

## RESOLUTION

## A RESOLUTION TO ADOPT A DATA CENTER DEVELOPMENT POLICY

WHEREAS, Data Centers are currently permitted in the Planned Commercial Industrial Development (PCID) Overlay District and Business Park (BP) Zoning District where Data Center use and development has been previously approved through a Rezoning process and is subject to a related Proffer Statement and Concept Development Plan; and

WHEREAS, the Board of Supervisors wishes to encourage high quality Data Center development that creates a functional and attractive environment in a manner which encourages visual continuity and compatibility with neighboring properties; and

WHEREAS, the Board of Supervisors desires to articulate their expectations related to building massing, building orientation, scale, compatibility, parking, landscaping, cooling, power, as well as other site layout and building design elements within Data Center developments; and


WHEREAS, a stakeholder group was formed to develop the policy and public comment was received throughout the process; and

WHEREAS, the policy addresses siting criteria, site design, building design, utilities, and public involvement; and

WHEREAS, the adoption of this Resolution recognizes that each property and related application are unique, and therefore each application will be considered on a case-by-case basis founded upon the site specific merits of said application; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14<sup>th</sup> day of December 2023, That the Board of Supervisors does hereby adopt the Data Center Development Policy dated December 14, 2023 attached hereto.

*A Copy Teste*



*Janelle J. Downes, County Administrator  
Clerk to the Board of Supervisors*



# Fauquier County Board of Supervisors

## Data Center Policy

December 14, 2023

---

**Objective:** Develop a policy that respects the core tenets of Fauquier County by establishing strict guidelines to ensure Data Centers do not diminish the scenic, rural, or agricultural character so highly valued by County residents.

**Purpose:** This policy is intended to protect the health, safety and welfare of Fauquier County citizens. It provides information to both developers and the community regarding the County's expectations when preparing an application for and siting of Data Center projects.

Applications are expected to demonstrate that the location, size and height of buildings, structures, walls and fences and the nature and extent of screening, buffering and landscaping are such that the Data Center use will not hinder or discourage the appropriate development and/or use of adjacent or nearby land and/or buildings or impair the value thereof.

**Applicability:** The policy statements contained herein are intended to be a guide to Data Center development. It is recognized that each property and related application are unique, and therefore each application will be considered on a case-by-case basis founded upon the site-specific merits of said application.

Section I, Siting Criteria, does not apply to properties currently in the Business Park (BP) zoning district and Planned Commercial Industrial District (PCID) overlay district where Data Center use and development has been previously approved by the Board of Supervisors, through a Rezoning process, and is subject to a related Proffer Statement and Concept Development Plan (CDP).

---

### **I. Siting Criteria**

The selection of a Data Center site is a critical decision and key to ensuring compatibility of Data Centers with adjacent properties.

#### **A. Zoning/Land Use**

1. Data Centers shall only be located within Service Districts in areas with compatible Land Use designations.
  - a. Applicant sponsored Comprehensive Plan Amendments, which expand a Service District or change the Land Use designation within a Service District are not appropriate.
2. Data Centers shall only be in the Business Park (BP) zoning district and Planned Commercial Industrial District (PCID) overlay district, as approved on applicable Concept Development Plans.

3. The Data Center use should not be expanded to other zoning districts without a comprehensive review of the County's Comprehensive Plan and Zoning Ordinance as it relates to this use.

**B. Existing Infrastructure**

1. Data Centers should be where existing infrastructure exists to support the development.
2. Data Centers should be located no further than 1 mile from an existing electric transmission line, with all new lines being placed underground.

**C. Compatibility**

1. Data Center development should be compatible in scale, both size and height, and intensity to the surrounding area.
2. Data Centers should not be located contiguous to residentially zoned land or land used or planned for a park, school or medical care facility.
  - a. For data centers located adjacent to residentially zoned land or land used or planned for a park, school or medical care facility, the Applicant should demonstrate the measures taken to address and achieve compatibility with the adjacent uses.
3. Data Centers and their associated energy infrastructure should not disturb or interrupt scenic viewsheds, as defined in the Comprehensive Plan, or viewsheds of properties listed in the National Register of Historic Places.
4. Data Center development and their associated energy infrastructure should not be located along National Scenic Byways or Virginia Scenic Byways.

## **II. Site Design**

Site Design standards are intended to help minimize the physical, environmental, and visual impacts of Data Centers on adjacent development. The following elements are the primary areas of regulation and guidance associated with the site development of Data Centers in Fauquier County.

**A. Building Placement and Orientation**

1. Buildings should be sited and oriented to minimize visual impacts from public streets and adjacent non-industrial uses.
2. Primary building facades, including visitor, staff and administrative functions, should be oriented towards the public street.
  - a. It is also encouraged that the narrow face of the building be oriented to the street.
3. Loading dock, ground equipment and other storage areas should not be viewable from important viewsheds, street frontages and open spaces.
  - a. Data Center developments with multiple buildings should orient these service areas to face each other.
4. Where feasible, buildings should be oriented to take advantage of passive cooling and daylighting opportunities.

