

**MOTION: LAWSON**

**May 17, 2016  
Regular Meeting  
Ord. No. 16-21**

**SECOND: ANDERSON**

**RE: ADOPT ZONING TEXT AMENDMENT #DPA2016-00003, DATA  
CENTER OPPORTUNITY ZONE – 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**, this zoning text amendment is intended to incorporate appropriate zoning requirements for data centers, which would address the infrastructure necessary to support such uses and the potential impacts to other properties; and

**WHEREAS**, this proposed Zoning Text Amendment will continue the County's efforts to advance commercial and industrial development; 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**, on August 4, 2015 Supervisor Lawson in a resolution to support protection of private property, historical resources and commercial interests from potential negative impacts of new high voltage overhead transmission lines requested that staff prepare for Board of County Supervisors' consideration an initiation for a zoning text amendment that would incorporate appropriate zoning requirements for data centers which would address the infrastructure necessary to support such uses and the potential impacts to other properties; and

**WHEREAS**, on September 8, 2015 the Board of County Supervisors initiated a zoning text amendment to incorporate appropriate zoning requirements for data centers through Resolution Number 15-527; and

**WHEREAS**, the Prince William County Planning Commission duly ordered, advertised and held a public hearing on April 20, 2016 and recommends adoption, as stated in Planning Commission Resolution Number 16-028; and

**WHEREAS**, the Board of County Supervisors duly ordered, advertised and held a public hearing on May 17, 2016, at which time public testimony was received and the merits of the above-referenced zoning text amendment were considered; and

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**WHEREAS**, the Board of County Supervisors believes that public general welfare, as well as, good zoning practices are served by the adoption of this zoning text amendment;

**NOW, THEREFORE, BE IT ORDAINED** that the Prince William Board of County Supervisors does hereby adopt Zoning Text Amendment #DPA2016-00003, Data Center Opportunity Zone;

**BE IT FURTHER ORDAINED** that the Prince William Board of County Supervisors does hereby direct staff to fast track special use permit applications for electric substations as is done for targeted industries.

ATTACHMENT: Text Amendment

**Votes:**

**Ayes:** Anderson, Caddigan, Candland, Jenkins, Lawson, Principi, Stewart

**Nays:** Nohe

**Absent from Vote:** None


**Absent from Meeting:** None

**For Information:**

Planning Director

County Attorney

ATTEST: \_\_\_\_\_

  
Clerk to the Board

## ARTICLE I. – TERMS DEFINED

### PART 100. - DEFINITIONS

~~*Data and Computer Services* shall mean a use involving a building and premises in which the majority of the space is occupied by computers and/or telecommunications and related equipment and where information is processed, transferred and/or stored. May include data centers, data technology centers, internet service providers, network operations centers, web hosting facilities and other similar establishments primarily engaged in providing direct access through telecommunications networks to computer-held information.~~

*Computer and Network Services* shall mean a use involving a building/premise in which a majority of the use is occupied by people and staff engaged in activities related to work that is focused on supporting computers and/or telecommunications and related equipment where information is processed, transferred and/or stored. This includes satellite dish facilities, internet service providers, network operations centers and web teleconferencing facilities, but shall not include a Data Center.

*Data Center* shall mean a use involving a building/premise in which the majority of the use is occupied by computers and/or telecommunications and related equipment, including supporting equipment, where information is processed, transferred and/or stored.

*Electric Substation* shall mean an electrical installation which contains generation or power-conversion equipment and associated electric equipment and parts, such as switchboards, switches, wiring, fuses, circuit breakers, compensators and transformers.

## ARTICLE II. - ADMINISTRATION, PUBLIC USES AND USES OF A PUBLIC NATURE, GENERAL STANDARDS FOR PLANNED DEVELOPMENT DISTRICTS

### PART 201. - PUBLIC USES AND USES OF A PUBLIC NATURE

Sec. 32-201.11. - Public facilities permitted in all zoning districts, subject to review in accordance with Code of Virginia, § 15.2-2232.

