A-3636

THIS DRAWING PREPARED AT THE
CORPORATE OFFICE
7053 Celebration Park Ave, Suite 300 | Richmond, VA 23225
TEL 804.200.6500 FAX 804.560.1016 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

CITY PROJECT: 24042-R	
Date:April 1, 2025	*Scale:1" = 25'*
Sheet 2 of 2	*J.N.:40057.002*
Drawn by:W.R. Herx	*Checked by:W.R. Herx*

TIMMONS GROUP

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	CHORD
C1	622.50'	94.98'	47.58'	8°44'32"	S68°30'16"E	94.89'

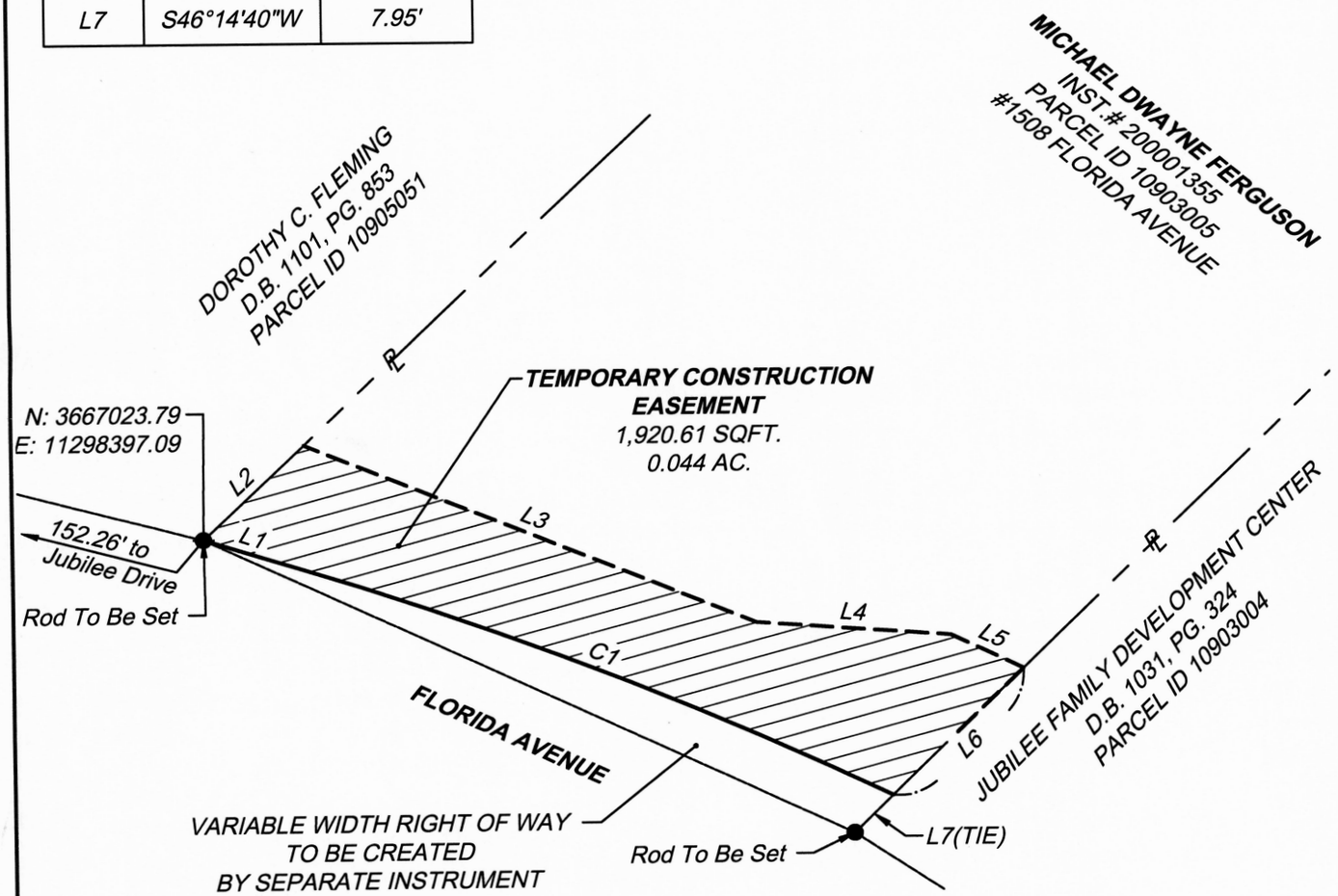
LINE TABLE		
LINE	BEARING	LENGTH
L1	N72°52'32"W	13.65'
L2	N46°56'37"E	20.45'
L3	S67°56'20"E	71.75'
L4	S85°46'17"E	28.76'
L5	S64°42'02"E	11.81'
L6	S46°14'40"W	26.95'
L7	S46°14'40"W	7.95'

VA83-SF

SCALE 1"=25'

0 25' 50'

LINE/CURVE TABLES ON SHEET 2.



NOTES:

1. Property line information was compiled.
2. This exhibit was performed without the benefit of a title report, as such, there may be easements and/or other encumbrances that are not shown.
3. Parcel acreage, if provided, is based on information provided by City of Lynchburg, Virginia real estate assessments. They have not been adjusted to reflect any proposed right-of-way acquisitions from this plat and may not necessarily agree with computed areas or recorded deeds.

EXHIBIT SHOWING TEMPORARY CONSTRUCTION EASEMENT ACROSS THE PROPERTY OF MICHAEL DWAYNE FERGUSON 1508 FLORIDA AVENUE

City of Lynchburg, Virginia

CITY FILE NUMBER: A-3637

THIS DRAWING PREPARED AT THE
CORPORATE OFFICE
7053 Celebration Park Ave, Suite 300 | Richmond, VA 23225
TEL 804.200.6500 FAX 804.560.1016 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

CITY PROJECT: 24042-R	
Date:April 1, 2025	Scale:1" = 25'
Sheet 1 of 1	J.N.:40057.002
Drawn by:W.R. Herx	Checked by:W.R. Herx

TIMMONS GROUP

The News & Advance

See Proof on Next Page

AFFIDAVIT OF PUBLICATION

State of Florida, County of Broward, ss:

Anjana Bhadoriya, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Lynchburg News & Advance, a newspaper printed and published in the City of Lynchburg, County of Campbell, State of Virginia, and that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:
Jun. 26, 2026, Jul. 3, 2026

NOTICE ID: UzvLOMbGXmZx8Xg8nFKS
PUBLISHER ID: COL-4401554
NOTICE NAME: 1508 Florida Ave
Publication Fee: 768.36
Ad Size: 2 X 37 L
Category: General Legal Notice

Under penalty of perjury, I, the undersigned affiant swear or affirm that the statements above are true and accurate to the best of my knowledge and belief.

Anjana Bhadoriya

(Signed)_____

VERIFICATION

State of Florida
County of Broward

SHERI SMITH
Notary Public - State of Florida
Commission # HH804448
Expires on May 31, 2030

Subscribed in my presence and sworn to before me on this: 07/03/2026

S Smith

Notary Public
Notarized remotely online using communication technology via Proof.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Lynchburg City Council will hold a public hearing on July 14, 2026, at 7:00 p.m., or as soon thereafter as may be heard, in the Council Chamber of the City Hall, 900 Church Street, Lynchburg, Virginia 24504, to receive public input on the proposed adoption of an Ordinance, to be adopted pursuant to the requirements of § 15.2-1903 of the Code of Virginia, that would authorize the acquisition of a portion of 1508 Florida Avenue, Lynchburg, Virginia 24501 (Tax Parcel No. 10903005) (the "Property") by condemnation, taking, or in any other lawful manner possible, for constructing pedestrian infrastructure, including a sidewalk and associated roadway, draining, and grading improvements, along the north side of Florida Avenue, generally extending from Greenfield Drive toward the City of Lynchburg's Detention Center, within the corporate limits of the City of Lynchburg, Virginia, in connection with City Engineering Project No. 24042-R and VDOT UPC No. 113272. The portion(s) of the Property to be acquired is briefly described as follows: (i) 553.88 square feet (0.013 acres), more or less, depicted in detail on a certain plat entitled "COMPILED PLAT SHOWING PROPOSED VARIABLE WIDTH RIGHT OF WAY ACROSS THE PROPERTY OF MICHAEL DWAYNE FERGUSON 1508 FLORIDA AVENUE", prepared by Timmons Group, dated April 1, 2025, and (ii) a temporary construction easement containing 1,920.61 square feet (0.044 acres), more or less, depicted in detail on a certain exhibit entitled "EXHIBIT SHOWING TEMPORARY CONSTRUCTION EASEMENT ACROSS THE PROPERTY OF MICHAEL DWAYNE FERGUSON 1508 FLORIDA AVENUE", prepared by Timmons Group, dated April 1, 2025. A copy of the full text of the said Ordinance, the aforesaid plat, and the aforesaid exhibit are all on file and available for inspection and review in the office of the Clerk of Council for the City of Lynchburg, Council / Manager's Office, 900 Church Street-3rd Floor, Lynchburg, Virginia 24504, Monday through Friday, 8:30 a.m. to 5:00 p.m. All interested persons are invited to appear at the said public hearing and present their views. Questions and/or comments may be referred to Alicia Finney-Andrews, the Clerk of Council for the City of Lynchburg, who may be contacted at (434) 455-3990 or at alicia.finney-andrews@lynchburgva.gov.
COL-4401554

Public Comment Sign-Up

07/08/2026 9:17 PM (EDT)

Public Comment Sign-Up

Clerk of Council
City Hall
900 Church Street - Lynchburg, VA 24504
Phone: (434) 455-3990
Email: alicia.finney@lynchburgva.gov

Purpose
Public Comment shall be for the purpose of allowing members of the public to present any matter, which, in their opinion, deserves the attention of the Council. They shall not serve as a forum for debate with the Council.

Prerequisites
You must acknowledge the following to continue with the sign-up request:

Acknowledgement - Decorum and Prohibited Content

- I acknowledge that I have read the following statement: All persons appearing before the Council or in the Council Chamber while a meeting of the Council is in session will not be allowed to: campaign for public office; promote private business ventures; use profanity or vulgar language or gestures; use language which insults or demeans any person or which, when directed at a public official or employee, is not related to his or her official duties, however, citizens have the right to comment on the performance, conduct, and qualifications of public figures; make non-germane or frivolous statements; interrupt other speakers or engage in behavior that disrupts the meeting, including but not limited to, applause, cheers, jeers, etc.; engage in behavior that intimidates others; or, address the Council on issues that do not concern the services, policies, or affairs of the Council or the City.

Requirements
Remarks shall be addressed directly to the Council and not to City staff, the audience, or the media.

Eligibility
The deadline for sign-up is the Friday preceding the Council meeting by noon.
You must acknowledge the following to continue with the sign-up request:

Acknowledgement - Three (3) Month Rule

- I acknowledge that I have read the following statement: Once the Council has heard a presentation from an individual or organization on a particular subject, the individual or organization may not make another presentation on the same subject within three (3) months of the first presentation, except by a majority vote of the Councilmembers present and voting.

First Name	Consuela
Last Name	Mosley
Name of group represented. *If speaking on behalf of yourself, enter n/a.	Tenants
Locality of Residence (Address or Location)	3300 Odd Fellows Rd Lynchburg,Va 24506
Email	cmosley05011972@gmail.com
Phone	4343632153

Before choosing, please click here to verify the Council Meeting date on our website.

Council Meeting	07/14/2026
Topic of Discussion	Many of us tenants in the Meadows alone people apartments flooded- we talk about major flooding - Mold - these are major building code violations -code officials not coming out for tenants concerns -code officials acting outside of their scope of employment - code officials charging tenants false crimes Judges ignoring tenants evidence and just awareded judgements. Tenants laws is not being abided by judge. Amend and Reerve cannot replace Eviction laws and notices. Courts denying tenants in poverty an appeal and people on SSI and disability Indigent waiver Last I want to know the purpose of the housing counselors and advocate and what are they getting paid ? Why they are not helping people!!! It's sad because no one knew we had them here because they don't help people.

Public Comment Sign-Up

07/10/2026 11:30 AM (EDT)

Public Comment Sign-Up

Clerk of Council
City Hall
900 Church Street - Lynchburg, VA 24504
Phone: (434) 455-3990
Email: alicia.finney@lynchburgva.gov

Purpose
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First Name	Nathan
Last Name	Hendrix
Name of group represented. *If speaking on behalf of yourself, enter n/a.	Blue Ridge Chapter of the VA PBA
Email	nhendrix226@gmail.com
Phone	4439756866

Before choosing, please click here to verify the Council Meeting date on our website.

Council Meeting	07/14/2026
Topic of Discussion	Automatic License Plate Readers

Public Comment Sign-Up

07/10/2026 11:57 AM (EDT)

Public Comment Sign-Up

Clerk of Council
City Hall
900 Church Street - Lynchburg, VA 24504
Phone: (434) 455-3990
Email: alicia.finney@lynchburgva.gov

Purpose
Public Comment shall be for the purpose of allowing members of the public to present any matter, which, in their opinion, deserves the attention of the Council. They shall not serve as a forum for debate with the Council.

Prerequisites
You must acknowledge the following to continue with the sign-up request:

Acknowledgement - Decorum and Prohibited Content

- I acknowledge that I have read the following statement: All persons appearing before the Council or in the Council Chamber while a meeting of the Council is in session will not be allowed to: campaign for public office; promote private business ventures; use profanity or vulgar language or gestures; use language which insults or demeans any person or which, when directed at a public official or employee, is not related to his or her official duties, however, citizens have the right to comment on the performance, conduct, and qualifications of public figures; make non-germane or frivolous statements; interrupt other speakers or engage in behavior that disrupts the meeting, including but not limited to, applause, cheers, jeers, etc.; engage in behavior that intimidates others; or, address the Council on issues that do not concern the services, policies, or affairs of the Council or the City.

Requirements
Remarks shall be addressed directly to the Council and not to City staff, the audience, or the media.

Eligibility
The deadline for sign-up is the Friday preceding the Council meeting by noon.
You must acknowledge the following to continue with the sign-up request:

Acknowledgement - Three (3) Month Rule

- I acknowledge that I have read the following statement: Once the Council has heard a presentation from an individual or organization on a particular subject, the individual or organization may not make another presentation on the same subject within three (3) months of the first presentation, except by a majority vote of the Councilmembers present and voting.

First Name	Mitxh
Last Name	Richards
Name of group represented. *If speaking on behalf of yourself, enter n/a.	For The Lov3 Of The City
Locality of Residence (Address or Location)	Ward 1
Email	lov3ofthecityorg@gmail.com
Phone	4344856932

Before choosing, please click here to verify the Council Meeting date on our website.

Council Meeting	07/14/2026
Topic of Discussion	Situational Awareness

AGENDA ITEM SUMMARY

MEETING DATE	PRESENTED BY
July 14, 2026	Gregory Patrick, Deputy City Manager

AGENDA ITEM # VI.18

Consideration of adopting Ordinance #O-26-074 authorizing amendments to the Hill City Howlers Franchise Agreement.

RECOMMENDATION

Adopt an ordinance with two amendments to the Hill City Howlers franchise agreement.

SUMMARY

Adopt an ordinance with two amendments to the franchise agreement. The first is to make the rent payable over two payments. The first payment at the beginning of the season (April 1) and the second payment towards the end of the season (September 1). This change will help with cash flow for the Howlers. The second change is to adjust the requirement for financial surety from a bond to a guaranty, bond, letter of credit or other security. A performance bond for a minor league baseball operation has proved to be financially unfeasible. Minor changes have been made to the proposed ordinance since Finance Committee review on June 23, 2026.

