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Sully District

Joint Board Matter with Chairman Jeff McKay and Supervisor Andres Jimenez

March 19, 2024

Data Centers

The increasing demand for data centers and the increased understanding of their potential impacts reveal a need to consider strengthening our current regulations. In response to our previous Board Matter of May 9, 2023, staff prepared a research report on data centers that identified potential topics and approaches. Building on that research, and as discussed at the Board's March 12, 2024, Land Use Policy Committee meeting, it is important to move forward without delay to amend the Zoning Ordinance to strengthen the current provisions for data centers while recognizing that data centers provide an economic benefit to the County. The amendment should include options for consideration by the Board, including, but not limited to, the inclusion of additional standards and the provision of options for by-right and special exception permissions in certain districts and over certain size thresholds. It may also be appropriate at a later date to include new permissions and standards in the Zoning Ordinance for electrical substations to the extent permitted by law.

Therefore, I move that the Board adopt the attached Resolution dated March 19, 2024, and direct staff to prepare a Zoning Ordinance amendment to strengthen the current provisions for data centers. The amendment should include options for consideration by the Board, including, but not limited to, options for by-right and special exception permissions in certain districts and over certain size thresholds, as well as additional standards for data centers. This amendment should be advertised for a public hearing before the Board in July. To expedite the amendment process, this Board Matter includes the resolution required by statute for the Board to initiate amendments to the Zoning Ordinance. With the expedited timeframe, it is recognized that community engagement efforts must largely be centralized, with virtual meeting options, to maximize opportunities for citizen involvement. Staff should coordinate with the Board offices to advertise the community meetings. Further, to facilitate community feedback, draft text options should be available for discussion at the meetings.

In addition, staff should provide an update to the Board before recess on a potential amendment to the Zoning Ordinance related to how substations are entitled.

RESOLUTION

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday, March 19, 2024, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, data centers are important facilities to support the modern, digital world and can provide economic development opportunities

WHEREAS, data centers are an evolving industry with unique characteristics; and

WHEREAS, research has indicated the need to consider additions and revisions to strengthen the use standards and other Zoning Ordinance provisions for data centers; and

WHEREAS, the Zoning Ordinance amendment would address the zoning districts, permissions, design, and compatibility with surrounding land uses; and

WHEREAS, by adoption of this Resolution, the Board directs staff to prepare and advertise public hearings on an amendment to Chapter 112.2 (Zoning Ordinance) of the County Code; and

WHEREAS, the public necessity, convenience, general welfare, and good zoning practice require consideration of proposed revisions to the Zoning Ordinance.

NOW THEREFORE BE IT RESOLVED, for the foregoing reasons and as articulated in the March 19, 2024, Data Centers Board Matter and motion, the Board of Supervisors authorizes the advertisement of public hearings during which the Planning Commission and the Board will consider the proposed Zoning Ordinance amendment.

A Copy Teste:



Jill G. Cooper

Clerk for the Board of Supervisors