

# 14-C Option 1

**MOTION:**

May 18, 2021  
Regular Meeting  
Res. No. 21-

**SECOND:**

**RE: INITIATE A ZONING TEXT AMENDMENT FOR DATA CENTER OPPORTUNITY ZONE OVERLAY DISTRICT AND SUBSEQUENT CHANGES TO THE COMPREHENSIVE PLAN AND DESIGN AND CONSTRUCTION MANUAL – COUNTYWIDE**

**ACTION:**

**WHEREAS**, in accordance with Title 15.2-2285 of the Code of Virginia, Ann., the Prince William Board of County Supervisors (Board) 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 March 2, 2021, the Board, via Directive (DIR) 21-20, requested that staff bring forward recommendations to expand and change the Data Center Opportunity Zone Overlay District (DCOZOD) to reflect increased infrastructure and new ways of developing data centers; and

**WHEREAS**, the Data Center Opportunity Overlay District is part of the Prince William County Zoning Ordinance and changes to the zoning ordinance require an resolution to initiate an amendment; and

**WHEREAS**, a wholistic evaluation of the overlay may require changes to other county documents i.e., the Design Construction Standards Manual (DCSM) and the Comprehensive Plan; and

**WHEREAS**, pursuant to section 15.2-2229 of the Virginia Code, the Board may consider amendments to the Comprehensive Plan; and

**WHEREAS**, staff recommends initiating amendments to the zoning ordinance, the DCSM, and the Comprehensive Plan to allow staff to work with and engage the data center industry, utilities, and the public, including the many citizens who were involved and collaborated in the creation of the DCOZOD, to analyze the DCOZOD and revise 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 Board believes that public general welfare as well as good zoning practices, are served by the initiation of this Zoning Text Amendment;

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**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby initiates amendments to County policies and regulations related to data center development including the Data Center Opportunity Zone Overlay District, the Design and Construction Standards Manual, the Comprehensive Plan, the Zoning Ordinance, and other appropriate development regulations and directs staff to make recommendations to reflect increased infrastructure and new ways of developing data centers.

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**For Information:**

Planning Director  
County Attorney

**ATTEST:** \_\_\_\_\_  
**Clerk to the Board**

# 14-C Option 2

**MOTION:**

May 18, 2021  
Regular Meeting  
Res. No. 21-

**SECOND:**

**RE: INITIATE A ZONING TEXT AMENDMENT FOR DATA CENTER OPPORTUNITY ZONE OVERLAY DISTRICT AND SUBSEQUENT CHANGES TO THE COMPREHENSIVE PLAN AND DESIGN AND CONSTRUCTION MANUAL – COUNTYWIDE**

**ACTION:**

**WHEREAS**, in accordance with Title 15.2-2285 of the Code of Virginia, Ann., the Prince William Board of County Supervisors (Board) 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 March 2, 2021, the Board, via Directive (DIR) 21-20, requested that staff bring forward recommendations to expand and change the Data Center Opportunity Zone Overlay District (DCOZOD) to reflect increased infrastructure and new ways of developing data centers; and

**WHEREAS**, the Data Center Opportunity Overlay District is part of the Prince William County Zoning Ordinance and changes to the zoning ordinance require a resolution to initiate an amendment; and

**WHEREAS**, a wholistic evaluation of the overlay may require changes to other county documents i.e., the Design Construction Standards Manual (DCSM) and the Comprehensive Plan; and

**WHEREAS**, pursuant to section 15.2-2229 of the Virginia Code, the Board may consider amendments to the Comprehensive Plan; and

**WHEREAS**, staff recommends initiating amendments to the zoning ordinance, the DCSM, and the Comprehensive Plan to allow staff to work with and engage the data center industry, utilities, and the public, including the many citizens who were involved and collaborated in the creation of the DCOZOD, to analyze the DCOZOD and revise 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 Board believes that public general welfare as well as good zoning practices, are served by the initiation of this Zoning Text Amendment;

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**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby initiates amendments to County policies and regulations related to data center development including the Data Center Opportunity Zone Overlay District, the Design and Construction Standards Manual, the Comprehensive Plan, the Zoning Ordinance, and other appropriate development regulations and directs staff to make recommendations to reflect increased infrastructure and new ways of developing data centers;

**BE IT FURTHER RESOLVED** that the Prince William Board of County Supervisors hereby transfers, budgets, and appropriates \$120,000 from the Economic Development Opportunity Fund to the Planning Office to procure consultant services to complete the above workload.

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**For Information:**

Planning Director  
County Attorney

**ATTEST:** \_\_\_\_\_  
**Clerk to the Board**



# STAFF REPORT

<b>Board Meeting Date:</b>	May 18, 2021
<b>Agenda Title:</b>	Initiate a Zoning Text Amendment for Data Center Opportunity Zone Overlay District and Subsequent Changes to the Comprehensive Plan and Design and Construction Manual
<b>District Impact:</b>	Countywide
<b>Requested Action:</b>	Initiate review and amendments related to data center development.
<b>Department:</b>	Planning Office
<b>Staff Lead:</b>	Parag Agrawal, AICP, Director of Planning

## EXECUTIVE SUMMARY

On March 2, 2021, the Prince William Board of County Supervisors (Board) requested staff to initiate, review, and amend the existing Data Center Opportunity Zone Overlay District. The Board directed staff to analyze increased infrastructure and new ways of developing data centers, while identifying new areas of the County where data centers would be appropriate. The Data Center Opportunity Zone Overlay District works in conjunction with the Comprehensive Plan, the Design and Construction Standards Manual, and other provisions in the Zoning Ordinance to control the design, location, and impacts of data centers. Therefore, staff believe that amendments to those policy documents may be necessary as part of this comprehensive review of data center regulations in the County. The request will initiate amendments to the Data Center Opportunity Zone Overlay District, the Design and Construction Standards Manual, the Comprehensive Plan, the Zoning Ordinance, and other appropriate development regulations. The board directed this process would:

1. Engage existing and new stakeholders; and
2. Incorporate methods to embrace green technology; and
3. Encourage the conservation of green and open spaces, as data centers are developed in a more holistic way.

