

Data Center Ordinance Advisory Group Meeting

Meeting Notes

Wednesday, August 16, 2023

Meeting Location: Development Services Building, Room 107

1. Team Check-in

- a. Special thanks to the subgroup for working through the impacts document
- b. Dale Browne
 - i. Had a follow up meeting with Amazon on Friday. They have seen a small decrease in the noise in the first phase of retrofitting, but it is not what they had promised it to be. Amazon is moving to phase 2 with insulating material to help decrease the noise decibels. They are spending a lot of money on this now, but if there had been a stipulation from the County from the beginning, then they may not have been having some issues
- c. David McGettigan –
 - i. Data Center Overlay District – the County has been working with the StanTech consultant on the Design Guidelines (We will get the link to share with the group). We can use that as a starting point for discussing mitigating measures.

2. Review and Discuss Kathy's Stakeholder Recommendations document

- a. This document originated from another cross-county group. The HOA Roundtable is working with groups in Loudoun and Fairfax, which focuses on the residents' perspectives on what is reasonable for Data Centers
- b. Siting is the basic element that should be considered – also consider screening landscaping, buffers, noise and height. Should be at least ¼ mile from residential communities, 1 mile from National Parks. Noise is the biggest concern. They are calling for lower noise limits due to the 24/7 nature of the noise. Continuous sound monitoring devices and how to enforce a noise violation for a data center. If a data center cannot meet the noise ordinance, then what?
- c. Point from Christina Winn –
 - i. Regarding incompatible uses, how do you control when a church/school may be looking for land and ends up finding space by a data center (if it ends up being rezoned from industrial)?
 - ii. If they can pack more into a data center and use a higher building, wouldn't we want it to be a higher building in the industrial area rather than spread it out to be closer to the incompatible use? It was noted that the height issue would not apply if you are not next to an incompatible use.

- d. Point from Kevin Hughes –
 - i. Would like to have Kathy’s document provided to the consultant as a guideline
 - ii. What are the interim tools available while the consultant works on this and what can this group do in the interim that falls within our scope?
- e. Point from Dale Browne –
 - i. Need to design for lower noise levels from the Data Centers
 - ii. Make some interim standards for setbacks as well as the noise
- f. Point from Wade Hugh –
 - i. Do we want to create a subgroup to discuss interim standards and determine what areas we need to focus on?
 - 1. The group agreed on creating a subgroup
 - a. Subgroup members: Jonelle Cameron, Bob Sweeney, Kevin Hughes, Mandi Spina, Ben Eib, Kathy Kulick, and Kevin Coyle
 - 2. Kevin Hughes mentioned to consider the legal/gray areas in the process of developing interim standards
- g. Point from Dave McGettigan –
 - i. DCSM/Zoning ordinance changes go through a long process of hearings, approvals, etc. If we are going forward with something in the interim, then that would not be something that the consultant would be working on. There are several Zoning Text Amendments on the books now and not enough staff to handle the ones we have.
 - ii. Wade mentioned that we can bring the list of ZTAs to the Board and suggest we move the “interim changes” ahead of the other ZTAs.
- h. Point from Kevin Coyle -
 - i. Where in the process do the developers start to get serious about making changes and how do you operate this without creating a hardship for those already in the process? Where do you draw the line with the interim guidelines and enforcing them?
 - 1. Protocols and processes in place for being grandfathered, such as if they have a site plan in already, etc.

3. Discuss Scope of Work for Noise Consultant

- a. The County has open ended contracts. We need to list out what we would like for them to do and then they come back and explain how they would go about tackling the tasks. The County can go through our list of consultants we have on rotation and see if any of them can handle the scope of work.
- b. Kathy and Dale have a list of potential firms/consultants who can possibly subcontract. Industry will submit their list of potential consultants as well.
- c. Scope of work – needs to be rewritten with proper words
 - i. Understanding of county requirements
 - ii. Project team qualifications and experience
 - iii. Firm experience and capabilities

- d. Will do a separate SOW for the consultant to focus on noise and then bring in a separate consultant that specializes in the ordinance part and they can work together
- e. Noise SOW
 - i. Background research, plain language, legal text, public engagement
 - ii. We want the consultant to do the research and provide the data to back that up
 - iii. Focus on the frequency and duration of noise
 - iv. We will create a subgroup to draft the Noise SOW
 - 1. Subgroup members: Christina Winn, Dale Browne, Josh Levi/ Kevin Hughes, and Keishla Perez

4. For our next meeting

- a. We will check-in with the subgroup's brainstorming Data Center Impacts effort, then discuss the subgroup's effort with the Noise SOW and then the interim standards)
- b. Snacks and drinks were suggested and will be provided for the next meeting