



COUNTY OF PRINCE WILLIAM

5 County Complex Court, Suite 210, Prince William, Virginia 22192-9201
(703) 792-7615 FAX (703) 792-4401 www.pwcgov.org

PLANNING
OFFICE

Rebecca Horner, AICP, CZA
Director of Planning

April 19, 2019

TO: Planning Commission

FROM: Rebecca Horner, AICP, CZA
Planning Director

RE: Zoning Text Amendment #DPA2019-00002, Data Center Overlay
Recommendations (**Countywide**)

I. Background – is as follows:

- A. Purpose of the Zoning Ordinance – Section 15.2-2283 of the Code of Virginia states that zoning ordinances shall be for the general purpose of promoting the health, safety, or general welfare of the public.

Current Zoning Ordinance Language - The purpose and intent of the County Code Sec. 32-509.01, Data Center Opportunity Zone Overlay District, is to promote development of data centers within areas of the County where there is existing infrastructure that could adequately support the proposed use. This District continues the County's efforts to attract and advance high-tech industrial development while limiting negative impacts to communities.

- B. Current Language Impacts – There are currently areas of the overlay district that have access to visibility and transportation infrastructure that is unnecessary for a data center, but otherwise important for high profile employment uses. Additionally, there are a couple areas that appear to be ideal for data center uses where existing zoning is in place, access to high transmission power lines exists and are far enough from existing and planned residential neighborhoods that a data center use will not conflict. This amendment also addresses areas that are currently mapped that are either not following parcel lines with other data center overlay areas or are currently developed with a conflicting land use, such as schools or planned and zoned residential uses.
- C. Proposed Remedy – The proposed map amendment removes areas that should be retained for high visibility employment uses, adds areas that appear to be ideal for data center development and adjusts boundaries based on mapping or use inconsistencies. Additionally, the amendment includes design standard language to ensure high quality design and buffering, as appropriate, for data centers that are by-right uses. The design standards also acknowledge a floor-area-ratio increase to up to 1.0 within the data center overlay district. This will allow data centers to be developed in more compactly, which will allow them to develop on less land, leaving more area for other employment users.

II. Current Situation – is as follows:

- A. Directive – On November 28, 2017, through DIR 17-77, Chairman Stewart requested that staff initiate a Zoning Text Amendment to initiate a Zoning Text to review the Data Center Opportunity Zone Overlay District (DCOZOD) and make appropriate recommendations.
- B. Zoning Text Amendment Initiated – On June 26, 2018, the BOCS initiated Zoning Text Amendment #DPA2019-00002, Data Center Overlay Recommendations to Article V, Part 509, the Prince William County Zoning Ordinance, to review the current Data Center Opportunity Zone Overlay District map and make recommendations regarding its boundaries as well as draft design standards for data center structures. (See Attachment B for BOCS Initiating Resolution)
- C. Stakeholder Involvement – The Planning Office held a series of meetings with stakeholders and data center industry representatives throughout 2018 and into early 2019. Revisions were made throughout the process to address stakeholder concerns. The draft text represents a consensus of those involved in the process.
- D. Planning Commission Work Session – The proposed Zoning Text Amendment was presented to the Planning Commission for discussion during a Work Session on April 3, 2019.
- E. Development Ordinance Review Advisory Committee (DORAC) – The committee reviewed the proposed Zoning Text Amendment on April 15, 2019.
- F. Planning Office Recommendation – The Planning Office recommends approval of #DPA2019-00002, Data Center Opportunity Zone Overlay District in Attachment A, for the following reasons:
 - 1. The revised map better represents the locations the County would like to promote data center development.
 - 2. The proposed design standards ensure high-quality design and appropriate buffering in appropriate areas.
 - 3. The increased floor-area-ratio (FAR) allows for more compact development of data centers, which will help preserve area for other employment uses.
- G. Planning Commission Public Hearing – A public hearing before the Planning Commission has been properly advertised for May 1, 2019.

III. Issues in the order of importance are:

- A. Policy – Does the amendment further the purposes of the Zoning Ordinance?
- B. Community Input – Have members of the community raised any concerns?

- C. Legal – Are there any legal implications associated with this zoning text amendment?
- D. Timing – What are the timing considerations of the zoning text amendment?