PRIOR ACTION(S)

June 23, 2026 - Finance Committee

FISCAL IMPACT

N/A

CONTACT(S)

Gregory Patrick, Deputy City Manager

ATTACHMENT(S)

1. #O-26-074
2. Proposed Ordinance - First Amendment (Hill City Howlers Franchise Agreement)
3. First Amendment - Hill City Howlers Franchise Agreement
4. Hillcats Franchise Agreement - April 1, 2025

REVIEWED BY



Date: July 09, 2026

Gregory Patrick, Deputy City Manager



Date: July 09, 2026

Alicia Finney-Andrews, Clerk of Council

ORDINANCE: **#O-26-074**

AN ORDINANCE AUTHORIZING AMENDMENTS TO THE FRANCHISE AGREEMENT ENTITLED "A BASEBALL STADIUM FRANCHISE AGREEMENT BY AND BETWEEN THE CITY OF LYNCHBURG AND HILLCATS BASEBALL, LLC", DATED APRIL 1, 2025; MORE SPECIFICALLY AUTHORIZING AMENDMENTS TO SECTION 7.02 OF ARTICLE VII AND SECTION 24.24 OF ARTICLE XXIV OF SUCH FRANCHISE AGREEMENT

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

1.That Section 7.02 of Article VII and Section 24.24 of Article XXIV of the Franchise Agreement between the City of Lynchburg and Hillcats Baseball, LLC d/b/a Hill City Howlers entitled "A Baseball Stadium Franchise Agreement by and between the City of Lynchburg and Hillcats Baseball, LLC", dated April 1, 2025, shall be amended to reflect as follows:

Section 7.02. ANNUAL RENT. The Team, without notice or demand, shall pay to the City $132,500 as annual rent ("Annual Rent") each year that this Franchise is in effect. The Annual Rent will be paid to the City in two (2) parts: half on April 1 and half on September 1. The Annual Rent will increase each year by the actual CPI for the City of Lynchburg, Virginia area.

Section 24.24. BOND / GOOD AND SUFFICIENT SECURITY. Where requested by the City, pursuant to Section 15.2-2104 of the Code of Virginia, 1950, as amended, the Team, or another person or entity for the benefit of the Team, shall execute a guaranty, bond, letter of credit, or other security for the benefit of the City, in an amount determined appropriate by the City, in order to provide the City with good and sufficient security that the Team will adhere to its obligations and duties under this Franchise.

2. That all other sections, parts, provisions, terms, and conditions of the said Franchise Agreement between the City of Lynchburg and Hillcats Baseball, LLC d/b/a Hill City Howlers not addressed herein remain and continue in full force and effect.

3. That this Council is of the opinion that this Ordinance and the amendments to the said Franchise Agreement authorized hereby do not trigger the requirements described in Section 15.2-2105 of the Code of Virginia, 1950, as amended.

4. That the City Manager is authorized to execute any and all documents and to take any and all actions necessary to ensure the amendments to the said Franchise Agreement permitted hereby are executed on behalf of the City of Lynchburg. Further, any previous actions taken in connection with the same are hereby ratified and approved.

5. That this Ordinance is adopted on July 14, 2026 and, to the fullest extent permitted by Virginia law, shall apply retroactively as of April 1, 2026.

Adopted: July 14, 2026

Certified: Alicia Finney-Andrews
Clerk of Council

AN ORDINANCE AUTHORIZING AMENDMENTS TO THE FRANCHISE AGREEMENT ENTITLED "A BASEBALL STADIUM FRANCHISE AGREEMENT BY AND BETWEEN THE CITY OF LYNCHBURG AND HILLCATS BASEBALL, LLC", DATED APRIL 1, 2025; MORE SPECIFICALLY AUTHORIZING AMENDMENTS TO SECTION 7.02 OF ARTICLE VII AND SECTION 24.24 OF ARTICLE XXIV OF SUCH FRANCHISE AGREEMENT

ORDINANCE: **#O-26-___**

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

1.That Section 7.02 of Article VII and Section 24.24 of Article XXIV of the Franchise Agreement between the City of Lynchburg and Hillcats Baseball, LLC d/b/a Hill City Howlers entitled "A Baseball Stadium Franchise Agreement by and between the City of Lynchburg and Hillcats Baseball, LLC", dated April 1, 2025, shall be amended to reflect as follows:

> *Section 7.02. ANNUAL RENT. The Team, without notice or demand, shall pay to the City $132,500 as annual rent ("Annual Rent") each year that this Franchise is in effect. The Annual Rent will be paid to the City in two (2) parts: half on April 1 and half on September 1. The Annual Rent will increase each year by the actual CPI for the City of Lynchburg, Virginia area.*
>
> *Section 24.24. BOND / GOOD AND SUFFICIENT SECURITY. Where requested by the City, pursuant to Section 15.2-2104 of the Code of Virginia, 1950, as amended, the Team, or another person or entity for the benefit of the Team, shall execute a guaranty, bond, letter of credit, or other security for the benefit of the City, in an amount determined appropriate by the City, in order to provide the City with good and sufficient security that the Team will adhere to its obligations and duties under this Franchise.*

2. That all other sections, parts, provisions, terms, and conditions of the said Franchise Agreement between the City of Lynchburg and Hillcats Baseball, LLC d/b/a Hill City Howlers not addressed herein remain and continue in full force and effect.

3. That this Council is of the opinion that this Ordinance and the amendments to the said Franchise Agreement authorized hereby do not trigger the requirements described in Section 15.2-2105 of the Code of Virginia, 1950, as amended.

4. That the City Manager is authorized to execute any and all documents and to take any and all actions necessary to ensure the amendments to the said Franchise Agreement permitted hereby are executed on behalf of the City of Lynchburg. Further, any previous actions taken in connection with the same are hereby ratified and approved.

5. That this Ordinance is adopted on July 14, 2026 and, to the fullest extent permitted by Virginia law, shall apply retroactively as of April 1, 2026.

Adopted:_____

Certified:_____
Clerk of Council

THIS FIRST AMENDMENT TO THE FRANCHISE AGREEMENT ENTITLED "A BASEBALL STADIUM FRANCHISE AGREEMENT BY AND BETWEEN THE CITY OF LYNCHBURG AND HILLCATS BASEBALL, LLC", dated April 1, 2025, hereafter this "Amendment", is made July 14, 2026, effective April 1, 2026, and is by and between the Hillcats Baseball, LLC d/b/a Hill City Howlers, a Virginia limited liability company, hereafter the "Franchisee", and the City of Lynchburg, a municipal corporation of the Commonwealth of Virginia, hereafter the "City".

WHEREAS the Franchisee and the City are parties to that certain Franchise Agreement entitled "A Baseball Stadium Franchise Agreement By and Between the City of Lynchburg and Hillcats Baseball, LLC", dated April 1, 2025, hereafter the "Franchise"; and

WHEREAS, the Franchisee and the City desire to amend Section 7.02 of Article VII and Section 24.24 of Article XXIV of the Franchise, such amendments were approved by the Lynchburg City Council on July 14, 2026, and both of the said parties agree that the requirements of Va. Code § 15.2-2105 are not triggered by such amendments.

NOW, THEREFORE, **WITNESSETH:** that for and in consideration of the mutual covenants, promises, and agreements of the Franchise and the foregoing recitals, the aforesaid parties hereto agree as follows:

1. Section 7.02 of Article VII of the Franchise is amended to read as follows:

> *Section 7.02. ANNUAL RENT. The Team, without notice or demand, shall pay to the City $132,500 as annual rent ("Annual Rent") each year that this Franchise is in effect. The Annual Rent will be paid to the City in two (2) parts: half on April 1 and half on September 1. The Annual Rent will increase each year by the actual CPI for the City of Lynchburg, Virginia area.*

2. Section 24.24 of Article XXIV of the Franchise is amended to read as follows:

> *Section 24.24. BOND / GOOD AND SUFFICIENT SECURITY. Where requested by the City, pursuant to Section 15.2-2104 of the Code of Virginia, 1950, as amended, the Team, or another person or entity for the benefit of the Team, shall execute a guaranty, bond, letter of credit, or other security for the benefit of the City, in an amount determined appropriate by the City, in order to provide the City with good and sufficient security that the Team will adhere to its obligations and duties under this Franchise.*

3. All other sections, parts, provisions, terms, and conditions of the Franchise not addressed herein continue and remain in full force and effect.

(Remainder of Page Intentionally Left Blank)

IN WITNESS WHEREOF, the parties hereto have affixed their hand and seals.

Hillcats Baseball, LLC
d/b/a Hill City Howlers

By:_____

Printed Name:_____

Its:_____

Commonwealth/State of _____, }
City/County of _____, *to-wit:* }

The foregoing Amendment was acknowledged before by _____, the _____ of the Hillcats Baseball, LLC d/b/a Hill City Howlers, on this the ____ day of _____, 2026, on behalf of the said company.

_____
Notary Public

My Commission Expires:_____
My Registration No._____

Affix Notary Seal:

City of Lynchburg

By:_____
Wynter C. Benda, City Manager

(Seal)

Attest:

_____
Clerk of Council - Alicia L. Finney-Andrews

Approved as to Form:

_____
City Attorney/Designee

250003410

THE CITY OF LYNCHBURG, VIRGINIA

CITY HALL, 900 CHURCH STREET, LYNCHBURG, VIRGINIA 24504 • (434) 455-3980 • FAX (434) 847-9049

OFFICE OF THE CITY ATTORNEY

MATTHEW C. FREEDMAN
CITY ATTORNEY

HOPE R. TOWNES
DEPUTY CITY ATTORNEY

SUSAN L. HARTMAN
SENIOR ASSISTANT CITY ATTORNEY

KATHRYN THOMAS
ASSISTANT CITY ATTORNEY

DAVID E. MASS
ASSISTANT CITY ATTORNEY

May 30, 2025

Prepared By:
City of Lynchburg, Virginia
City Attorney's Office
900 Church Street
Lynchburg, VA 24504

IN RE:

CITY OF LYNCHBURG'S / BANK OF THE JAMES STADIUM
3180 FORT AVENUE
LYNCHBURG, VA 24501
TAX MAP NO. 01202001

PLEASE TAKE NOTICE that attached to this letter is a copy of an agreement entitled "A Baseball Stadium Franchise Agreement by and between the City of Lynchburg and Hillcats Baseball, LLC", dated April 1, 2025, and approved by an Ordinance (#O-25-035) of the Council for the City of Lynchburg, Virginia on May 13, 2025. The parties to the above said instrument are the **CITY OF LYNCHBURG**, a GRANTOR FOR REFERENCE PURPOSES ONLY, and **HILLCATS BASEBALL, LLC**, a GRANTEE FOR REFERENCE PURPOSES ONLY.

Sincerely,

Matthew C. Freedman

COMMONWEALTH OF VIRGINIA }
CITY OF LYNCHBURG, *to-wit*: }

The foregoing instrument was acknowledged before me by Matthew C. Freedman, in his official capacity as the City Attorney for the City of Lynchburg, a municipal corporation of the Commonwealth of Virginia, on this 30th day of May, 2025.

Brittnie C. Hubbard
Notary Public

My Commission Expires: January 31, 2027
My Registration No. 7658697

Affix Notary Seal:

Brittnie Carole Hubbard
NOTARY PUBLIC
REG. # 7658697
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES JAN. 31, 2027

Brittnie Carole Hubbard
NOTARY PUBLIC
REG. # 7858527
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES JAN. 31, 2022

A Baseball Stadium Franchise Agreement
by and between the City of Lynchburg
and Hillcats Baseball, LLC

Dated April 1, 2025

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CITY OF LYNCHBURG

BASEBALL STADIUM FRANCHISE AGREEMENT

THIS BASEBALL STADIUM FRANCHISE AGREEMENT (Franchise) is made and entered into as of April 1, 2025, by and between the CITY OF LYNCHBURG, a municipal corporation of the Commonwealth of Virginia (City) and HILLCATS BASEBALL, LLC, a Virginia Limited Liability Company d/b/a LYNCHBURG HILLCATS OF THE CAROLINA LEAGUE (Team), who are the sole parties to this Franchise.

WHEREAS, Hillcats Baseball LLC has purchased ownership and will operate a baseball team in the City of Lynchburg.

WHEREAS, that Team, The Lynchburg Hillcats, is a member of the Class A Advanced Carolina League of Minor League Baseball.

WHEREAS, Hillcats Baseball, LLC and the City desire that The Lynchburg Hillcats remain in the Carolina League and continue to play their home baseball games at Lynchburg City Stadium, Bank of the James Stadium (Stadium).

NOW, THEREFORE, WITNESSETH: that for and in consideration of the mutual covenants and promises contained herein, and for other good and valuable consideration, the receipt of which is mutually acknowledged, the City and the Team agree as follows:

ARTICLE I

DEFINITIONS

For purposes of this Franchise, the terms defined in this section shall have the meanings specified herein whether stated in the plural or singular.

Section 1.01. "BASEBALL SEASON" shall mean the period commencing April 1st of each full calendar year of this Franchise and ending on the date on which the Team's last home game is played during the same calendar year including any and all post-season competition, exhibition, play-off and All-Star games, pursuant to the Carolina League schedule.

Section 1.02. "CITY EVENTS" shall mean all events or activities held at the Stadium, except a Team Event or Team Special Event, under the auspices of the City including events coordinated with the City by an outside entity or promoter. The Virginia Commonwealth Games is such an event.

Section 1.03. "CITY STADIUM SERVICES" shall mean those services which are required for City Events at the Stadium. These services may include but are not limited to Food and Beverage Services and Team Stadium Services.

Section 1.04. "COMMON AREAS" shall mean all portions of the Stadium except the Team Areas as defined in Section 1.10 and any areas designated for City use.

Section 1.05. "FOOD AND BEVERAGE SERVICES" shall mean all food and beverage services required or appropriate for any and all events at the Stadium or its parking areas, including without limitation, dining, catering, vending and food and beverage service, through fixed and portable food and beverage service stands, vending machines, roving vendors, and snack bars at Food and Beverage Service Areas in the Stadium or its parking areas.

Section 1.06. "FOOD AND BEVERAGE SERVICE AREAS" shall mean all areas, together with improvements, fixtures and trade fixtures, which are used in connection with the operation of Food and Beverage Services in the Stadium or its parking areas, as described in Article V hereof.

Section 1.07. "GROSS REVENUE" shall mean all receipts from the sale of individual game or season tickets for Team Events and Team Special Events held at the Stadium, including all Sky Box rental and Food and Beverage Services income at Team Events and Team Special Events held at the Stadium, all parking revenue (if Team initiates a parking fee), advertising sales including, but not limited to, naming rights, outfield fence advertising, scoreboard message center

advertising sold by the Team, program advertising, program sales, the sale of Team merchandise by the Team or any agent of the Team, the sale of royalty and logo rights, the sale of radio, television, cablevision, movie, or other video rights, sponsorships, and any and all other fees and revenues generated from Team Events and Team Special Events excepting from such amounts only any state and local sales taxes and meals taxes applicable to such transactions. The City retains any revenue derived from City Events with the exception of food and beverages sold by HillCats Catering or third-party contractors or concessionaires under contract with HillCats Catering unless otherwise agreed by the City and Team. The City retains the right to provide its own food and beverages or use an outside caterer for any City Events that are not open to the public in place of Hillcats Catering or third-party contractors or concessionaires under contract with HillCats Catering.

Section 1.08. "REQUIRED UTILITIES" shall mean all required water, sewer, electric, cable television and gas services for the playing field, on-site parking lot and all other areas of the Stadium.