1. Public facilities, except electric substations, may be located within any zoning district in Prince William County, subject to Code of Virginia, § 15.2-2232 and this chapter.
2. Electric Substations may be located in any zoning district within the Data Center Opportunity Zone Overlay District, subject to the public facility review requirements of the Code of Virginia, § 15.2-2232 and this chapter. Electric substations may be permitted by Special Use Permit within any zoning district outside of the Data Center Opportunity Zone Overlay District.

## ARTICLE III. – AGRICULTURAL AND RESIDENTIAL DISTRICTS

### PART 306. – PLANNED DEVELOPMENT – PMR, PLANNED MIXED RESIDENTIAL DISTRICT

Sec. 32-306.11. - Secondary uses in residential areas.

- Neighborhood commercial and office uses shall be permitted as secondary uses at locations designated on the PMR Master Zoning Plan.
- Secondary office uses except a data center use shall be permitted, by right, as provided in section 32-402.11, as permitted by section 32-402.12 as secondary uses, and as provided by section 32-402.13 by Special Use Permit.

### PART 351. – VILLAGE (V) DISTRICT

Sec. 32-351.03. – Uses permitted by right.

9. Computer and network services

10 9. Cultural arts center.

~~10. Data and computer services~~

**ARTICLE IV. – COMMERCIAL, OFFICE AND INDUSTRIAL DISTRICTS**

**PART 401. - COMMERCIAL DISTRICTS**

**B-1, General Business District**

**Sec. 32-401.11. – Uses permitted by right**

15. Computer and network services

16 ~~15.~~ Craft brewery (not to exceed production of 10,000 barrels per year. May or may not be associated with a restaurant).

17 ~~16.~~ Cultural arts center.

~~17. Data and computer services~~

[Subsequent uses renumbered]

**Sec. 32 – 401.13. – Special Uses**

10. Data Center

11 ~~10.~~ Donated materials collection center.

[Subsequent uses renumbered]

**B-2, Neighborhood Business District**

**Sec. 32-401.21. – Uses permitted by right**

10. Computer and network services

11 ~~10.~~ Craft brewery (not to exceed production of 10,000 barrels per year. May or may not be associated with a restaurant).

12 ~~11.~~ Cultural arts center.

~~12. Data and computer services~~

**PART 402. – OFFICE DISTRICTS**

**O(L), Office Low-Rise District**

**Sec. 32-402.11. – Uses permitted by right**

4. Computer and network services

5 4. Cultural arts center.

~~5. Data and computer services~~

6. Data Center within the Data Center Opportunity Zone Overlay District

[Subsequent uses renumbered]

**Sec. 32-402.13. – Special uses**

4. Data Center outside the Data Center Opportunity Zone Overlay District

[Subsequent uses renumbered]

**O(H), Office High-Rise District**

**Sec. 32-402.21. – Uses permitted by right**

4. Computer and network services

5 4. Cultural arts center.

~~5. Data and computer services~~

6. Data Center within the Data Center Opportunity Zone Overlay District

[Subsequent uses renumbered]

**Sec. 32-402.23. – Special uses**

3. Data Center outside the Data Center Opportunity Zone Overlay District

[Subsequent uses renumbered]

**O(M), Office Mid-Rise District**

**Sec. 32-402.31. – Uses permitted by right**

~~4. Computer and network services~~

~~5~~ 4. Cultural arts center.

~~5. Data and computer services~~

~~6. Data Center within the Data Center Opportunity Zone Overlay District~~

[Subsequent uses renumbered]

**Sec. 32-402.33. – Special uses**

~~3. Data Center outside the Data Center Opportunity Zone Overlay District~~

[Subsequent uses renumbered]

**O(F), Office/Flex District**

**Sec. 32-402.41. – Uses permitted by right**

~~6. Computer and network services~~

~~7~~ 6. Cultural arts center.