IV. Alternatives – beginning with the staff recommendation are as follows:

- A. Recommend Adoption of Zoning Text Amendment #DPA2019-00003, Domestic Fowl Overlay District Recommendations to the Prince William County Zoning Ordinance.
 - 1. Policy – The proposed text promotes compact data center development in appropriate areas with high-quality design and buffering.
 - 2. Community Input – The Planning Office has worked with industry and community stakeholders. Their comments are represented in the attached draft. Staff has not received additional comments from the community as of the date of this staff report.
 - 3. Legal – Legal issues, if any, are appropriately addressed through the County Attorney’s Office.
 - 4. Timing – The Planning Commission has until July 30, 2019, 90 days from the first public hearing, to take action on this proposal. A recommendation to adopt the Zoning Text Amendment would meet the 90-day requirement.
- B. Do Not Recommend Adoption of Zoning Text Amendment #DPA2019-00003, Domestic Fowl Overlay District Recommendations to the Prince William County Zoning Ordinance.
 - 1. Policy – If the BOCS does not adopt the proposed amendment, the zoning text shall remain unchanged. Design standards for data centers shall not exist and the allowable FAR will revert to the base zoning district allowances.
 - 2. Community Input – The Planning Office has worked with industry and community stakeholders. Their comments are represented in the attached draft. Staff has not received additional comments from the community as of the date of this staff report.
 - 3. Legal – Legal issues, if any, are appropriately addressed through the County Attorney’s Office.
 - 4. Timing – The Planning Commission has until July 30, 2019, 90 days from the first public hearing, to take action on this proposal. A recommendation to adopt the Zoning Text Amendment would meet the 90-day requirement.

- V. **Recommendation** is that the Planning Commission concurs with Alternative A and recommends adoption of Zoning Text Amendment #DPA2019-00002, Data Center Opportunity Zone Overlay District.

Staff: Rebecca Horner, AICP, CZA 703-792-6854

Attachments:

- A. Proposed Text Amendment
- B. BOCS Initiation Resolution

Attachment A - Proposed Text Amendment

Sec. 32-509.02. - Establishment of Data Center Opportunity Zone Overlay District.

1. A Data Center Opportunity Zone Overlay District may be established by the Board of County Supervisors on lands in proximity to high voltage transmission lines of 115kv or more and planned or zoned for office or industrial uses.

2. A Data Center Opportunity Zone Overlay District shall be created and amended by ordinance upon resolution of the Board of County Supervisors. The boundaries shall be set using a map.

3. Said District shall overlay the existing zoning district. The regulations and requirements of the underlying zoning district and the Data Center Opportunity Zone Overlay District shall both apply, provided however, that when the regulations applicable to the Data Center Opportunity Zone Overlay District conflict with the regulations of an underlying zoning district, the Data Center Opportunity Zone Overlay District regulations shall apply.

4. Data Center Design Standards. Data Centers shall meet the following design guidelines:

(A) Principal Building Facades. Principal building facades shall include all building facades that face adjacent major arterials or interstates. When a building has more than one principal facade, such principal building facades shall be consistent in terms of design, materials, details, and treatment. Principal building facades associated with new construction shall meet the following standards:

(1) Principal building facades shall avoid the use of undifferentiated surfaces by including at least two of the following design elements:

- a. change in building height;
- b. building step-backs or recesses;
- c. fenestration;
- d. change in building material, pattern, texture, color; or
- e. use of accent materials.

(B) Screening of Mechanical Equipment. In order to minimize visibility from adjacent roads and adjacent properties, ground level and roof top mechanical equipment shall be screened from major arterials, interstates and abutting residentially zoned or planned properties. This screening may be provided by a principal building or existing vegetation that will remain on the property or is within a landscaping/buffer easement on an adjacent property. Mechanical equipment not screened by a principal building or existing vegetation shall be screened by a visually solid fence, screen wall or panel, parapet wall, or other visually solid screen that shall be constructed of materials compatible with those used in the exterior construction of the principal building. Notwithstanding the requirements of this section, mechanical equipment located in a manner found to have no adverse impact on adjacent roads and adjacent properties, as determined by the Planning Director, shall not be required to be screened.