Section 1.09. "SCOREBOARD" shall mean the main electronic scoreboard and message center located inside the Stadium. Scoreboard may consist of areas for team scores, advertising and a video screen.

Section 1.10. "STADIUM" shall mean The Lynchburg City Stadium, Bank of the James Stadium, as shown on **Exhibit "A"**, including stadium lights, scoreboard, message board, City-owned concessions equipment, public address system, and other furniture and fixtures incident to stadium operations.

Section 1.09.01. "SKY BOX" shall mean the private fully furnished suites with outdoor balcony located on the upper level of the Stadium.

Section 1.09.02. "STADIUM BOX OFFICE shall mean the physical space in the Stadium where tickets are sold for admission to games and events.

Section 1.09.03 "FIELD" shall mean the actual playing surface of the Stadium including dugout, bullpens, field lining, pitcher's mound, and bases.

Section 1.10. "TEAM AREAS" shall mean the Team administrative office area, locker room area, training area, press box area, dugouts, batting cages, ticket office, Team merchandise store area and all Sky Boxes in use during Team Events.

Section 1.11. "TEAM EVENTS" shall mean any Carolina League scheduled Team baseball game or other baseball-related event, such as practices or exhibition games, held at the Stadium by the Team with the approval of the City pursuant to Article XI, Section 11.02 hereof, other than a Team Special Event.

Section 1.12. "TEAM SPECIAL EVENTS" shall mean any events, other than Team Events, sponsored by the Team with City approval.

Section 1.13. "TEAM STADIUM SERVICES" shall consist of the following:

a. Facility Services - shall mean the operation and staffing of the Stadium scoreboard, the public address system, the Stadium Box Office, all ticket booths, usher services, first-aid room, on-site and supplemental parking lot security services, the opening and closing of the Stadium, the operation of all Stadium utilities at all Team Events and Team Special Events.

b. Field Maintenance - shall include, but not be limited to, maintenance of the playing field including without limitation, periodic mowing, watering, fertilizing and other chemical treatments required to maintain the field at professional stadium quality, sod replacement resulting from the use of the field, specialized turf care, such as aeration and other treatments which are required to maintain the quality of the field, and the maintenance of all unsodded areas of the field.

c. Field Preparation - shall mean field preparation in advance of baseball games which shall include, but not be limited to, lining the field, preparation of the unsodded areas of the field, installation of bases, other such services needed to fully prepare the field for Team baseball games, and restoration of the field surface as required for uses of

the field other than baseball games.

d. Janitorial Services - shall mean the cleaning and maintenance of all Team Areas and Common Areas during and after all Team Events, Team Special Events, and City Events held in the Stadium, including, but not limited to, the stocking of all restrooms with paper products as required prior to such events, the disposal of all trash collected from such areas immediately after such events, the pickup of all trash and debris from the on-site Team parking areas no later than 6:00 a.m. on the morning following such events and any needed clean-up of trash and debris from public areas surrounding the Stadium or such on-site parking areas as may be used by attendees of the Stadium. All Janitorial Services provided to the Team Areas and Common Areas shall include all action necessary to maintain the areas in a clean and attractive manner and in compliance with all legal requirements.

e. Pre-Event Field Preparation - shall mean the preparation of the field for any Team Event or Team Special Event, as may be required for such event including, but not limited to, conversion of the playing field for other athletic events, installation of any supplemental seating equipment, installation of stage or platform equipment and/or temporary lighting which may be required for the event. Pre-Event Field Preparation shall be performed by the Team or, when necessary, by other parties under the supervision of the Team.

ARTICLE II

TERM OF AGREEMENT

Section 2.01. TERM. The term of this Franchise shall commence as of April 1, 2025, and shall be for a period of fifteen (15) years, ending with the conclusion of the 2040 Baseball Season.

Section 2.02. RENEWAL. At the beginning of the thirteenth (13th) year of the Franchise, the City and the Team shall enter into a discussion regarding renewal of the Franchise for an additional term of five (5) years under the same terms and conditions. However, the City or the Team may negotiate and request changes to the terms and conditions for such renewal that may be considered mutually beneficial and appropriate at that time. The renewal of the Franchise shall be approved by the Lynchburg City Council in accordance with applicable Virginia law.

ARTICLE III

TEAM USE OF STADIUM

Section 3.01. GRANT OF USE AND OPERATION RIGHTS. Subject to the provisions of Section 3.02, the City hereby grants to the Team the exclusive right to use the Stadium on the days scheduled for Team Events and Team Special Events during the term hereof and its renewal term, for and in consideration of the compensation payable by the Team to the City under Article VII hereof and the obligations assumed and undertaken by the Team hereunder. Subject to the terms and conditions of this Franchise, the City hereby grants to the Team, and the Team hereby accepts from the City, the rights and responsibilities herein set forth in and to the Stadium 'as is', 'where is', and without warranty. The Team shall not use the Stadium for any purposes other than those specifically set forth herein. This Franchise does not confer upon the Team any title, leasehold or other estate of any kind, or any interest in or to the Stadium, other than the rights pertaining to the Stadium set forth herein. The Team shall not have the power to, nor shall it attempt to, create or permit the creation or continuance of any lien, encumbrance or charge which is or might become a lien, encumbrance or charge against the Stadium, other than against Team personal property.

Section 3.02. RESERVATION OF RIGHTS BY THE CITY. All rights to occupy, use, enjoy or derive benefit from the Stadium, not expressly granted herein to the Team, are reserved by the City during the term hereof and any renewal term. Without in any way limiting or defining the extent of the reservation of this Section, the City expresses its intent to schedule athletic contests or other events at the Stadium and to retain revenues from City Events for the City's benefit with the exception of any food and beverages sold by Hillcats Catering or third-party contractors or concessionaires under contract with Hillcats Catering unless otherwise agreed upon by City and Team. The City retains the right to provide its own food and beverages or use an outside caterer for any City Events that are not open to the

public in place of Hillcats Catering or third-party contractors or concessionaires under contract with Hillcats Catering.

Section 3.03. USE FOR HOME GAMES. The Team agrees to play all its home games (estimated to be seventy-five (75) in number during a full Carolina League season) during its Baseball Season at the Stadium, beginning with the 2025 Baseball Season through the term of this Franchise. In addition to permitting the Team to use the Stadium for its home games during the Baseball Season including playoffs, the City shall permit the Team to use the Stadium for scheduled Team practices, tournaments, and when applicable, Carolina League All Star Game play on those dates approved by the City and the Team in accordance with the provisions of Article XI, Section 11.02 hereof. The Team shall be permitted to conduct promotional events before and after baseball games with all such events being scheduled pursuant to said Article XI, Section 11.02. During the term hereof, the Team will have access to all Team Areas in the Stadium and will be provided designated storage space during the Baseball Season and between Baseball Seasons at the Stadium. The City shall not be liable for any damages to or loss of any of the Team's property or the property of its employees, agents or volunteers. The Team, its employees, agents and volunteers in placing their property at the Stadium, do so at their own risk.

Section 3.04. STARTING TIMES FOR TEAM EVENTS AND TEAM SPECIAL EVENTS. No Team Event or Team Special Event shall be scheduled to start later than 8:30 p.m. or end later than 11:30 p.m. on Sunday through Thursday, and 12:00 a.m./midnight on Friday or Saturday, without the prior written approval of the City. In the case of a Team double header baseball game, this Section shall not preclude the second game from being played upon the completion of the first game nor preclude completion of a game following a rain or fog delay or completion of a game that has gone into extra innings. In the event that a game is still in progress after the above stated end times, special actions shall be taken to reduce noise originating in the Stadium, including minimizing the use of the public address system to only essential announcements.

Section 3.05. FIREWORKS. Fireworks shall only be allowed as permitted by the City Fire Marshal, with the following restrictions: (1) fireworks shall not be shot from or in such a way as to damage the artificial turf field in the adjacent football stadium, (2) no excessively loud, "cannon" type fireworks shall be used, (3) fireworks displays shall be limited to Friday and Saturday evenings and, (4) opening day or night as well as the night before or day of Memorial Day, Juneteenth, Independence Day, Labor Day, and two (2) additional days as agreed upon by the City and the Team. No fireworks show shall commence after 10:00 p.m., unless there has been a rain or fog delay or the game has gone into extra innings, in which case the fireworks show shall commence no later than 10:30 p.m.

Any trash or debris from a fireworks display shall be removed from the Stadium and its field within twelve (12) hours of the conclusion of the display. The Team will be responsible for repairing, or paying for repairs to any damage to the artificial turf or Stadium resulting from a fireworks display.

Section 3.06. COMPLIANCE WITH APPLICABLE LAWS, ORDINANCES. In its management, occupancy or use of the Stadium, the Team shall not permit the violation of any applicable federal, state and City laws, regulations, codes or ordinances, whether currently in force or subsequently adopted that may apply to the Team's use of the Stadium.

Section 3.07. REPAIR OF DAMAGE. In its management, occupancy or use of the Stadium, the Team shall not permit the structure to be damaged by its use or neglect. Any damage caused by the use of the Stadium shall be promptly reported to the City and will be repaired at the Team's expense by the City in an acceptable workmanlike manner, with the damaged portion of the structure restored to its original condition prior to such damage and in compliance with all of the applicable zoning, fire code, building and health department statutes, ordinances, rules and regulations. Such expenses shall be paid by the Team within thirty (30) days of a written request by the City.

Section 3.08. MODIFICATIONS TO STRUCTURE. The Team shall not make any material structural modifications to the Stadium without the prior written approval of the City. The Team shall be solely responsible for the cost of any structural modifications, must comply with federal, state and local building codes, regulations and ordinances in making such modifications, and any structural modifications the Team makes to the Stadium will become the property of the City.

Section 3.09. COMPLIANCE WITH OCCUPANCY LIMITATIONS. In its management, occupancy, or use of the Stadium, the Team shall not permit the Stadium occupancy limitations to be exceeded. The use of temporary seating and/or seating in areas other than those areas designated as permanent seating areas or in such supplemental seating

areas as may be designated by the City, is subject to the prior approval of the City.

Section 3.10. ADMINISTRATIVE OFFICE AREA. In consideration of the Team playing its home games at the Stadium during its Baseball Season, and providing City Stadium Services as provided herein and to facilitate the provision of such services, office space in the Stadium, along with batting cage facilities, will be provided for the use of the Team on a year-round basis while this Franchise is in effect. All furnishings and equipment required for such space(s) shall be the sole responsibility of the Team. The Team shall provide all Janitorial Services required for the office space and adjoining non-public restrooms and batting cages and shall maintain such areas in a clean condition at all times. Upon reasonable prior notice to the Team, the City may inspect the areas. Upon termination of this Franchise, the Team shall surrender possession of the areas to the City in the same condition as received, normal wear and tear excepted.

Section 3.11. TEAM MERCHANDISE SALES STORE. The Team shall have the right, on a year-round basis, to use the merchandise sales store in the Stadium for sale of the Team merchandise items.

Section 3.12. TEAM AREA FURNISHINGS. The Team shall be responsible for the provision of all furnishings required for its utilization of the Team Areas, including washers and dryers and vending machines, except for any lockers permanently installed in such areas by the City.

Section 3.13. IMPROVEMENTS. The Team shall make no improvements in the Team Areas or any portion of the Stadium without the prior written approval of the City. The Team shall be solely responsible for the cost of any improvements, must comply with federal, state, and local building codes, regulations, and ordinances in making such improvements, and any improvements the Team makes to the Stadium will become the property of the City.

Section 3.14. WASTE OR NUISANCE. The Team shall not commit or permit any waste on or about the Stadium while this Franchise is in effect nor shall it maintain, commit or permit the maintenance or commission of any nuisance on or about the Stadium or use the Stadium or Team Areas for any unlawful purposes.

ARTICLE IV

STADIUM OPERATION AND SERVICES

Section 4.01. TEAM STADIUM SERVICES. The Team will provide all Team Stadium Services required for Team Events and Team Special Events held in the Stadium and will retain, employ, compensate, train and manage sufficient numbers of polite and well-groomed personnel to provide such services in a high quality and professional manner while this Franchise remains in effect.

Section 4.02. COMMUNITY RELATIONS. The Team agrees to work in good faith with the City to develop programs to minimize the adverse impact of the Stadium's operation on the neighborhoods in which the Stadium is situated or which are directly affected by the Stadium.

Section 4.03. CITY STADIUM SERVICES. The Team shall provide the City with City Stadium Services as required for all City Events held in the Stadium. The cost of said services shall not exceed the actual cost for such services to the Team during such City Events and shall be calculated and accounted for on the basis of each separate City Event with the assessment of costs for such services to be in accordance with the schedules for such services as provided for in Article IV, Sections 4.04 and 4.05 hereof. Notwithstanding the provisions of this Agreement relating to City Stadium Services, if the Team is in default under the terms of this Franchise and the applicable period of time, if any, for curing such default has passed, the City expressly reserves the right to assume management and operating responsibility for City Events at the Stadium upon reasonable prior notice to the Team.

Section 4.04. SCHEDULE OF SERVICES AND COSTS. The Team and the City, prior to the commencement of each Baseball Season, shall adopt a Schedule of Services and Costs to be utilized in the assessment of costs for City Events and events sponsored by a promoter or outside entity. The costs of such City Stadium Services shall be reimbursed to the Team within thirty (30) days of the submission of an appropriate invoice to the City, outside entity or promoter.

Section 4.05. CITY STADIUM SERVICES & SCHEDULE OF SERVICES AND COSTS. The cost of City Stadium Services shall be assessed in accordance with the Schedule of Services and Costs, which shall be approved in writing by the Team and City upon the expiration of the prior year's Schedule of Services and Costs, or upon such later date as agreed to by the parties. At no time will the charges in such schedule or subsequent schedules agreed upon exceed

the actual costs of providing such services by the Team. The schedule shall be reviewed and modified, upon the agreement of the parties, if necessary, prior to the start of each Baseball Season during the term of this Franchise.

Section 4.06. PROMOTION OF THE CITY OF LYNCHBURG. The Team agrees that it will actively promote the tourism attributes and attractions of the Lynchburg region and will work with the City's Department of Economic Development and Tourism to promote the development and success of athletic activities in the Lynchburg region, including, but not limited to, the Virginia Commonwealth Games.

Section 4.07. QUALITY OF TEAM STADIUM SERVICES AND CITY STADIUM SERVICES. Team Stadium Services and City Stadium Services by the Team shall be provided in a manner to promote the use of the Stadium, attract the public to Team and City events scheduled at the Stadium, and shall be of acceptable quality consistent with the standards required of a professional Minor League Baseball facility. Should the quality of services be unacceptable to the City, notice shall be provided to the Team and the Team shall have thirty (30) days to improve the quality of such services. The City reserves the right, subsequent to the passage of said thirty (30) day period, to undertake corrective action with its own resources and invoice the Team for the cost of such corrective action. The cost shall be paid by the Team within thirty (30) days of receipt of such invoice. This Section does not authorize the City to retain, terminate, supervise, or take other direct actions relating to the employees of the Team.

Section 4.08. STADIUM OPERATION SERVICES. Such services shall include the retention, employment, compensation, training and management of the required personnel for the provision of City Stadium Services for City Events, coordination with the food and beverage staff pursuant to the Food and Beverage Services Agreement referred to herein at Article V, Section 5.01 hereof, and the monitoring of all elements of required City Stadium Services as described in Article I, Section 1.03 hereof.

Section 4.09. OPERATION OF STADIUM BOX OFFICE. The Team, in addition to providing ticketing services for all of its home Baseball Season games, shall operate the Stadium Box Office during home Baseball Season games and at other times to conduct advance ticket sales for Team Events. The Team shall provide all Janitorial Services required for the Stadium Box Office and shall maintain it in a clean condition at all times.