## BACKGROUND

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- 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.
- B. 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 overlay district continues the County's efforts to attract and advance high-tech industrial development while limiting negative impacts to communities.
- C. Directive – Staff was directed on March 2, 2021, via Directive (DIR) 21-20, to bring the Board recommendations to expand and change the Data Center Opportunity Zone Overlay District. Staff's recommendation should reflect increased infrastructure and new ways of developing data centers. Any process undertaken should:
- Engage existing and new stakeholders; and
  - Incorporate methods to embrace green technology; and
  - Encourage the conservation of green and open spaces, as data centers are constructed in a more holistic way.
- Staff was asked to analyze the existing Data Center Opportunity Zone Overlay District text and maps and return to the Board with possible Zoning Text Amendment (ZTA) language to amend the map and expand the Overlay District while looking at opportunities to build more data centers, including in locations with high voltage power lines, and anywhere else it may be feasible.
- D. Proposed Remedy – If initiated the proposed zoning text amendment will allow staff to work with stakeholders to draft proposed changes to the Data Center Opportunity Zone Overlay District. As the Data Center Opportunity Zone Overlay District works in conjunction with the Comprehensive Plan, the Design and Construction Standards Manual, and other provisions in the Zoning Ordinance to control the design, location, and impacts of data centers, staff recommends initiating changes to these policies and regulations as well, if necessary, to fulfill the intent of the directive. In accordance with the Board's directive, staff will study best practices for data center development, emerging green technologies, and existing or planned infrastructure as it relates to data centers in the county, while recognizing that data centers are a targeted industry in the adopted Target Industry Plan and an important driver of economic growth and tax base in the county. The recommendations should reflect increased infrastructure and new ways and areas for developing data centers. Where appropriate, staff will incorporate these components into the recommendation.

- E. Option 1 In-house – The Planning Office, working with a project team that would also include the Department of Economic Development, the Department of Public Works, the Department of Parks, Recreation, and Tourism, and the Department of Development Services, would develop amendments to the appropriate policy and regulatory documents. The Planning Office does not have the available capacity to complete the proposed amendments with current staff resources within the 2022 Fiscal year. Without the use of consultant services, completion of the amendments will take an estimated eighteen (18) months with current staff resources. Staff resources would be dedicated to the completion of this zoning text amendment upon completion and adoption of the County's Comprehensive Plan.
- F. Option 2 Consultant Services – Due to the existing County staff's workload and the specialized nature of some of the requested items, staff is recommending consulting assistance to develop the proposed amendments. Staff will lead and manage the project but will get benefit from added capacity of the consultant and the subject matter expertise they could provide. The consultant would primarily provide technical assistance and support for community engagement efforts. Items that the consultant would be responsible for are:
1. Data Center Market Demand and Analysis
  2. Data Center Industry Emerging Trends
  3. Best Practices Local Economic Development
  4. Economic Impact of Data Centers
  5. Community Engagement
  6. Proposed Overlay District Expansion
  7. Land Use/Infrastructure Impacts (Water, Sewer, Power and Fiber)
  8. Design Guidelines Update
  9. Sustainability Guidelines
  10. Public Hearing Support

The Prince William County Board of Supervisors maintains an Economic Development Opportunity Fund to help attract and retain targeted industries. Data centers are a targeted industry in the adopted Target Industry Plan and an important driver of economic growth and tax base in the county. Staff recommends appropriating funds from the Economic Development Opportunity Fund for this project. Economic Development Opportunity Fund has an available fund balance of \$865,953.73.

With consultant help staff would be able to complete this project within 6-9 months after consultant are under contract.

## **STAFF RECOMMENDATION**

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The Planning Office recommends the Board initiate amendments to County policies and regulations related to data center development including the Data Center Opportunity Zone Overlay District, the Design and Construction Standards Manual, the Comprehensive Plan, the Zoning Ordinance, and other appropriate development regulations. As there are active and anticipated applications pending for data center development, this project is time sensitive; therefore, staff recommends the option to engage consultant services for the project. This will allow the County to put in place a holistic guide for data center development to ensure use of green technologies and improved architecture and design.

### **Community Input**

The Planning Office plans to hold a series of meetings with residents, landowners, and industry representatives throughout the amendment process. In addition to meeting with the public, Zoning Ordinance amendments and Design and Construction Standards Manual amendments are presented to the Development Ordinance Review Advisory Committee. The Committees' make up includes staff, industry stakeholders, and eight (8) resident appointees made by the Board.

### **Fiscal Impact**

Option 1 – In-house would require existing staff resources from the Planning Office, Department of Economic Development, Department of Public Works, the Department of Parks, Recreation, and Tourism, and the Department of Development Services.

Option 2 – Consulting Services would require budgeting and appropriating up to \$120,000 for consulting services and would require staff resources to manage the project.

### **Legal Issues**

The Board may initiate amendments to the zoning text and map, the Design and Construction Standards Manual, or the Comprehensive Plan. Legal issues, if any, are appropriately addressed through the County Attorney's Office.

### **Timing**

There is no time requirement for the Board to act on initiation of Zoning Text and Map amendments, Design and Construction Standards Manual amendments, or Comprehensive Plan amendments. With consultant resources the project would take 6-9 months and start after consultants are under contract. Without consultant resources the project would take eighteen (18) months and start after the Comprehensive Plan Update is complete.

## **STAFF CONTACT INFORMATION**

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