Attachment A – Proposed Text Amendment

(C) Buffer Yard Requirement. A buffer yard is required in order to screen the data center from adjacent residentially zoned or planned properties. In lieu of the buffer yard requirement in DCSM Section 800, any side/rear yard abutting property that is not planned or developed with commercial or industrial uses shall include a buffer yard required plantings installed on an earthen berm that has a minimum height of six (6) feet and a slope not steeper than 2:1, planted to a type C DCSM buffer standard. The buffer yard plantings shall be installed in accordance with the requirements of the DCSM. Notwithstanding the requirements of this section, use of natural topography and preservation of existing vegetation, supplemented by new vegetation, if needed, or on the outside of a six foot tall solid fence, may be substituted for the above requirements when found by the Planning Director to provide visual screening from adjacent land uses at the density, depth, and height equivalent to the buffer yard with earthen berm.

(D) Fencing. Fencing of the property is permitted, provided that fencing along public or private streets is not chain-link, with or without slatted inserts, and does not include barbed wire or other similarly visibly intrusive deterrence device. Chain-link fencing or barbed wire fencing are prohibited along public or private street frontages. This fencing allowance does not relieve a property owner from complying with all fire and access code requirements. The Planning Director may allow for alternative compliance with this requirement, provided the applicant demonstrates that the fencing visibility is reduced, through the use of landscaping and other methods to reduce visibility. Examples of permitted fencing include the following:

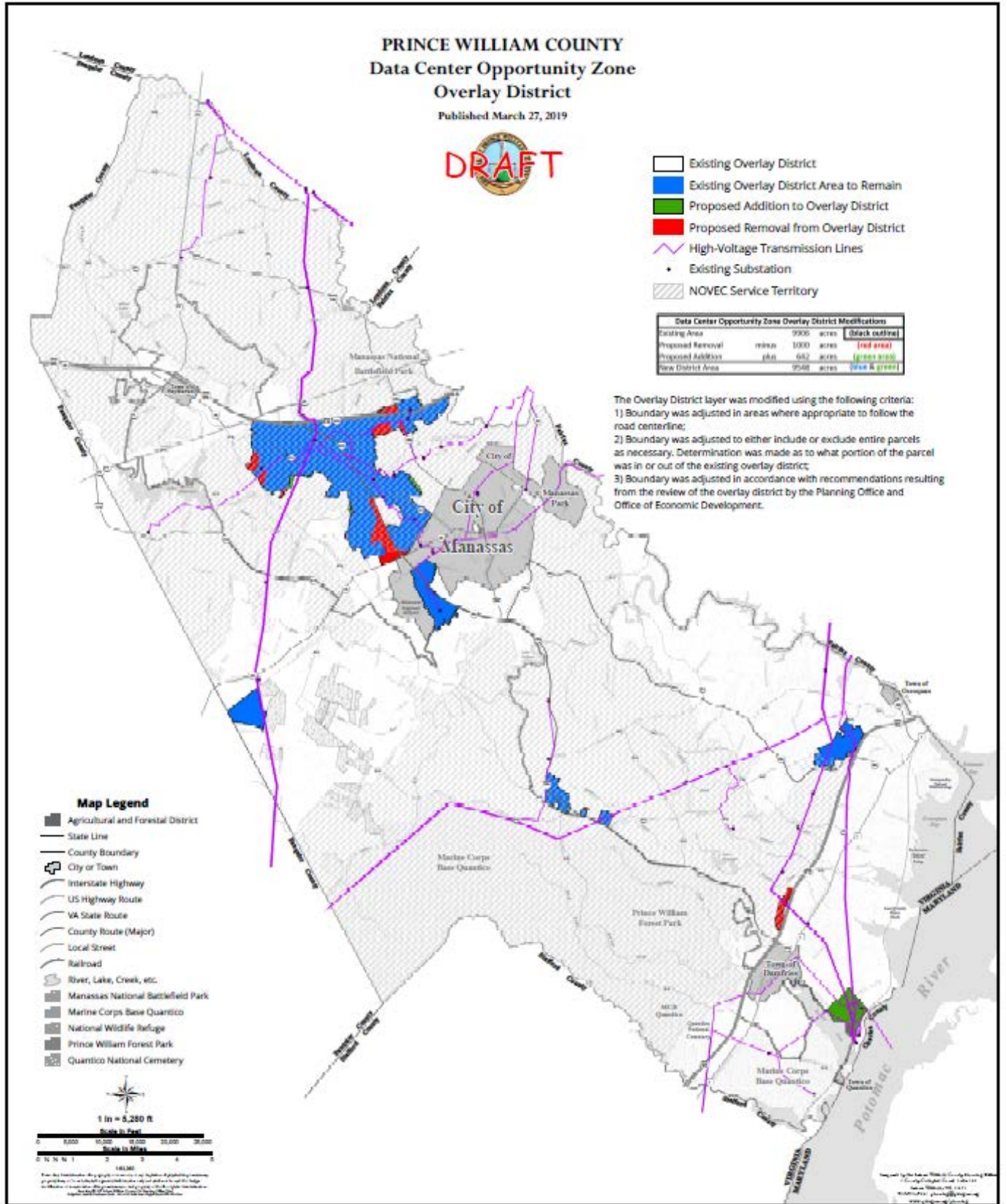
(E) Data Centers are permitted an increased FAR, within the Data Center Opportunity Zone Overlay District, up to 1.0 FAR provided all other development standards (excluding FAR limitations) for the underlying district are met. Data center outside of the Data Center Opportunity Zone Overlay District may request an increase in FAR through a special use permit process, as described and allowed in Sec. 32-400.04 of the Zoning Ordinance.