The City shall have the right to operate the Stadium Box Office during City Events and shall leave it in a better or same condition as it was found.

Section 4.10. EVENT SECURITY SERVICES. The Team will be responsible for providing security for all Team Events and Team Special Events where the public is in attendance and shall hire a minimum of one (1) uniformed off-duty City of Lynchburg Police Department law-enforcement officer. More law-enforcement personnel may be required at the direction of the Chief of Police of the City. Should, for any reason, off-duty City of Lynchburg Police Department law-enforcement officers be unavailable for such employment as required herein, other appropriate security officers, provided the same are reasonably approved by the Chief of Police of the City, may be hired by the Team. There shall be at least two (2) such officers employed at each Thursday, Friday, and Saturday Team baseball game held at the Stadium as well as any Sunday, Tuesday, and Wednesday games if attendance is expected to be in excess of 750 attendees. The number of officers provided at Team promotional events, other Team Events, Team Special Events, and City Events shall be adequate for the security of those persons attending the particular event and the provision of security for the Stadium and its contents, including all on-site parking lots. If Team employees are utilized for such purposes, they shall be uniformed and equipped with appropriate radio communications equipment. The officers or other security personnel shall be directed to be at the Stadium no later than one-half hour prior to its opening to the public and until at least one-half hour after the Stadium is closed to the public. When necessary, the Team, through a designated security representative, shall consult with the Chief of Police of the City, or the Chief's designee, to determine the adequacy of intended security for Team Events, Team Special Events, and City Events. The quality of the services provided for in this Section shall be expressly subject to the notice and substitute performance rights reserved to the City generally under Article IV, Section 4.07 hereof. In addition, any private security personnel utilized by the Team shall be considered as employees or independent contractors of the Team and in no manner considered or construed to be employees or agents of the City.

Section 4.11. CITY NOTICE TO TEAM OF REQUESTED LEVEL OF FACILITY SERVICES. The City shall, in advance of each City Event held in the Stadium, complete a memorandum of understanding with the Team with details for the City Event and what support services are needed from the Team within thirty (30) days of the scheduled event.

Section 4.12. FIELD RESTORATION COSTS AND DAMAGE TO THE FIELD. All costs of field restoration required as a result of damage to the field shall be borne by the party scheduling the event causing the damage to the field and shall be payable as an element of either Team Stadium Services or City Stadium Services as the case may be.

Section 4.13. NO SMOKING FACILITY. The Stadium shall be designated and operated as a non-smoking facility, with the exception of certain designated smoking areas separate from Stadium seating, and no tobacco, electronic cigarette or vaping products, shall be sold or marketed therein.

Section 4.14. PROHIBITION AGAINST FOOD AND BEVERAGES BEING BROUGHT INTO THE STADIUM. The City shall post signs in appropriate locations in the Stadium which shall prohibit patrons from bringing any food or beverages into the Stadium for Team Events, Team Special Events, and certain other events.

Section 4.15. PUBLIC ADDRESS ANNOUNCEMENTS REGARDING CITY AND CITY EVENTS. The Team agrees to make appropriate public address announcements and announcements on the Scoreboard message center in regard to future City Events to be held in the Stadium and/or other City facilities not scheduled for the same time as any Team Events or Team Special Events.

ARTICLE V

FOOD AND BEVERAGE SERVICES

Section 5.01. GRANT OF EXCLUSIVE LICENSE TO TEAM. The City hereby grants to the Team an exclusive food, beverage, and team merchandise license, except as otherwise provided for in Article V, Sections 5.06 and 5.07 herein, permitting the sale of food and beverages from those areas of the Stadium designated for the same by the City and the Team while this Franchise is in effect. The grant of this exclusive license includes the right of the Team to provide Food and Beverage Services in the said areas, either directly or by entering into a Food and Beverage Services Agreement granting a license to operate the same and certain merchandise sales to such professional Food and Beverage Services third-party contractors or concessionaires as may be acceptable to the Team and reasonably approved by the City. The aforesaid described exclusive license shall remain in effect while this Franchise remains in effect, but shall terminate when this Franchise terminates.

The City reserves the right to contract with outside vendors for Food and Beverage Services at City Events held outside of the Stadium, in the parking lot or other open areas.

Section 5.02. CITY APPROVAL OF TEAM FOOD AND BEVERAGE SERVICES CONTRACT. The Team shall advise the City when it intends to enter into a Food and Beverage Services Agreement. The material terms of such Food and Beverage Services Agreement shall include food products liability coverage comparable to the coverage required in Article XII, Section 12.04 hereof. Such agreement shall be approved by the City in writing, and the material provisions of said agreement shall not be modified except with the prior written approval of the City. Should the Food and Beverage Services Agreement be terminated, the Team shall have the right to provide Food and Beverage Services and certain merchandise sales as described in the agreement either directly or through a Food and Beverage Services Agreement entered into with another professional Food and Beverage Services third-party contractor or concessionaire with the selection being subject to the written approval of the City. If the Team undertakes the self-operation of Food and Beverage Services, the Team shall provide the same level of quality service and price provided at first-class professional baseball facilities. In the event the Team enters into a Food and Beverage Services Agreement with a third-party contractor or concessionaire, such contractor or concessionaire shall be experienced in such services.

Section 5.03. FOOD AND BEVERAGE SERVICE AREA JANITORIAL SERVICES. Janitorial Services to the areas designated for Food and Beverage Services shall be provided (i) pursuant to the Food and Beverage Services Agreement entered into by the Team, if any, or (ii) by the Team directly.

Section 5.04. MENU AND PRICE LIST. The menu and price list of food and beverages to be sold in the Stadium shall be provided and posted by the Team. Prices should be comparable to other Minor League Baseball parks in the Carolina League.

Section 5.05. TEAM MERCHANDISE ITEMS. The City hereby grants to the Team the right to sell Team merchandise items from those areas designated for the same by the Team and the City. The Team shall provide all Janitorial Services required for such areas and shall maintain such areas in a clean condition at all times.

Section 5.06. CONCERT AND OTHER ENTERTAINMENT MERCHANDISE. The Team and the City acknowledge that the sale of concert and other entertainment merchandise may be conducted through either (i) the City directly, during City Events scheduled under Article XI, Section 11.03 hereof, (ii) the Team during Team Special Events, or (iii) the event promoter or organizer. Such sales shall be from areas other than those areas designated for the sale of Team merchandise items unless the Team otherwise approves of the use of such areas, which approval shall not be unreasonably withheld, conditioned or delayed. The Team shall have the right to approve the sale of such merchandise items in advance of their sale which approval shall not be unreasonably withheld, conditioned, or delayed, and which approval shall be directed solely to assuring that the merchandise items sold are not substantially similar to Team merchandise items. The Team shall have no responsibility for the collection and payment of any sales taxes due or payable incidental to such sales.

Section 5.07. COMPLIANCE WITH STATE AND LOCAL RULES AND REGULATIONS. The Team shall assure that the areas designated for Food and Beverage Services are operated in a clean and healthy manner and in compliance with all rules, regulations, statutes and ordinances, whether currently in force or subsequently adopted/enacted that may apply to the Team's use of such areas.

Section 5.08. COMPLIANCE WITH STATE ALCOHOLIC BEVERAGE STATUTES AND REGULATIONS. The Team shall assure that the provision of Food and Beverage Services complies with all statutes and regulations concerning the sale of alcoholic beverages. The compliance of the areas designated for Food and Beverage Services with all statutes and regulations concerning the sale of alcoholic beverages shall be the sole responsibility of the Team.

Section 5.09. LICENSES AND PERMITS. The Team shall obtain and maintain all licenses and permits which may be required by the Commonwealth of Virginia, the City, or any other governmental agency or body for the use, operation or management of the Stadium. The Team shall at all times observe all rules and regulations pertaining to such licenses and permits and avoid any loss or suspension thereof. The Team shall assure that all applicable state and/or local permits and licenses for the provision of Food and Beverage Services in the Stadium will be obtained either directly or, during the period of the Team's agreement with its experienced third-party contractors or concessionaires, by said contractors or concessionaires, for the provision of Food and Beverage Services.

Section 5.10. QUALITY OF FOOD AND BEVERAGE SERVICES. The Team acknowledges that the provision of high-quality Food and Beverage Services in a manner pleasing to the public is of utmost importance to the overall success of the Stadium and events held in the Stadium. The Team shall make all reasonable efforts to assure that food is of high quality and consistent with the goals of the Team and the City to enhance attendance at all events held in the Stadium.

Section 5.11. BEVERAGES IN BOTTLES, GUM AND TOBACCO PRODUCTS. In the provision of Food and Beverage Services either directly by the Team or through its third-party contractors or concessionaires, no beverages in glass bottles, gum, tobacco, electronic cigarette or vaping products, fireworks, magic markers, silly string and other nuisance items or items prohibited by applicable law or City ordinance will be sold in the Stadium.

Section 5.12. USE OF STADIUM PICNIC AREA. Picnic areas in the Stadium, as designated by the City and the Team, may be utilized for casual dining services during any Team Event or Team Special Event.

Section 5.13. LOCAL VENDORS. The Team, directly and/or in its relationship with Food and Beverage Services third-party contractors or concessionaires, may, and is encouraged to, permit appropriate licensed local food and food service supply vendors to sell and/or supply their existing products having a local reputation within the Stadium during events.

ARTICLE VI

ADVERTISING, MARKETING AND BROADCAST RIGHTS

Section 6.01. TEAM MARKETING RESPONSIBILITIES. The Team shall market and enter into contractual arrangements for the use of those areas of the Stadium designated as Sky Boxes and for the provision of advertising space on the outfield advertising wall or fence and the Scoreboard message center. The Team shall additionally be responsible for marketing internal and concourse Stadium advertising which may be available during the term of this Franchise. All advertising shall be in good taste and consistent with the overall goals of the Team and the City to provide family entertainment through baseball and other athletic and recreational events at the Stadium. No tobacco advertising shall be permitted at any time. In no event shall the Team or the City, except in connection with the sale of any naming rights, locate any advertising upon the exterior or roof of the Stadium. Advertising may be placed by the Team in all suitable areas within the interior of the Stadium. The Team shall retain all advertising revenue, including outfield advertising and scoreboard advertising, as part of its Gross Revenue. The installation of any new exterior mounted digital message board or billboard and its content is subject to City approval.

Section 6.02. IMPROVEMENTS TO SKY BOX AREAS. The Team or the Sky Box licensee may make improvements, such as furniture, fixtures and finishes to the Sky Box areas. Furniture, fixtures and finishes shall remain the property of the Team or the licensee and be removed at the end of their agreement. No furniture, fixtures or finishes may be permanently affixed to the Sky Boxes other than the hanging of pictures, without City approval. Team or Licensee will be responsible for the cost to repair or restore any areas of the Sky Boxes as a result of their installation of furniture, fixtures or finishes. Any structural or mechanical system changes shall be subject to prior written approval of the City and such changes shall become part of the Stadium and the property of the City.

Section 6.03. TEAM SALE OF SCOREBOARD MESSAGE CENTER ADVERTISING FOR TEAM EVENTS. The Team shall have the right to sell Scoreboard message center advertising to be displayed at Team Events to be held at the Stadium. The sale of Scoreboard message center advertising for such events shall not preclude the City from the advertising of future City Events to be displayed at no cost to the City. All revenues generated by the sale of such advertising by the Team shall be the property of the Team. The cost of providing staffing for the Scoreboard message center shall not be an element of City Stadium Services. The City reserves the right to use the Scoreboard message center for City Events and to promote the City for municipal, tourism, and economic development purposes.

Section 6.04. EXCLUSIVE BROADCAST RIGHTS. The Team shall have the exclusive right to (i) broadcast, televise and cablecast all Team Events and Team Special Events held in the Stadium while this Franchise is in effect, and (ii) to retain all income and revenue generated by such broadcast rights.

ARTICLE VII

COMPENSATION PAYABLE BY THE TEAM TO THE CITY

Section 7.01. TEAM GROSS REVENUE. The Team will retain all Gross Revenue from Team Events and Team Special Events.

Section 7.02. ANNUAL RENT. The Team, without notice or demand, on or before April 1st of each year this Franchise is in effect, shall pay to the City $132,500 as annual rent ("Annual Rent"). The Annual Rent will increase each year by the actual CPI for the City of Lynchburg, Virginia area.

Section 7.03. SALES AND MEALS TAX. The City will retain all sales and meals tax revenue generated by Team Events and Team Special Events.

Section 7.04. ADMISSIONS TAX. The City will retain all admissions tax revenue generated by Team Events and Team Special Events from the sale of tickets. The current Admissions Tax for the City of Lynchburg is 7%, and it may be subject to modification by the Lynchburg City Council. In the event the Admissions Tax is increased, the additional revenue generated above the previous 7% rate will be added to the Repair, Replacement and Maintenance Funds described in this Franchise.

Section 7.05. NAMING RIGHTS REVENUE. The Team, on or before April 1st of each year this Franchise is in effect, shall pay to the City an annual Naming Rights Fee of $25,000. The Team will have the right to sell Naming

Rights to the Stadium and retain 100% of the revenue. The Team is responsible for all associated commissions and fulfillment expenses. All Naming Rights shall be in good taste and consistent with the overall goals of the Team and the City to provide family entertainment through baseball and other athletic and recreational events at the Stadium. Naming Rights associated with tobacco products shall not be permitted at any time.

ARTICLE VIII

FACILITY MAINTENANCE

Section 8.01. FACILITY MAINTENANCE. The City agrees to furnish the Team with a field that is in playable condition. The Team will maintain the Stadium turf and facilities as set forth in this Franchise.

Section 8.02. ONE-TIME CAPITAL IMPROVEMENTS. The City agrees to fund up to $5.25 Million in one-time capital improvements to the Stadium inclusive of all project costs to include all Architectural and Engineering fees and any other fees associated directly therewith. Improvements are intended to take place in the first two (2) years of this Franchise, if possible. The Team will have the right to make recommendations for improvements to the City and to make such procurements subject to City approval. All improvements to the Stadium will be and remain the property of the City. The City will pay all invoices. In the event the City approves the Team paying an invoice, the Team will invoice the City only after satisfactory completion of work, as determined by the City. The City will then have thirty (30) days after receipt of an invoice to pay the Team.

Section 8.03. STRUCTURAL AND SYSTEMS MAINTENANCE. Routine maintenance, operation and repair of all structural components of the Stadium and all heat, ventilating, air conditioning, plumbing and electrical systems shall be the responsibility of the City. The Team shall follow City procedures to request maintenance and repairs, and the City shall have sole authority over scheduling repairs depending on staff levels and funding. The Team shall be responsible for repairs caused by abuse, neglect, damage, and/or vandalism by its employees, umpires, concessionaires, agents, Stadium opponents or attendees during Team Events or Team Special Events. The City shall make necessary repairs and invoice the Team for these repairs. The City shall not be responsible for any loss of revenues to the Team resulting from a building systems failure. Requests for payments hereunder shall be fulfilled within thirty (30) days of a request.

Section 8.04. CUSTODIAL SERVICES. The Team shall be responsible for the routine daily cleaning of the clubhouse, office areas, non-public restrooms and other administrative areas. The Team shall also be responsible for cleaning the public restrooms, Common Areas, seating areas, picnic areas, and clubhouse after each Team Event or Team Special Event. The Team will furnish sufficient equipment and supplies such as soap, paper products and cleaning supplies that are needed for its own use, visiting teams and the general public. The Team is responsible for the removal of all trash and debris from the site in accordance with all applicable regulations and City ordinances. All areas shall be maintained in a clean and attractive manner and in compliance with all applicable legal requirements. The City shall perform heavy cleaning, including, but not limited to, washing windows and walls, stripping floor tile, and shampooing carpet in all areas of the Stadium during the off season.