5. Consider topography to avoid placement of larger buildings in a prominent location on the property or along a public street.

**B. Screening of Mechanical Equipment and Substations**

1. To reduce visibility and attenuate noise, ground and/or rooftop mounted mechanical equipment and on-site substations should be screened from roadways and adjacent residentially zoned or planned properties.
2. It is preferred that all mechanical equipment and substations are screened by a principal building.
  - a. If it is not feasible to use a principal building, the design should include a visually solid fence, screen wall or panel, parapet wall or other visually solid screen. The design of these features should be compatible with the design and materials of the principal building.
3. Mechanical equipment should be located and screened in a manner which provides appropriate noise attenuation.

**C. Buffer Yard Requirements**

1. The preservation and use of natural areas as buffers is preferred.
2. Visually obscure or screen Data Centers from contiguous properties zoned commercially or planned for commercial use.
3. When a Data Center development adjoins a property that is not currently developed with industrial uses, the proposal should include a buffer that effectively screens the site through a combination of landscaping and screening techniques.
  - a. A 100-foot minimum buffer is recommended.
  - b. The buffer width may be reduced, to no less than 50 feet in width, through the inclusion of mature landscaping, berms and/or screen walls. Berms should be landscaped and have a slope not steeper than 2:1.
4. Enhanced buffering, which incorporates a variety of plant types, native to Virginia, is encouraged.
  - a. No more than 30% of the buffer plantings should be large deciduous trees.
  - b. Between 40% and 70% of buffer plantings should be evergreen trees which are at least eight feet in height at the time of planting.
  - c. No more than 30% of the buffer plantings should be understory deciduous trees.
  - d. Buffer plantings should also include shrubs, ornamental grasses and perennials.
5. Utilities and stormwater management facilities should not be located in the buffer yards.
  - a. Any required crossings of the buffer yards should be designed in a manner which minimizes impact to the buffer yard.

**D. Fencing**

1. Fencing should not exceed 10 feet in height, or 7 feet in height in any required yard.
2. Fencing should incorporate high-quality design and materials which are architecturally compatible with the design of the principal structures and surrounding landscape.
3. Chain-link, barbed wire or concertina fencing should not be used along public or private street frontages.

E. Sustainability

1. Minimize land disturbance with the goal of preserving existing on-site vegetation.
  - a. Site Plans should demonstrate that a minimum of 15% of the site is preserved as natural open space.
2. Data Center development should minimize habitat disturbance and provide wildlife corridors.
3. On-site solar and geothermal energy as well as other renewable sources are encouraged to be utilized to meet a portion of the development's energy requirements.
4. Data Center development should reduce, control and treat surface runoff through effective storm water practices that treat the quantity and quality of runoff on site.
  - a. The purchase of nutrient credits is strongly discouraged.
5. A setback, of at least 35 feet, from all waterbodies, wetlands, floodplains and steep slopes is strongly encouraged.
6. A vegetated riparian buffer, of at least 25 feet, is strongly encouraged along all waterbodies, wetlands, and floodplains.
7. Petroleum products, diesel fuel and other potentially hazardous materials should be stored a safe distance from any public or private water source, waterbodies, wetlands, and stormwater management facilities.
8. Applicants are strongly encouraged to commit, through a proffered Decommissioning Plan, to removing (and properly disposing) all hazardous materials, generators and other mechanical equipment from the site within one year of operations ceasing.

### III. Building Design

Standards for building design will ensure a base level of architectural quality that positively contributes to the built environment.

A. Compatibility

1. Buildings should be compatible in scale, both size and height, to the surrounding area.
2. Buildings should be aesthetically compatible with adjacent uses.

B. Building Height

1. Building heights shall not be increased above the 45-foot maximum in the BP zoning district and PCID overlay district unless the Applicant can demonstrate that proposed height is compatible with the surrounding development and that it will not have an adverse impact on adjacent and nearby properties.
  - a. This should be demonstrated through a visual impact analysis that is submitted as a part of a Rezoning application and verified, at the Applicant's expense, by a third party prior to submission.
2. Multi-building developments should have varying building heights.
  - a. Developers are encouraged to take advantage of a property's existing topography to create a variation in building heights.

C. Building Massing and Scale

1. Multi-building developments should include a variety of building sizes masses, and appearances.
  - a. Smaller and lower buildings are most appropriate along street frontages and near adjacent properties that do not have industrial development.
  - b. Larger and taller structures may be considered at the interior of the property.
2. Reduce the perceived scale of buildings by visually breaking down the large massing of typical buildings.
3. Promote architectural variation through building articulation, massing, and the variation of roof lines to provide visual interest.
  - a. Changes in horizontal plane are recommended to occur every 150 to 200 feet.
  - b. All facades should include at least one change in horizontal plane.
  - c. Building step-backs, projections, recesses or architectural elements should have a minimum depth of 4 feet to create shadow lines and variations in the façade.
4. Variation at the ground plan can be utilized to create transition in scale and mass as viewed from public streets.
5. Buildings should provide additive and subtractive shifts in the building footprint to reduce mass and scale.