(F) Substations. Substations shall be screened from adjacent major roads or residentially zoned/planned properties as follows:

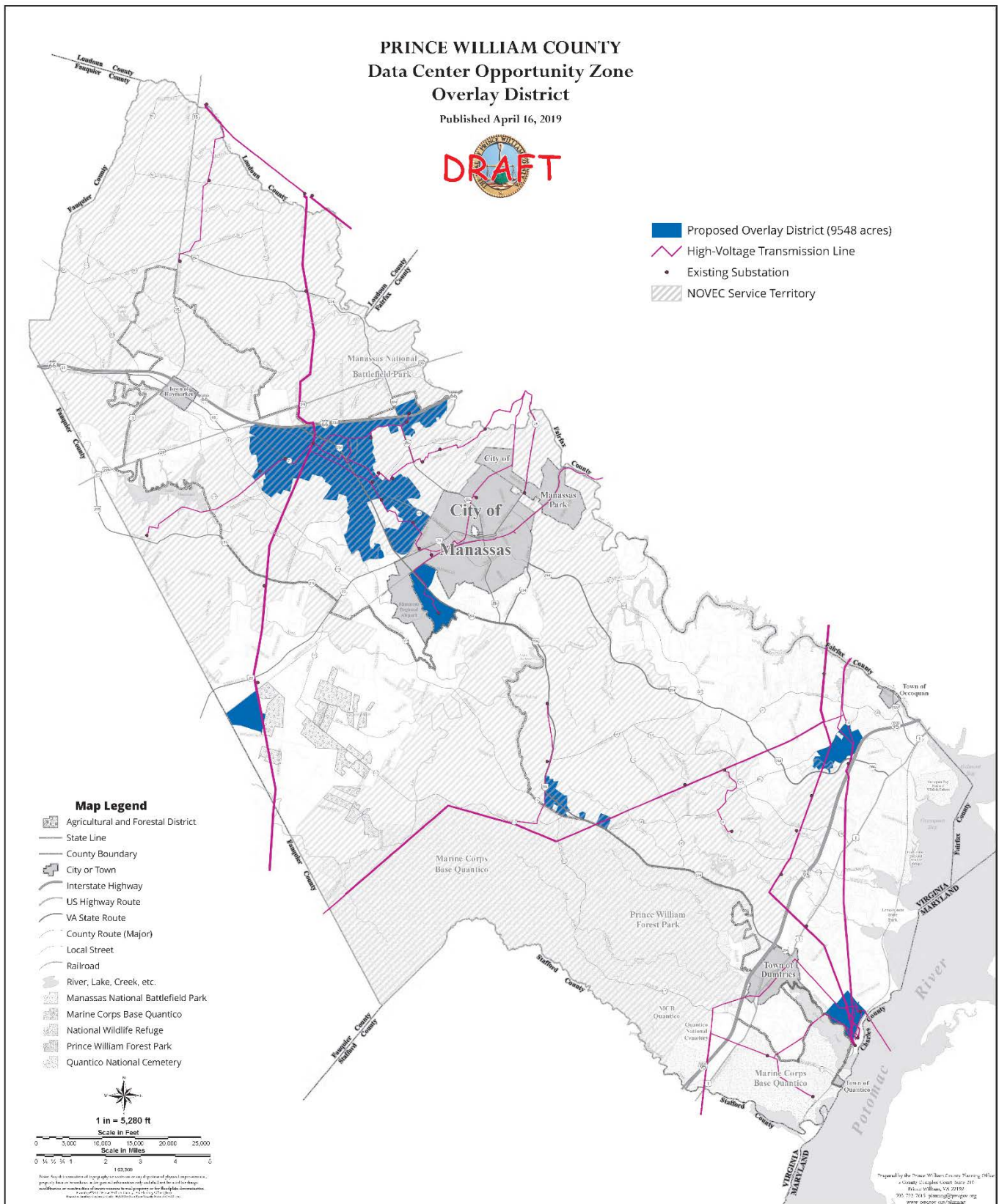
(1) Ten-foot-tall opaque fencing facing residentially zoned/planned properties.