Section 8.05. ON-SITE PARKING AREA CLEAN-UP. The Team shall be responsible for picking up all trash, broken glass, etc., in the Stadium parking area and on street parking in surrounding neighborhoods by 9:00 a.m. the morning following a Team Event or Team Special Event. Should these services not be completed by that time, and upon reasonable notice to the Team, the City reserves the right to conduct such services and invoice the Team for services provided. Requests for payments hereunder shall be fulfilled within thirty (30) days of a request. The City shall be responsible for the onsite parking area cleanup for all City Events and subject to City approval, the Team may provide this clean-up for City Events and invoice the City for services provided if necessary.

Section 8.06. EMERGENCY REPAIRS. The City will provide emergency repair services to the Stadium after the City's normal operating hours. The Team shall follow the City's procedures to request these services. To request emergency repairs after hours, the Team should call Lynchburg Emergency Communications with the nature of the request and duty personnel will be contacted to respond. In order to keep the City's overtime costs to a minimum, the Team shall reserve the request of this service for extreme emergencies, including, but not limited to, failure of building systems that would cause the cancellation of an event, structural damage to the facility or a threat to the life safety of the public or employees.

Section 8.07. EXTERIOR SITE AND FIELD MAINTENANCE. The City shall be responsible for routine maintenance of the grounds and landscaping surrounding the Stadium. The City's responsibility shall include mowing,

landscape maintenance, including the replacement of trees and shrubs, and parking lot maintenance and repair.

The Team shall provide daily routine maintenance for the field, including, but not limited to, mowing the infield and outfield, spot seeding, watering, all infield maintenance, marking, trash pick-up, edging infield, and repairing damage to the field due to Team Events or Team Special Events. All field maintenance practices or enhancements used by the Team are subject to prior written approval by the City and shall meet professional baseball standards. The Team shall be required to provide all tools and equipment necessary to perform field maintenance. The Team shall supply marble dust, red clay, "weblight", sand, and any other specialized field materials. The Team shall purchase and handle field covers at its own effort and expense.

The Team shall provide broad leaf weed control, pre-emergent herbicide applications, seed, and fertilizer and shall perform periodic activities beyond routine daily maintenance such as aerating, overseeding, and warning track renovation. All pesticides shall be applied, stored, and disposed of in accordance with all applicable regulations.

Section 8.08. LONG-TERM FIELD MAINTENANCE. The City's written consent shall be necessary prior to the Team's undertaking of a major turf replacement. In the event of a major turf replacement, the Team shall submit a report to the City, specifying in detail the nature and cause of the damage to the turf and the cost of replacement. Sod removal and/or replacement necessitated by the conversion of the Stadium's field for athletic events or resulting from damage to the field occurring at Team Events, Team Special Events, or City Events, shall be handled pursuant to Article IV, Stadium Operation and Services, of this Franchise. Field renovation would qualify as a capital expense to be funded from the capital reserve as outlined in Article VIII, Section 8.13 hereof.

Section 8.09. SITE SECURITY. The Team assumes full responsibility for the security of those portions of the Stadium it occupies and/or uses pursuant to the terms of this Franchise and it is understood that any property placed at the Stadium is so placed at the risk of the owner. The City shall not be responsible for any loss of or damage to property which the Team, any of its players or any visiting team may sustain at the Stadium, regardless of how such loss or damage occurs. The Team is expressly prohibited from using the football field or the running track adjacent to the Stadium without the City's approval.

Section 8.10. LIGHT BULB REPLACEMENT. The Team will be responsible for all light bulb replacement in the interior and exterior of the Stadium while this Franchise is in effect, excluding field lights. The City agrees to maintain field lights at or above Minor League Baseball standards.

Section 8.11. MAINTENANCE OF ELECTRONIC SCOREBOARD, PUBLIC ADDRESS SYSTEM, AND ELECTRONIC MESSAGE BOARD. The Team shall be responsible for the maintenance and repair of the Scoreboard, the electronic message board, and the public address system. Upon termination of this Franchise, the public address system, the Scoreboard, and the electronic message board will remain the property of the City. Any manuals, software, or records relating to the operation of this equipment shall be given to the City. If Team elects not to use any of the $5.25M in capital improvements for a new Scoreboard and new electronic message board, then the Team, not the City, will pay the cost for any replacement Scoreboard or major repair of the current Scoreboard during the term hereof.

Section 8.12. REPLACEMENT OF CAPITAL ITEMS. While this Franchise is in effect, the Team shall replace as necessary all capital items that are not the responsibility of the City under the provisions of this Franchise consistent with the provisions of Article VIII, Section 8.13 hereof, including the Scoreboard and the electronic message board. The City shall undertake to pursue its remedies under any warranties for all capital items and original construction. Any recoveries realized shall be reimbursed to the Team to the extent the Team has incurred expenses under this Section. The City shall be responsible for scheduling all Capital Improvement Projects related to the Stadium including the Scoreboard, the electronic message board, and the public address system depending on available funding. Requests for payments hereunder shall be fulfilled within thirty (30) days of a request.

Section 8.13. REPAIR, REPLACEMENT AND MAINTENANCE FUND. The City will establish a $150,000 annual reserve account, to be maintained by the City, for mutually agreed upon expenditures of a capital nature such as repair, replacement, maintenance and improvements of the Stadium structural elements and associated equipment. Subject to City approval, Funds may be used for repairs and replacement in Sky Boxes and a new Scoreboard. Capital expenditures shall consist of those items having an initial cost in excess of $10,000 and which are required to be assigned a useful life in accordance with Internal Revenue Service rules and guidelines for amortization purposes. The funds will roll over each year with any excess funds added to the $150,000 in the following year. In the event the spending should exceed $150,000 in any year, then any savings in other years will be used to offset any years overages.

Section 8.14. MLB OR CAROLINA LEAGUE REQUIRED OR MANDATED IMPROVEMNENTS. The City will make its best efforts to include these in the "Repair, Replacement and Maintenance Funds" as listed in Section 8.13 above. If any Major League Baseball ("MLB") or Carolina League required or mandated improvements result in the "Repair, Replacement and Maintenance Funds" exceeding $150,000 in any given Baseball Season, the overage amount will be shared equally between the City and the Team.

Section 8.15. PDL TERMINATION. In the event that MLB terminates the license agreement with Lynchburg and the team desires to change from a natural grass field to Artificial Turf, the City and the Team agree to address the issue of sharing costs of repairing or converting the field in the next or renewed franchise.

ARTICLE IX

UTILITIES

Section 9.01. ELECTRICAL, WATER, SEWER, CABLE SERVICE. The City shall be responsible for providing and funding all utilities at the Stadium, including electricity, water, and sewer. Where able, the City shall also provide a cable television drop for free basic cable service as part of a local cable franchise held by the City. Cable service above and beyond this free service is the responsibility of the Team. The Team shall responsibly consume the utilities provided to keep the cost to the City at a minimum.

ARTICLE X

TEAM SUPPLIED EQUIPMENT

Section 10.01. TEAM SUPPLIED EQUIPMENT. The Team shall provide, at its sole cost and expense, the following items (the "Team Supplied Equipment"): all equipment necessary for Food and Beverage Services, other than currently existing City-owned equipment; Batting Cages apparatus; the furniture and office equipment for the areas designated for ticketing, merchandise sales, Press Box, and administrative offices; and any other Team equipment necessary for its operations. If any Team Supplied Equipment is removed by the Team, the Team shall repair and restore, at its sole cost and expense, any damage caused by its removal.

ARTICLE XI

SCHEDULING

Section 11.01. AGREEMENT OF THE PARTIES. The Team and the City agree that all scheduling for events in the Stadium will be coordinated in a fashion to maximize the beneficial use of the Stadium by the City and the Team.

Section 11.02. SCHEDULING TEAM EVENTS. By October 1st of each year, the City and the Team shall mutually and reasonably approve all Team Special Events and Team Events to take place at the Stadium during the succeeding calendar year. The Team shall have priority in the selection of its home Baseball Season dates, tournament game dates, and Carolina League All-Star game dates, if applicable, and will be provided (number to be determined) rain dates during the home Baseball Season prior to the scheduling of City Events during the Baseball Season.

Section 11.03. SCHEDULING CITY EVENTS. No later than October 1st of each year while this Franchise is in effect, the City will provide to the Team a listing of those City Events which are priority events for purposes of scheduling during the Baseball Season. In no case shall the City preempt the Team's Baseball Season with a single or multi-day event. The Team shall submit its approved home Baseball Season schedule to the City as soon thereafter as such schedule is approved by the Carolina League and Major League Baseball. Any dates reserved for post-season play by the Team shall be released and canceled on the schedule from the time that the Team is mathematically eliminated from post-season competition.

The Team shall notify the City of requested dates for Team Special Events no later than October 1st of each calendar year. The balance of the events scheduled at the Stadium shall be scheduled with conflicts in requested dates being resolved by the parties on the basis of the following criteria:

(a) The date the request was received by the City or Team, as the case may be;

(b) The requested event's ability to maximize the productive long-term use of the Stadium; and

(c) The goal of the City to provide the opportunity of equal access to the Team to maximize scheduling of Team Events after the scheduling of those City Events which are priority events.

Section 11.04. ACCESS FOR BASEBALL PRACTICES. The Team shall have reasonable access to the Stadium to conduct practices during the Baseball Season. A "practice" shall consist of required drills and workouts under coaching supervision at which all players are required to appear and shall be scheduled so as not to interfere with otherwise scheduled events at the Stadium.

Section 11.05. COORDINATION OF SCHEDULING. All scheduling will be coordinated with the Team to assure that the required City Stadium Services can be provided by the Team without hindering the provision of Team Stadium Services as required for the Team's use of the Stadium.

ARTICLE XII

INDEMNIFICATION AND INSURANCE

Section 12.01. INDEMNIFICATION. The Team agrees to indemnify, defend and hold harmless the City and its respective officers, agents, employees and volunteers, from any and all claims brought against them for personal injury, death, property damage and any other losses, damages, charges or expenses, including attorneys' fees, which are in connection with, or by reason of any act, omission or negligence of the Team, its officers, employees, contractors, agents, players, or of any occupant, visitor or user present on or about the Stadium in connection with the Team's activities pursuant to this Franchise. The indemnity set forth in this Article XII shall survive the termination or expiration of this Franchise. The Team agrees to have its insurance companies waive any rights of subrogation that such companies may have against the City and such waiver shall be shown on the certificates of insurance described in this Article. Further, the Team agrees to indemnify, defend and hold harmless the City, its officials and employees, from any and all environmental liability arising out of the use and operation of the Stadium during the term of this Franchise.

Section 12.02. INSURANCE POLICIES ON TEAM PROPERTY. The Team shall, effective as of the commencement date of this Franchise, obtain policies of insurance on any property or equipment placed within the Stadium or on surrounding City property and maintain such policies on all its property or equipment placed in the Stadium or on surrounding City property during the term of this Franchise. Such policies shall provide for fire, theft, vandalism and extended coverage for the Team's equipment. The City shall have no responsibility or liability whatsoever with respect to any loss, theft of, or damage to the personal property of the Team, its employees, officers, agents, contractors, players, players for opposing teams, umpires, concessionaires, employees and agents of concessionaires, stadium attendees, and others.

Section 12.03. INDEMNIFICATION FOR LOSS, THEFT OR DAMAGE TO PERSONAL PROPERTY. The Team agrees to indemnify, defend and hold harmless the City, its officers, directors, employees and agents with respect to any claim or liability for loss, theft of, or damage to personal property of the Team, its employees and players, players for opposing teams, umpires, concessionaires, employees and agents of concessionaires, stadium attendees, and others, except to the extent that such loss, theft or damage is caused by the acts of the City, its employees, or agents.

Section 12.04. REQUIRED TEAM POLICIES OF INSURANCE EFFECTIVE AS OF COMMENCEMENT DATE. The Team shall, effective as of the commencement date of this Franchise and thereafter while this Franchise is in effect, keep in full force and effect the following policies of insurance: Comprehensive general liability insurance, including products liability insurance against any and all claims and losses arising out of its activities under this Franchise in the following minimum amounts:

Bodily injury and property damage coverage with a combined single limit of $3,000,000.00.

Umbrella Liability Coverage and Umbrella Liability Policy in an amount not less than $5,000,000.00 for any one occurrence in excess of the aforementioned general liability insurance.

Liquor Liability Coverage - The Team, either directly or through its Food and Beverage Services third-party contractors or concessionaires, shall provide and keep in full force and effect while this Franchise is in effect, liquor liability coverage in the amount of $3,000.000.00.

Food and Vending Liability Coverage - the Team, either directly or through its Food and Beverage Services third-party contractors or concessionaires, shall provide and keep in full force and effect while this Franchise is in effect, food and vending liability coverage in an amount of $3,000,000.00.

Workers Compensation - the Team shall provide and keep in full force and effect during the term of this Franchise, workers compensation insurance in full compliance with the laws of the Commonwealth of Virginia.

Section 12.05. NAMED INSUREDS AND CERTIFICATES OF INSURANCE. Where permitted by Virginia law and policy, all of the insurance policies described in Article XII, Section 12.04 herein shall show the Team and the City, its officials, officers, and employees, as named insured parties as their interests may appear. The insurance required of the Team herein shall be primary and any insurance or self-insurance maintained by the City is secondary and applies only in excess of and shall not contribute with the insurance obtained by the Team. Any deductibles or self-insurance retention applicable to the required coverage shall be paid by the Team and the City shall not be required to participate therewith. The Team shall deliver to the City a copy of said insurance policy or certificate of insurance with the necessary endorsements to the City's Risk Manager showing the same to be in full force and effect before occupying the Stadium; upon renewal of this Franchise; and, at other times throughout the term of the Franchise when the City requests confirmation of insurance coverage. The Team must give the City ten (10) calendar days advance written notice of any cancellation, nonrenewal, or modification of coverage, and a binder or certificate verifying new coverage in accordance with the requirements herein prior to any change, cancellation or nonrenewal date. In the event of such cancellation or nonrenewal notice, the Team shall obtain and pay all premiums for the renewal or replacement of the insurance required hereunder. The Team shall, at least sixty (60) days prior to the expiration of the policies, furnish the City with renewals or "binders" for the policies, or the City may order the required insurance and charge the cost to the Team, which such costs shall be paid to the City within thirty (30) days of a written request.

The failure of the Team to maintain such insurance coverage throughout the term of this Franchise shall be grounds for the immediate termination hereof. The Team's responsibility to the City hereunder is not limited to the amount of such insurance coverage. All insurance will be obtained by the Team from insurance companies authorized by Virginia's State Corporation Commission to do business in Virginia.