D. Fenestration/Entryways/Windows

1. Fenestration should be used to avoid monolithic appearances and to be congruent with adjacent uses.
2. Transparency shall be provided on faces of the building that face public roads.
  - a. Tinted or mirrored glass is not appropriate; opaque glazing methods may be used.
  - b. Office spaces are recommended to have a minimum of 45% transparency.
  - c. Data center spaces are recommended to have a minimum of 25% transparency.
3. Primary building entryways should incorporate at least two of the following elements:
  - a. Overhangs
  - b. Distinct fenestration
  - c. Variation in massing and scale
  - d. Protected Entry

E. Exterior Colors and Materials

1. Primary building facades should use a neutral color palette.
  - a. Earth tones are preferred.
  - b. Accent colors should complement the dominant building color.
2. Changes in color and or material should only occur where the building changes plane through recesses, projections and/or offsets.
3. Colors should not act as advertisements or billboards.
  - a. Company advertisements or logos should be limited to signage elements only as permitted in the Zoning Ordinance.

4. Building exteriors should incorporate materials with texture, character and a natural finish.
5. It is recommended that a minimum of 50% of the entrance elevation; 35% of any street facing façade and 20% of all other elevations shall include:
  - a. Brick
  - b. Concrete (both precast and cast-in-place)
  - c. Metal panels or anodized aluminum
  - d. Glazing systems
6. All metal panels should be fully engineered, architectural quality systems.

F. Noise

1. Site Plan applications are required to demonstrate how the noise limits, as set forth in the Zoning Ordinance, will be met; Rezoning applications are strongly encouraged to provide the same level of documentation.
  - a. This should be demonstrated through a noise study, prepared, and certified by a professional noise engineer.
  - b. The noise study should be updated and resubmitted within 30 days of occupancy of any Data Center building.
  - c. Noise studies should be verified by a third party at the Applicant's expense.
  - d. Noise studies should factor in all data center related equipment, including generators, both in periods of testing and general emergency operations.
2. Generators should not be tested between 8:00 p.m. and 8:00 a.m.
3. Noise producing equipment should be screened by a solid wall which is designed in a manner which reduces potential impact to adjacent properties.
4. Applicants are encouraged to proffer a lower dBA than permitted by the Zoning Ordinance.
5. Applicants should consider providing, at their cost, continuous noise monitoring devices around the property to transmit actual noise levels at property boundaries on a continuous basis to a remote, publicly accessible, on-line data base.

G. Sustainability

1. Data Centers are encouraged to commit to a Power Usage Effectiveness (PUE) ratio of 1.5 or less and proffer such commitment,
2. Buildings should be oriented to take advantage of passive cooling and daylight opportunities.
3. Innovative technologies which reduce power consumption should be incorporated into the project's design.
4. Heat generated by Data Center operations should be trapped and reused to the maximum extent possible.
5. Buildings should incorporate heat reflective roofing.
6. Sustainable building materials should be used.
7. Generators which incorporate advanced emission control technologies and meet the EPA's Tier 4 emission standards are strongly encouraged.

---

## **IV. Utilities**

A successful project will thoroughly demonstrate how the Data Center's utility needs will be met, including water usage and electrical connectivity. Applications are expected to provide information related to the development's electrical load requirements and further illustrate that any needed expansion of utilities can be done in a manner which minimizes impacts to surrounding properties and is compatible with existing and proposed developments.

### **A. Power**

1. All new electric lines (both transmission and distribution) must be underground, with the cost of undergrounding borne by the Applicant.
2. Rezoning applications are highly encouraged to clearly demonstrate, to the greatest extent possible, how electricity will be provided to accommodate the project's development, and how the project's overall power demand relates to the overall regional network.
  - a. This should include any on or off-site need for a new substation, expansion of an existing substation, switching station, and/or any other electrical infrastructure.
3. Rezoning applications should commit, through a voluntary proffer, to a maximum electrical load/demand for the entire development.
4. Site Plan applications shall clearly demonstrate how electricity will be provided to accommodate the project's development.
5. Electrical substations should be sited and properly screened from all outside development.

### **B. Water**

1. Applications shall demonstrate and commit to meeting the County's recycled water requirement.
2. Applications should demonstrate adequacy of water for firefighting situations (without impacting local private wells or public water sources).
3. Construction activities, including any required blasting, should not impact the public water supply.

## **V. Public Involvement**

The following standards are intended to ensure transparency in government and allow for the County's citizens to be informed.

### **A. Public Outreach**

1. Applicants should conduct at least one public outreach meeting prior to filing a Rezoning or Site Plan Application.
2. Applicants should also conduct at least one public outreach meeting prior to any required Public Hearings.
3. Any amendments to this policy shall involve a public process.



---

B. Public Disclosure

1. Applicants must provide maximum public disclosure of information relating to data centers.