(2) All other buffering and landscaping requirements of the DCSM shall still apply.

Attachment A – Proposed Text Amendment



Attachment A – Proposed Text Amendment



Attachment B – BOCS Initiating Resolution

MOTION: LAWSON

**June 26, 2018
Regular Meeting
Res. No. 18-389**

SECOND: CADDIGAN

**RE: INITIATE A ZONING TEXT AMENDMENT FOR DATA CENTER
 OPPORTUNITY ZONE OVERLAY DISTRICT – COUNTYWIDE**

ACTION: APPROVED

WHEREAS, in accordance with Title 15.2-2285 of the Code of Virginia, Ann., the Board of County Supervisors may amend the Zoning Ordinance whenever it determines that public necessity, health, safety, convenience, general welfare and good zoning practice necessitate such change; and

WHEREAS, on November 28, 2017, Chairman Stewart (DIR 17-77), requested that staff initiate a zoning text amendment to review the Data Center Opportunity Zone Overlay District (DCOZOD) and make appropriate recommendations to the Board of County Supervisors; and

WHEREAS, Economic Development and Planning Office staff have looked at the County and determined there are areas that staff would recommend removing and additional areas that could be considered to be added to the DCOZOD; and

WHEREAS, currently, there are currently no design standards for data centers, which are often large structures without architectural detail or variation, some of which are visible from public rights-of-way; and

WHEREAS, staff recommends initiating a zoning text amendment to allow staff to work with and engage the public, including the many citizens who were involved and collaborated in the creation of the DCOZOD, to analyze the DCOZOD and draft design standards for data centers throughout the County; and

WHEREAS, amending the Zoning Ordinance for the above-referenced issue is required by public necessity, convenience, general welfare and good zoning practice, and is consistent with the intent of Title 15.2-2283 of the Code of Virginia, Ann; and

WHEREAS, the Prince William Board of County Supervisors believes that public general welfare as well as good zoning practices, are served by the initiation of this Zoning Text Amendment;

NOW, THEREFORE, BE IT RESOLVED, that the Prince William Board of County Supervisors hereby initiates a Zoning Text Amendment to Article V, Part 509, the Prince William County Zoning Ordinance, to review the current Data Center Opportunity Zone Overlay District map and make recommendations regarding its boundaries as well as draft design standards for data center structures.

Attachment A – Proposed Text Amendment

June 26, 2018
Regular Meeting
Res. No. 18-389
Page Two

Votes:

Ayes: Anderson, Caddigan, Candland, Jenkins, Lawson, Nohe, Principi

Nays: None

Absent from Vote: Stewart

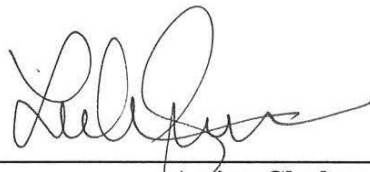
Absent from Meeting: None

For Information:

Planning Director

County Attorney

ATTEST: _____



Acting Clerk to the Board