ARTICLE XIII

EVENTS OF DEFAULT AND REMEDIES

Section 13.01. EVENTS OF DEFAULT. The occurrence of any one or more of the following events constitutes a default under this Franchise:

Section 13.01.1. Failure by the Team to pay to the City any fees or other payments due hereunder when due and payable, and such failure shall continue for ten (10) days following written notice (which notice shall not be required for a default in any payment required pursuant to Article VII);

Section 13.01.2. Failure by the City or the Team to make the c apital improvements required by Article VIII, Section 8.02;

Section 13.01.3. Failure by the Team to observe or perform in any material respect any other covenant, agreement, condition or provision of this Franchise (other than as specified in Section 13.01.1), and such failure shall continue for thirty (30) days after notice thereof from the City to the Team; provided, however, the Team shall not be in default with respect to matters which cannot reasonably be cured within thirty (30) days so long as within thirty (30) days after such notice the Team gives written notice to the City of its inability to cure within such thirty (30) day period and immediately commences such cure and diligently proceeds with best efforts to complete the same at all times thereafter and the Team provides the City with detailed status reports of its current and future efforts to cure such default; further provided that all such defaults shall be cured no later than one hundred eighty (180) days after notice of default from the City;

Section 13.01.4. Failure by the City to observe or perform in any material respect any other covenant, agreement, condition or provision of this Franchise (other than as specified in Section 13.01.2), and such failure shall continue for thirty (30) days after notice thereof from the Team to the City; provided, however, the City shall not be in default with respect to matters which cannot reasonably be cured within thirty (30) days so long as within thirty (30) days after such notice the City gives written notice to the Team of its inability to cure within such thirty (30) day period and immediately commences such cure and diligently proceeds with best efforts to complete the same at all times thereafter and the City provides the Team with detailed status reports of its current and future efforts to cure such default; further provided that all such defaults shall be cured no later than one hundred eighty (180) days after notice of default from the Team;

Section 13.01.5. The levy upon or under writ of execution or the attachment by legal process of the interest of the Team under this Franchise, or the filing or creation of a lien in respect of such interest, which levy, attachment, or lien shall not be released, discharged, or bonded against within sixty (60) days from the date of such filing;

Section 13.01.6. The Team makes an assignment for the benefit of creditors, or applies for or consents to the appointment of a trustee or receiver for the Team or for the major part of its property or admits in writing its inability to pay or is unable to pay its obligations as they come due;

Section 13.01.7. A trustee or receiver is appointed for the Team or for the major part of its property and is not discharged within sixty (60) days after such appointment;

Section 13.01.8. Bankruptcy, reorganization, insolvency or liquidation proceedings, or other proceedings for relief under any bankruptcy law, or similar law for the relief of debtors, are instituted by or against the Team, and, if instituted against the Team, are allowed against it or are consented to by it or are not dismissed within one hundred eighty (180) days after such appointment;

Section 13.01.9. The Stadium shall be abandoned, deserted, or vacated by the Team, even though at such time the Stadium may not be then used (because of the time of the year) for Baseball Season games; or

Section 13.01.10. Failure by the Carolina League to sustain the operation of a professional baseball league by scheduling a minimum number of home games in excess of sixty (60) per Baseball Season. Provided, however, such failure may be cured by the Team if it is able to consummate an affiliation with another professional baseball league whose financial condition, quality of baseball, number of teams and games, all as determined by the City in its sole and absolute discretion, is satisfactory, by November 15th of the year in which the Carolina League failure occurs. Such change of leagues may result in the Team requesting the City change the terms of this Franchise. Any agreed upon changes would begin with the first year of a Franchise extension.

Section 13.02. REMEDIES IN THE EVENT OF DEFAULT. If a default occurs under Section 13.01 of this Franchise, and the applicable period of time, if any, for curing such default has passed, the City and Team (the "Parties") shall have the rights and remedies hereinafter set forth, which shall be distinct, separate and to the extent not mutually exclusive, cumulative and shall not operate to exclude or deprive the Parties of any other right or remedy allowed by this Franchise or applicable law, including without limitation, the City's right to advance any sums to be paid to third parties by the Team or otherwise remedy the Team's default and to be reimbursed by the Team for the City's costs and expenses on account thereof. No delay or omission to exercise any right or power accruing under any default shall impair any such right or power or be construed to be a waiver thereof, but any such right and power may be exercised from time to time and as often as may be deemed expedient.

Section 13.02.1. If one of the Parties is in default, and the applicable period of time, if any, for curing such default has passed, the non-defaulting party may terminate this Franchise effective as of the date of its notice or as of the end of the then current Carolina League Baseball Season by giving to the defaulting party notice of the non-defaulting party's election to do so, and all rights, title and interest of the Parties hereunder shall expire at the end of the then current Carolina League Baseball Season.

Section 13.02.2. If the City exercises the remedy of termination, the Team shall vacate the Stadium no later than thirty (30) days following the date of the Team's receipt of the City's notice of termination and deliver exclusive possession thereof to the City, and the City may then or at any time thereafter, re-enter and take complete and peaceful possession of the Stadium, with or without process of law, and the City may remove all occupants and property therefrom, using such force as may be necessary, without being deemed in any manner guilty of trespass, eviction or forcible entry and

detainer and without relinquishing the City's right to any fees due to the City or any other right given to the City by this Franchise or by operation of law.

Section 13.02.3. All property removed from the Stadium by the City pursuant to a default by Team under any provisions of this Article XIII or by law may be handled, removed or stored by the City at the cost and expense of the Team, and the City shall in no event be responsible for the value, preservation or safekeeping thereof. The Team shall reimburse the City for all costs and expenses incurred by the City in such removal and storage charges against such property so long as the same shall be in the City's possession or under the City's control. All property not removed from the Stadium or retaken from storage by the Team within sixty (60) days after the end of the term, however terminated, shall be deemed conclusively to have been conveyed by the Team to the City as by bill of sale without further payment or credit by the City to the Team.

Section 13.02.4. The City may enforce the provisions of this Franchise and may enforce and protect the rights of the City hereunder by a suit or suits in equity or at law for the specific performance of any covenant or agreement contained herein, or for the enforcement of any other appropriate legal or equitable remedy, including recovery of all moneys due or to become due from the Team under any of the provisions of this Franchise.

Section 13.02.5. Upon the occurrence of any event with which the giving of notice or the passage of time would constitute a default by the Team, and until such event has been cured by the Team, the City shall be excused from the payment of any amounts which are or may become due to the Team by the City. If such event is subsequently cured, any such amounts not paid by reason of this subsection 13.02.5 shall be paid without interest.

Section 13.02.6. The Team may enforce the provisions of this Franchise and may enforce and protect the rights of the Team hereunder by a suit or suits in equity or at law for the specific performance of any covenant or agreement contained herein, or for the enforcement of any other appropriate legal or equitable remedy, including recovery of all moneys due or to become due from the City under any of the provisions of this Franchise.

Section 13.03. LIQUIDATED DAMAGES PAYABLE TO THE CITY UPON TERMINATION OF STADIUM FRANCHISE PURSUANT TO SECTION 13.02. The Team shall pay the City liquidated damages, in the amount of $100,000 a year for the remaining years of the lease term, plus the payment of any outstanding debt and the payment of any unamortized amount of the City funded initial $5.25M capital improvements, in the event the Team terminates this Franchise prior to the end of its term.

City funded improvements will be depreciated on a straight-line basis over the term of this Franchise. Further, such liquidated damages are deemed by the parties not to be a penalty of any kind whatsoever.

ARTICLE XIV

PARKING

Section 14.01. USE OF CITY PROPERTY SURROUNDING THE STADIUM. In the event parking fees are instituted, any fees charged by the Team for access to parking shall be reasonable and consistent with such fees charged for comparable parking within the Carolina League and at other minor league ballparks in the Carolina League. All revenue from such fees shall be the sole property of the Team. The City acknowledges that the Team has the sole right to enact a parking fee and to engage the services of a professional parking management company to operate all parking areas. If the Team enacts a parking fee it will pay the City a $25,000 Parking Rights Fee on an annual basis on or before April 1st for each year there is a parking charge. In the event parking fees are subject to taxation of any kind, the Team, not the City, shall be solely responsible for such taxation.

Section 14.02. SNOW REMOVAL FOR ON-SITE PARKJNG. The City shall remove snow from the on-site parking areas connected to the Team's administrative office and shall assure that the Team has access to the same on a year-round basis.

Section 14.03. PARKING AREA RESPONSIBILITIES. In the event that the Team charges fees for parking, the Team shall have the responsibility through its professional parking management company, or otherwise, to provide parking lot attendants and clean-up services.

Section 14.04. TEAM PARKING SPACES. Ten (10) parking spaces shall be made available to the Team on a year-round basis for the employees of the Team. The location of those ten (10) parking spaces shall be decided upon by the Team and the City. The assignment of such parking spaces to particular individuals shall be the sole responsibility of the Team.

Section 14.05. PARKING MANAGEMENT PLAN. The City and the Team shall jointly develop a Parking Management Plan to address the situation when an athletic event, such as a football or soccer game, is occurring at the same time as a Team Event so that parking for spectators of the City athletic event is accommodated without charge. The plan shall be communicated to the athletic departments of both City high schools.

ARTICLE XV

TRAFFIC CONTROL AND POLICE PATROL

Section 15.01. TRAFFIC CONTROL. Traffic control on all public streets around the Stadium shall be the responsibility of the City. The City, exercising its discretionary police powers, shall provide police officers of the Lynchburg Police Department when necessary to assure traffic control before and after Team Events and Team Special Events in the Stadium and will additionally be available to respond to parking lot security problems as required.

ARTICLE XVI

ASSIGNABILITY OF LICENSE SUBJECT TO PRIOR CITY APPROVAL

Section 16.01. ASSIGNABILITY. This Franchise is personal to the Team, and the Team shall not at any time assign, sell, or transfer this Franchise, or any part thereof, while this Franchise is in effect without the City's prior written approval. Further, in the event the Team is sold, consolidated, merges or is acquired by another entity, the City shall have the right to terminate this Franchise. The consideration of the City of any requested assignment or transfer may include, but shall not be limited to, the approval or disapproval of the Carolina League of such assignment or transfer. No proposed assignment shall be considered by the City unless the request for consent thereto shall be in writing and accompanied by the assignees proposed assumption of the Team's past unperformed and future obligations, resumes of its principals, reasonable financial information, and proposed financial security. Under no circumstances shall the Team be relieved of any of its obligations hereunder by any such transfer. No assignment shall, in any way, affect or diminish the Team's obligations to perform all of the terms, conditions and provisions contained in this Agreement.

ARTICLE XVII

TEAM BASEBALL GAME TICKETS

Section 17.01. COMPLIMENTARY TICKETS. The Team shall provide the City with twenty (20) complimentary tickets for each Team Event. Tickets will be in the highest non-VIP ticket price category and are to be used in conjunction with City-sponsored youth and senior programs, or as the City otherwise deems appropriate. The Team, at no cost to the City, shall also provide the City a mutually agreeable number of premium seat tickets and Sky Box usage for economic development purposes and to promote the City's Stadium. The Team will hold such complimentary tickets until one hour before the start of each Team Event for which tickets have been requested by the City.

ARTICLE XVIII

DESTRUCTION OF STADIUM

Section 18.01. PARTIAL DESTRUCTION. If the Stadium is partially destroyed by any cause and can be repaired or restored to its prior condition and the destruction does not render the Stadium unusable, as determined by the City, this Franchise shall continue in full force and effect. The City shall, at its expense, promptly commence and diligently complete the restoration of the Stadium to the same condition as of the commencement date of this Franchise, reasonable wear and tear excepted. All repair activities shall be timed and organized in such a manner as to facilitate the Team's ability to hold Team Events at the Stadium to the degree feasible. However, the Team shall be responsible for repairing or replacing any damages to the Stadium caused by the acts or omissions of the Team, its employees, umpires, concessionaires, contractors, agents, Stadium attendees, or its opponents.

Section 18.02. TOTAL DESTRUCTION. In the event the Stadium is completely and totally destroyed by fire or other casualty, and after consultation with the Team, the City in its sole discretion may elect whether to repair or restore the Stadium or to terminate this Franchise. Such election shall be exercised by the City by giving written notice to the Team within ninety (90) days after such destruction. If the City so elects, this Franchise shall terminate as of the date of such casualty and the Team's obligation to pay annual minimum compensation payments and other payments shall terminate and be prorated as of such date. If the City elects not to terminate this Franchise, the City shall proceed as promptly as practical to repair and restore the Stadium to its condition existing immediately prior to such destruction.

Section 18.03. ASSISTANCE BY THE CITY IN LOCATING A TEMPORARY FACILITY. If the Stadium becomes unavailable on a temporary basis by reason of either the partial destruction of the Stadium or the repair or restoration of the Stadium after total destruction, or for any other reason attributable to the actions of the City, the City shall utilize all reasonable efforts to assist the Team in locating an adequate temporary facility in the surrounding area.

ARTICLE XIX

CONDEMNATION

Section 19.01. CONDEMNATION. In the event that any portion of the Stadium is taken from the City pursuant to any right of eminent domain exercised by any governmental entity or pursuant to any governmental order and such taking renders the Stadium unfit for its intended purpose, then this Franchise may be terminated by the City by notifying the Team. The Team shall have no right to any portion of any award granted with respect to such taking except that the Team shall have the independent right to make a claim against the condemner for and retain any award based thereon for the reasonable value of costs by the Team for the expenses incidental to relocating from the Stadium and for the lost value of this Franchise.

ARTICLE XX

SIGNAGE

Section 20.01. SIGNAGE. The Team shall post signs in the parking areas indicating that vehicle owners assume the risk of damage from fly balls and other hazards. The Team shall also post signs within the Stadium warning spectators of the dangers of flying balls and broken or flying bats. The Team shall also be responsible for all claims arising out of personal injuries or property damage caused by flying balls and broken or flying bats, and it shall indemnify, defend, and hold harmless the City, its respective officers, agents, employees and volunteers, as provided in Article XII hereof, for any liabilities which arise in connection with the same.

ARTICLE XXI

FORCE MAJEURE

Section 21.01. The parties hereto, respectively, shall not be in default of this Franchise if either is unable to fulfill, or is delayed in fulfilling, any of its obligations hereunder, or is prevented or delayed from fulfilling its obligations, in spite of its employment of best efforts and due diligence, as a result of natural disasters, catastrophic events, casualties to persons or properties, war, governmental preemption in a national emergency, enactment of a law, rule or regulation or a change in existing laws, rules or regulations which prevents any party's ability to perform its respective obligations under this Franchise, or actions by other persons beyond the exclusive control of the party claiming hindrance or delay. If a party believes that a hindrance or delay has occurred, it shall give prompt written notice to the other party of the nature of such hindrance or delay, its effect upon such party's performance under this Franchise, the action needed to avoid the continuation of such hindrance or delay, and the adverse effects that such hindrance or delay then has or may have in the future on such party's performance. Notwithstanding notification of a claim of hindrance or delay by one party, such request shall not affect, impair or excuse the other party hereto from the performance of its obligations hereunder unless its performance is impossible, impractical or unduly burdensome or expensive, or cannot effectively be accomplished without the cooperation of the party claiming delay or hindrance. The occurrence of such a hindrance or delay may constitute a change in the obligations of the parties or compensation, for example, and may result in the need to modify this Franchise accordingly.

ARTICLE XXII

NO RELOCATION OF TEAM

Section 22.01. The Team agrees not to relocate from the Stadium without City approval. The Team acknowledges that the City will be irreparably harmed by the transfer of the Team's Baseball franchise to a location other than the Stadium during the term (or renewal term) of this Franchise.

A breach of this section shall constitute an event of default under this Franchise, and shall entitle:

(i) The City to terminate this Franchise immediately and without notice; and

(ii) The City to receive liquidated damages as stipulated in Article XIII, Section 13.03 hereof.

ARTICLE XXIII

ACKNOWLEDGMENT OF BOND STATUS

Section 23.01. As a material and substantial inducement for the City to enter into this Franchise, the Team agrees that it will not undertake any action or fail to take any action or permit any of its officials, agents or employees to act or fail to act (including, without limitation, entering into one or more management contracts with respect to the Stadium), if any such act or omission shall cause the City to be in default of any of its obligations under or in connection with the bonds issued to finance renovation of the Stadium or shall cause interest paid or hereafter paid on such bonds from time to time to be liable for, or otherwise subject to, taxation by the Commonwealth of Virginia or the United States of America.