~~7. Data and computer services~~

~~8. Data Center within the Data Center Opportunity Zone Overlay District~~

[Subsequent uses renumbered]

**Sec. 32-402.43. – Special uses**

~~3. Data Center outside the Data Center Opportunity Zone Overlay District.~~

[Subsequent uses renumbered]

**PART 403. – INDUSTRIAL DISTRICTS**

**M-1, Heavy Industrial District**

**Sec. 32-403.11. – Uses permitted by right**

~~16. Computer and network services.~~

~~17~~ 16. Contractor or tradesman's shop (limited), no trash or refuse removal service.

~~18~~ 17. Contractor or tradesman's shop, no trash or refuse removal service.

~~18. Data and computer services.~~

~~19. Data Center within the Data Center Opportunity Zone Overlay District~~

[Subsequent uses renumbered]

**Sec. 32-403.13. – Special uses**

~~3. Data Center outside the Data Center Opportunity Zone Overlay District~~

[Subsequent uses renumbered]

**M-2, Light Industrial District**

**Sec. 32-403.21. – Uses permitted by right**

~~11. Computer and network services.~~

~~12~~ 11. Contractor or tradesman's shop (limited), no trash or refuse removal service.

~~12. Data and computer services~~

~~13. Data Center within the Data Center Opportunity Zone Overlay District~~

[Subsequent uses renumbered]

**Sec. 32-403.23. – Special uses**

~~3. Data Center outside the Data Center Opportunity Zone Overlay District~~

[Subsequent uses renumbered]

**M/T, Industrial/Transportation District**

**Sec. 32-403.31. – Uses permitted by right**

~~18. Computer and network services.~~

19 18. Contractor or tradesman's shop (limited); no trash or refuse removal service.

20 19. Contractor or tradesman's shop (unlimited); no trash or refuse removal service.

~~20. Data and computer services.~~

21. Data Center within the Data Center Opportunity Zone Overlay District

[Subsequent uses renumbered]

**Sec. 32-403.33. – Special uses**

**3. Data Center outside the Data Center Opportunity Zone Overlay District**

[Subsequent uses renumbered]

**ARTICLE V. – OVERLAY DISTRICTS**

**PART 500. – SPECIAL PUBLIC INTEREST OVERLAY DISTRICTS, GENERALLY**

**Sec. 32-500.01. – Purpose and intent**

The purpose of the Special Public Interest Overlay Districts established in the following sections is to protect and enhance certain specific lands and structures which, by virtue of their type or location, have characteristics which are distinct from lands and structures outside such overlay districts. It is the intent of the Board of County Supervisors to permit, insofar as possible, those uses and structures which would otherwise be permitted, provided that reasonable and necessary conditions are met which insure the protection and enhancement of said lands and structures. It is the further intent of the Board of County Supervisors to specifically protect and enhance the following:

1. Flood hazard areas.
2. Historic areas.
3. Designated highway corridors.
4. Chesapeake Bay preservation areas.
5. Airport safety.
6. Institutes of higher education.
7. Redevelopment.
8. Keeping of domestic fowl.
9. Data center opportunity zone

**Part 509. – Data Center Opportunity Zone Overlay District**

**Sec. 32-509.01. - Purpose and intent**

The Data Center Opportunity Zone Overlay District was created for the purpose of promoting 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.

**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.

**Sec. 32-509.03 - Uses permitted by right.**

All uses permitted by right in the underlying zoning district shall be permitted in the Data Center Opportunity Zone Overlay District. Data centers shall be permitted by right in the Data Center Opportunity Zone Overlay District in the O(L), O(H), O(M), O(F), M-1, M-2, and M/T zoning districts and in designated office or industrial land bays in the PBD and PMD district.



**Sec. 32-509.04. - Secondary uses.**

All permitted secondary uses in the underlying zoning district shall be permitted in the Data Center Opportunity Zone Overlay District.

**Sec. 32-509.05. - Uses permitted by Special Use Permit.**

All permitted special uses in the underlying zoning district shall be permitted by special use permit in the Data Center Opportunity Zone Overlay District.

**Sec. 32-509.06. – Prohibited Districts**

Data centers shall be prohibited in agricultural, residential, PMR, B-2, B-3, and V districts.