ARTICLE XXIV

MISCELLANEOUS

Section 24.01. NONDISCRIMINATION. The Team shall not discriminate, nor permit discrimination, against any person in its employment practices, in any of its contractual arrangements, in all services and accommodations it offers the public, and in any of its other business operations on the grounds of race, color, sex, or national origin, nor exclude any person from participation in, nor deny the benefits of or be otherwise subject to discrimination in the use of the Stadium or providing services on the grounds of race, color, sex, or national origin. Additionally, the Team shall not discriminate against and will make all reasonable efforts to accommodate persons with disabilities as required by the Americans with Disabilities Act.

Section 24.02. GOVERNING LAW. This Franchise shall be construed under and in accordance with the laws of the Commonwealth of Virginia and all litigation shall have venue in the courts located in the City of Lynchburg, Virginia.

Section 24.03. ENTIRE AGREEMENT. This Franchise, with its Exhibit, constitutes the final, complete and exclusive written expression of the intent of the parties with respect to the subject matter hereof which will supersede all previous verbal and written communications, representations, agreements, promises or statements concerning this Franchise.

Section 24.04. TAXES AND ENCUMBRANCES. The Team shall pay promptly when due, any and all personal property and other taxes imposed. The Team shall not permit any mechanics liens or other encumbrances or liens to exist against the Stadium and shall within thirty (30) days of any such lien or encumbrance being asserted against the Stadium as a result of action or inaction by the Team either cause the same to be released of record, bond or obtain title insurance coverage satisfactory to the City over such lien and proceed diligently to contest the same in good faith.

Section 24.05. SEVERABILITY. If any one or more of the provisions contained in this Franchise shall for any reason be held to be invalid, illegal, or unenforceable in any respect, and if such holding does not affect the ability of the Team to perform and have access to the Stadium as provided for herein, such invalidity, illegality or unenforceability shall not affect any other provision hereof, and this Franchise shall be construed as if such invalid, illegal or unenforceable

provision was not contained herein.

Section 24.06. NOTICES AND ADDRESSES. All notices required to be given under this Franchise shall be given by date-and-time stamped facsimile, hand delivery with signed receipt, overnight or other courier with signed receipt, or by return receipt certified or registered mail, addressed to the proper party at the following addresses, or at such other address as may be subsequently given pursuant to this Section, and shall be deemed given within seven (7) days of being sent or provided:

If to the City:

City of Lynchburg, VA
Attn: City Manager
900 Church Street
Lynchburg, VA 24504

If to the Team:

Hillcats Baseball LLC
Attn: Dylan Narang
1545 35th St. NW
Washington, DC 20007-2753

Section 24.07. AMENDMENT/MODIFICATION. The City and the Team may agree to modify this Franchise from time to time, however, no amendment, modification, or alteration of the terms of this Franchise shall be binding unless in writing, dated subsequent to the date hereon, and approved in accordance with Section 15.2-2105 of the Code of Virginia, 1950, as amended. However, as determined on a case-by-case basis by the City Manager, minor modifications that do not invoke the requirements of the aforesaid code section and the correction of Scriveners' Errors may be accomplished by the parties without approval of the Lynchburg City Council.

Section 24.08. RIGHTS AND REMEDIES CUMULATIVE. The rights and remedies provided by this Franchise are cumulative and the use of any right or remedy by either party shall not preclude or waive its rights to use any or all other remedies. Said rights and remedies are given in addition to any other rights the parties may have by law, statute, ordinance or otherwise.

Section 24.09. HEADINGS ONLY FOR REFERENCE. The titles of articles and sections of this Franchise are for reference purposes only and shall be of no binding effect.

Section 24.10. STATUS OF PARTIES. Parties hereto shall be deemed and construed as independent contractors with respect to one another for all purposes and nothing contained in this Franchise shall be determined to create a partnership or joint venture between the Team and the City with respect to the parties' activities conducted at the Stadium pursuant to the terms of this Franchise.

Section 24.11. WAIVER. The waiver by either the Team or the City of any default or breach by the other party of any of the provisions of this Franchise shall not be deemed a continuing waiver or waiver of any other breach by the other party of the same or another provision of this Franchise.

Section 24.12. BINDING EFFECT. This Franchise shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

Section 24.13. REFERENCES TO THE CITY AND THE TEAM. All references to the City and the Team in this Franchise shall be deemed to also be references to such officers, employees, or other designees of the City or the Team as may be appropriate to implement the terms of this Franchise, including officers or employees of any sports authority or similar entity.

Section 24.14. EXHIBITS. All exhibits attached to this Franchise are expressly incorporated into the same and are a part of this Franchise as if fully set out herein.

Section 24.15. SURRENDER. Upon the expiration of this Franchise, or on the sooner termination hereof, the Team shall peaceably and quietly leave, surrender and yield up to the City, the Stadium, free of all occupants and free of all claims by the Team or any other person or entity against the City for any repairs, replacements, or improvements made to the Stadium.

The Stadium shall be returned to the City, including all operational and mechanical systems, in good working order and repair. Any removable property of the Team, which shall remain in the Stadium after the expiration of this Franchise or sooner termination thereof and after the removal of the Team from the Stadium, may, at the option of the City, and after written notice to the Team, be deemed to have been abandoned, and either may be retained by the City as its property or may be disposed of in such manner as the City may see fit.

Upon the expiration or sooner termination of this Franchise, the Team shall also assign to the City such of its licenses, entertainment contracts, and contracts for goods and services which the City, at its option, requires in writing to have the Team assign to it, providing that the City shall be responsible to fulfill only such of those obligations of the Team which arise after such assignment and are attributable to periods after such assignment and be entitled to only those rights which fairly may be apportioned to such obligations. To facilitate such assignments, the Team further agrees to incorporate a provision in each of such contracts, sub-franchises, and licenses by which the other party to that agreement agrees to any future assignment of the Team's rights and obligations thereunder to the City in accordance with the terms of this paragraph.

Upon the expiration or sooner termination of this Franchise, the City shall have the benefit of any and all guarantees or warranties which the Team may possess or be entitled from any person or entity who performed any work or made or supplied any improvements, installations and/or equipment for or to the Stadium which provide for repairs or replacements by the guarantors or warrantors. As to all such guarantees and warranties which are freely assignable, the Team shall, promptly upon request by the City, assign the same to the City.

If the Team elects not to seek renewal of this Franchise, the Team agrees that it will use its best efforts to ensure a smooth transition of the Stadium and business conducted therein back to the City.

Section 24.16. TIME OF THE ESSENCE. Time is of the essence regarding any date in this Franchise and the Exhibits attached hereto.

Section 24.17. CONTRACT REVIEW. In advance of entering into any agreement concerning the Stadium, the Team shall provide a copy of such agreement to the City for its approval.

Section 24.18. MEDIATION. Upon the agreement of the City and the Team, a dispute, except for any claimed default or termination of this Franchise under Article XIII, which cannot be otherwise resolved within thirty (30) days, may be referred to a mediation panel consisting of the City Manager, a Team representative, and a neutral party selected by the Team and the City and expeditiously resolved in accordance, if necessary, with a vote of the majority of the panel. The panel's decision shall be final and conclusive.

Section 24.19. TEAM SIGNS. The City hereby grants the Team the right, subject to the written prior approval of the City, to place a sign or signs, at the Team's sole cost and expense, upon the exterior facade of the Stadium indicating that the Stadium is the home of the Team.

Section 24.20. CAROLINA LEAGUE CHANGES. The Team shall reasonably and promptly provide the City with notice of any proposed modification in the Carolina League Standards, the Carolina League By-Laws, any of the Team's agreements with the Carolina League, and the composition of the member teams in the Carolina League. Such notice shall include the complete text of any modification.

A copy of the Carolina League Standards, the Carolina League By-Laws, any of the Team's agreements with the Carolina League, and the composition of the member teams in the Carolina League shall be provided to the City Manager within thirty (30) days of this Franchise being fully executed.

Section 24.21. LOSS OF REVENUE. The City shall not be liable for any loss of revenue the Team may experience as a result of the repair, maintenance, improvement, or operation of the Stadium property, rights of way, and other publicly owned facilities that are adjacent to the Stadium.

Section 24.22. THIRD-PARTY BENEFICIARIES. No third-party beneficiaries are intended by this Franchise.

Section 24.23. EXECUTION OF FRANCHISE. This Franchise may be executed in counterparts, each of which when so executed shall be deemed to be an original and all of which taken together shall constitute one enforceable document. Further, this Franchise may be executed and/or sealed electronically. An electronic signature and/or seal shall be equally as enforceable as an original signature or seal.

Section 24.24. BOND / GOOD AND SUFFICIENT SECURITY. Where requested by the City, pursuant to Section 15.2-2104 of the Code of Virginia, 1950, as amended, the Team shall execute a surety or other bond for the benefit of the City, in an amount not to exceed $1,000,000, to provide the City with good and sufficient security that the Team will adhere to its obligations and duties under this Franchise.

Section 24.25. NOVATION. This Franchise shall operate as a novation and replace that certain franchise adopted by the Lynchburg City Council on February 23, 2016, accepted by the Lynchburg Baseball Corp., and assigned to the Team as of October 25, 2024.

IN WITNESS WHEREOF, the Team and the City, or duly authorized agents on their behalf, hereby execute and seal this Franchise as of the date first written above.

(Remainder of Page Intentionally Left Blank)
(Signature Pages Follow)

Hillcats Baseball, LLC

By: _____

Its: Principal

Printed Name: SANJIV "Dylu" NARANG

State/Commonwealth/~~Virginia~~ Virginia of ~~Af~~ Virginia, }

City/County of Arlington, *to - wit:* }

The foregoing instrument was acknowledged before me on behalf of Hillcats Baseball, LLC, by Sanjiv Kumar, its Principal, on this 8th day of May, 2025.

_____
Notary Public

My Commission Expires: 12/31/2028

My Registration No. 7826725

Affix Notary Seal:

WILLIAM PATRICK PAN YENCHONG
NOTARY PUBLIC
REG. #7826725
MY COMMISSION EXPIRES
12/31/2028
COMMONWEALTH OF VIRGINIA

City of Lynchburg

By: _____

Its: City Manager

Printed Name: Wynter C. Benda

(SEAL)

Attest: _____

Its: Clerk of Council

Printed Name: Alicia L. Finney

Approved as to Form:

_____

City Attorney/Designee

State/Commonwealth/_____ of Virginia, }

City/County of Lynchburg, *to - wit:* }

The foregoing instrument was acknowledged before me on behalf of the City of Lynchburg, by Wynter C. Benda, its City Manager, on this 29 day of May, 2025.

_____

Notary Public

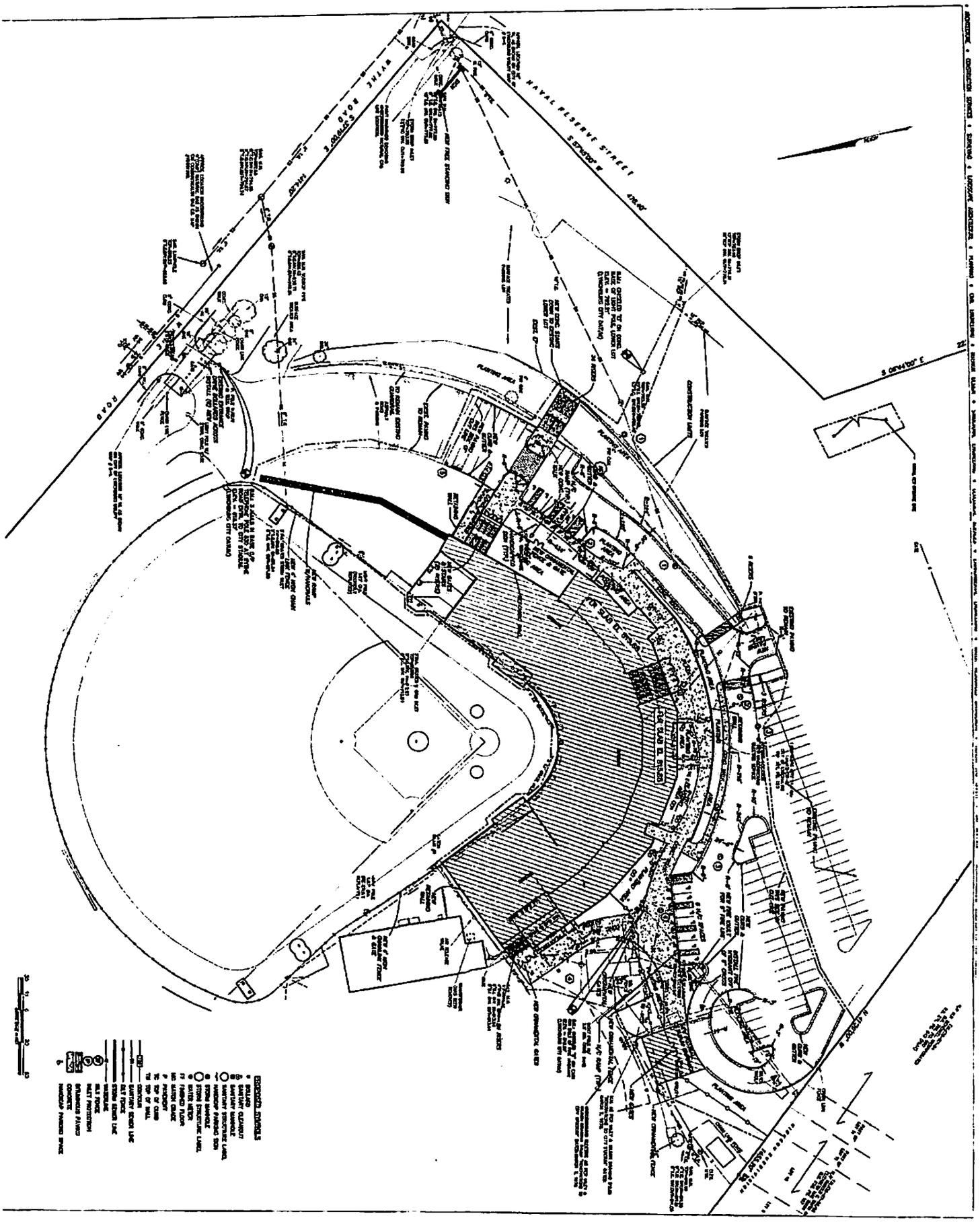
My Commission Expires: 5/31/28

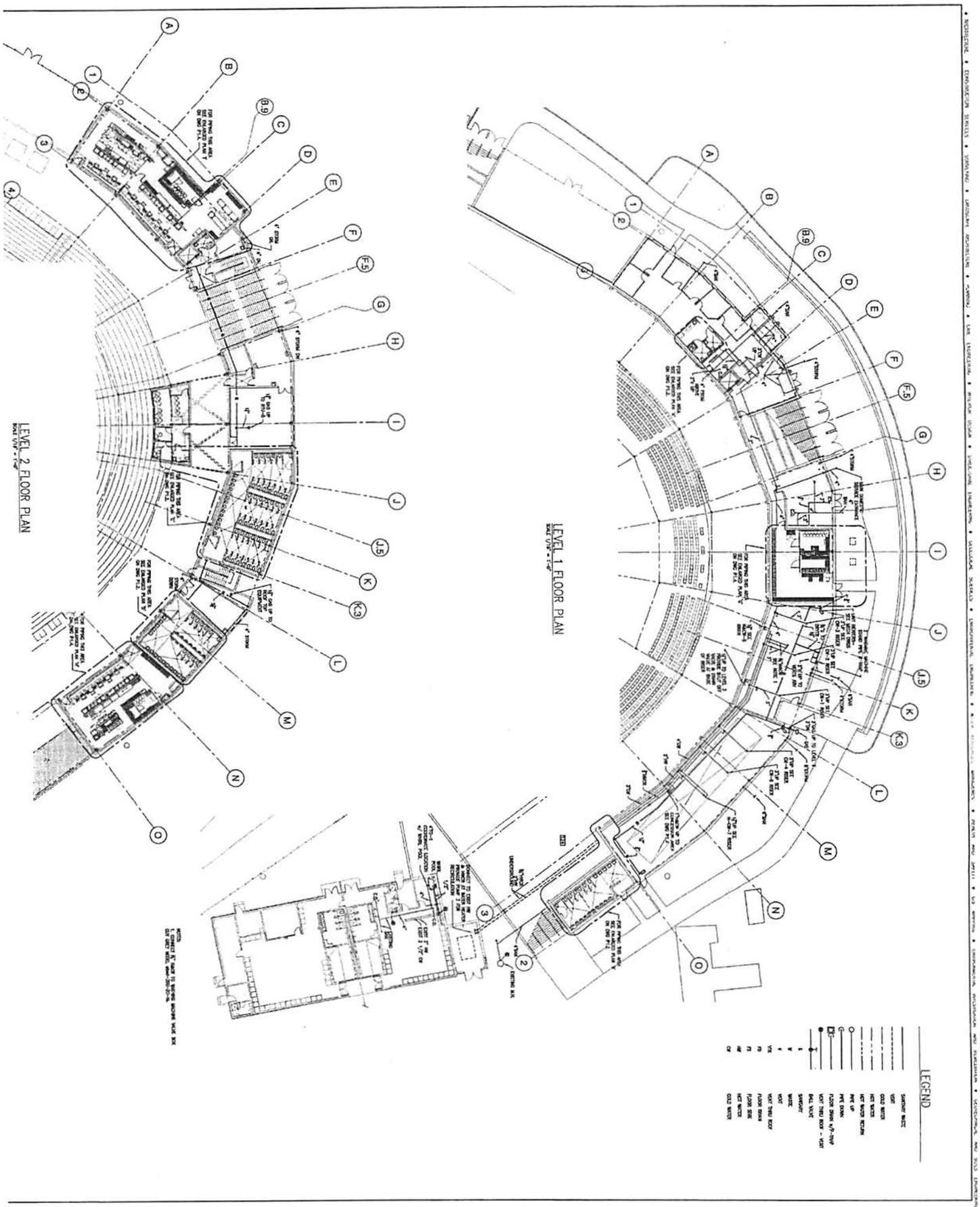
My Registration No. 00281949

Affix Notary Seal:

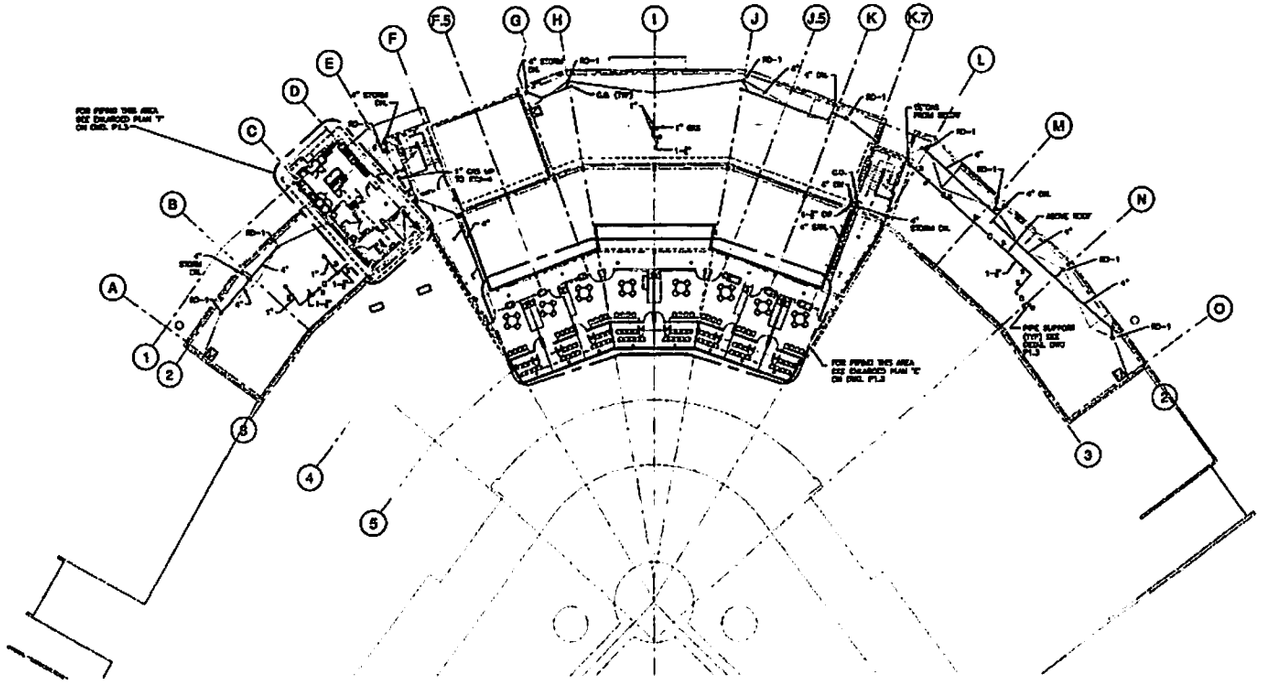
SAMANTHA STEELE
NOTARY PUBLIC
REGISTRATION # 00281949
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
MAY 31, 2028

EXHIBIT "A" - Page 1 of 3




LEVEL 2 FLOOR PLAN
LEVEL 1 FLOOR PLAN
LEGEND

• ARCHITECTURE • CONSTRUCTION SERVICES • SURVEYING • LANDSCAPE ARCHITECTURE • PLANNING • CIVIL ENGINEERING • INTERIOR DESIGN • STRUCTURAL ENGINEERING • GEOLOGICAL SCIENCES • ENVIRONMENTAL ENGINEERING • WATER RESOURCES MANAGEMENT • HEALTH AND SAFETY • GIS MAPPING • ENVIRONMENTAL RESTORATION AND REMEDIATION • GEOTECHNICAL AND SOILS ENGINEERING • TRANSPORTATION ENGINEERING •



LEVEL 3 & ROOF PLAN

SCALE 1/16" = 1'-0"

GENERAL NOTES:

1. ALL LEVEL 2 & LEVEL 3 PIPING SHALL BE SLOPED TO PROVIDE DRAINAGE. PROVIDE HOSE BIBBS OR DRAIN VALVES AT LOW POINTS.
2. PROVIDE ACCESS DOORS FOR ALL CONCEALED VALVES, CHECK ASSEMBLIES AND ANY REMOVABLE ITEMS

INSTRUMENT 250003419
RECORDED IN THE CLERK'S OFFICE OF
LYNCHBURG CIRCUIT COURT ON
JUNE 3, 2025 AT 11:10 AM
TODD SWISHER, CLERK
RECORDED BY: TKL

OFFICIAL RECEIPT
LYNCHBURG CIRCUIT COURT
DEED RECEIPT

DATE : 06/03/2025 **TIME :** 11:10:55 **CASE # :** 680CLR250003419
RECEIPT # : 25000009265 **TRANSACTION # :** 25060300034
CASHIER : TKL **REGISTER # :** C699 **FILING TYPE :** AG **PAYMENT :** FULL PAYMENT
INSTRUMENT : 250003419 **BOOK :** **PAGE :** **RECORDED :** 06/03/2025 **AT :** 11:10
GRANTOR : LYNCHBURG CITY OF **EX :** N **LOC :** CI
GRANTEE : HILLCATS BASEBALL L L C **EX :** N **PCT :** 100%
RECEIVED OF : LYNCHBURG CITY OF
ADDRESS :
CASH : $0.00
DESCRIPTION 1 : SEE AGREEMENT **PAGES :** 031 **OP :** 0
NAMES : 0
CONSIDERATION : $0.00 **A/VAL :** $0.00 **PIN OR MAP :** 01202001

ACCOUNT CODE	DESCRIPTION	PAID
035	VIRGINIA OUTDOOR FOUNDATION	$0.00
106	TECHNOLOGY TRST FND	$0.00

ACCOUNT CODE	DESCRIPTION	PAID
145	VSLF	$0.00
301	CLERK RECORDING/INDEXING FEE	$0.00

TENDERED : $ 0.00
AMOUNT PAID : $ 0.00

AGENDA ITEM SUMMARY

MEETING DATE	PRESENTED BY
July 14, 2026	Alicia Finney-Andrews, Clerk of Council

AGENDA ITEM # VI.19

Consideration of adopting Resolution #R-26-075 approving the City Council's regular meetings for CY 2027.

RECOMMENDATION

Adopt a resolution setting the City Council's regular meetings for calendar year 2027.

SUMMARY

Section § 15.2-1416 of the Code of Virginia and Section § 2-6 of the City Council's Rules of Procedure provide that each year the local governing body shall prescribe by resolution the schedule of meeting dates, times, and places for the upcoming year.

Regular meetings of the City Council are held on the second and fourth Tuesdays of each month at 4:00 p.m. and 7:00 p.m., with the following exceptions:

- No regular meeting will be held on the fourth Tuesday in July or December, and
- No regular meeting will be held on the second Tuesday in August.

The 4:00 p.m. work sessions of the Council will take place in the 2nd Floor Training Room of City Hall, located at 900 Church Street. The 7:00 p.m. regular meetings of the Council will be held in the Council Chamber at the same address.

PRIOR ACTION(S)

N/A

FISCAL IMPACT

N/A

CONTACT(S)

Alicia Finney-Andrews, Clerk of Council

ATTACHMENT(S)

1. #R-26-075
2. Resolution

REVIEWED BY



Alicia Finney-Andrews, Clerk of Council

Date: July 09, 2026

RESOLUTION: **#R-26-075**

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

1. That the regular meetings of the Lynchburg City Council, for Calendar Year 2027 (January 1, 2027 through December 31, 2027), shall be held as follows:

   Meetings shall be held in the City Hall, 900 Church Street, Lynchburg, VA 24504 as follows: Second and fourth Tuesday of the month, at 4:00 p.m. and 7:00 p.m.; except, (i) there will be no regular meeting on the fourth Tuesdays during the months of July and December, and (ii) there will be no regular meeting on the second Tuesday during the month of August. The Council Work Session portion of the Council's regular meetings will be held in the training room of the second floor of the City Hall, 900 Church Street, Lynchburg, VA 24504. Except as previously noted, all regular meetings of the Council shall be held in the Council Chamber of the City Hall, 900 Church Street, Lynchburg, VA 24504.

2. That this Resolution shall be effective upon adoption.

Adopted: July 14, 2026

Certified: Alicia Finney-Andrews
Clerk of Council

RESOLUTION:

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

1. That the regular meetings of the Lynchburg City Council, for Calendar Year 2027 (January 1, 2027 through December 31, 2027), shall be held as follows:

   Meetings shall be held in the City Hall, 900 Church Street, Lynchburg, VA 24504 as follows: Second and fourth Tuesday of the month, at 4:00 p.m. and 7:00 p.m.; except, (i) there will be no regular meeting on the fourth Tuesdays during the months of July and December, and (ii) there will be no regular meeting on the second Tuesday during the month of August. The Council Work Session portion of the Council's regular meetings will be held in the training room of the second floor of the City Hall, 900 Church Street, Lynchburg, VA 24504. Except as previously noted, all regular meetings of the Council shall be held in the Council Chamber of the City Hall, 900 Church Street, Lynchburg, VA 24504.

2. That this Resolution shall be effective upon adoption.

Adopted:

Certified: _____
Clerk of Council

AGENDA ITEM SUMMARY

MEETING DATE	PRESENTED BY
July 14, 2026	Michelle Jackson, Director of Human Resources, L Creasy, Fire Chief

AGENDA ITEM # VI.20

Second Reading: Consideration of adopting Ordinance #O-26-070 amending the FY 2027 General Fund budget and appropriating $310,800 to fund a detailed staffing assessment, a full-time civilian human resources leadership position, and a full-time sworn position to coordinate department-wide training in the Fire Department.

RECOMMENDATION

Adopt Ordinance #O-26-___ to amend the FY 2027 General Fund budget and appropriate $310,800 with resources from the FY 2027 General Fund Reserve for Contingencies to fund the Lynchburg Fire Department (LFD) for the following purposes:

1. Conduct a detailed staffing assessment of the department
2. Create a full-time civilian human resources leadership position in LFD
3. Create a full-time sworn position to coordinate department-wide training in LFD

SUMMARY

The City of Lynchburg engaged Raftelis, a nationally recognized public-sector advisory firm, to conduct an independent assessment of the Lynchburg Fire Department's organizational climate, culture, and hiring processes. As a result of the assessment, the following recommendations were made:

1. Recommendation 3: Elevate the role of Emergency Management Services (EMS) within the Department's organizational structure and culture. A detailed staffing assessment is required to support this recommendation. The assessment would consider EMS workload and current staffing levels and shift schedules to meet service demand. From there alternative staffing structures could be analyzed based on industry practice with associated City staffing costs for potential changes to overall staffing levels. Given the existing service demand and workload requirements, it is likely any changes to the staffing structure may increase the number of sworn paramedics and associated personnel costs. Analysis should also consider the evaluation of 24/72 hour shifts. Cost not given by the consultant; estimated cost up to $100,000.
2. Recommendation 4: Create a dedicated Human Resources leadership position that is embedded within the Department. The estimated cost of this full-time civilian position is $75,000 for the salary and $27,000 for benefits, for a total cost of $102,000.

3. Recommendation 11: Establish a formal training program for current line staff. Adding a Lieutenant or Captain to coordinate department-wide training would establish a more sustainable training structure for the Department. The estimated cost of this sworn position is $80,000 for the salary and $28,800 for benefits, for a total cost of $108,800.

PRIOR ACTION(S)

June 9, 2026: City Council Work Session - Presentation of the Lynchburg Fire Department Climate, Culture, and Hiring Process Assessment Results and Recommendations

FISCAL IMPACT

Use of $310,800 from the FY 2027 General Fund Reserve for Contingencies

CONTACT(S)

Michelle Jackson, Director of Human Resources
L Creasy, Fire Chief

ATTACHMENT(S)

1. #O-26-070
2. Ordinance - LFD 06-23-26

REVIEWED BY

Reid Lanham, Interim Director of Financial Services — Date: July 09, 2026

Gregory Patrick, Deputy City Manager — Date: July 09, 2026

Alicia Finney-Andrews, Clerk of Council — Date: July 09, 2026

ORDINANCE: **#O-26-070**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG that the FY 2027 General Fund budget is amended and $310,800 is appropriated with resources from the FY 2027 General Fund Reserve for Contingencies to fund a detailed staffing assessment, a full-time civilian human resources leadership position, and a full-time sworn position to coordinate department-wide training in the Fire Department.

Introduced: June 23, 2026 Adopted: July 14, 2026

Certified: Alicia Finney-Andrews
Clerk of Council

ORDINANCE: **#O-26-___**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG that the FY 2027 General Fund budget is amended and $310,800 is appropriated with resources from the FY 2027 General Fund Reserve for Contingencies to fund a detailed staffing assessment, a full-time civilian human resources leadership position, and a full-time sworn position to coordinate department-wide training in the Fire Department.

Introduced: Adopted:

Certified: _____
Clerk of Council