

# **Data Center Ordinance Advisory Group Meeting Notes**

**Wednesday, January 17, 2024**

Meeting Location: Development Services Building, Room 107

## **1. Team check-in**

- a. Dale – Provided update on Great Oak subdivision. There was a reading of 65 decibels this morning in the area that backs to Amazon. The response from Amazon has been that it is not coming from their site. Kathy and several others had a meeting with 2 people from Loudoun County who are dealing with Amazon issues out there. The first Amazon has changed some things to help with noise, but they have another data center nearby where the noise has escalated. Project Gold is nearing completion and noise will likely become an issue there. Wade will try to reach out to someone in City of Manassas to make them aware of the situation.**
- b. Kathy – They have been talking with residents in other jurisdictions about issues they are facing with data centers. With multiple data centers in the same area, being able to find the source of the noise is a challenge.**

## **2. JMT update – Wade**

- a. Received the task order estimate from JMT right before the holidays. Staff is comfortable with the numbers in the estimate, but the total amount came in much more than anticipated. There is not enough money in the budget to cover the cost, so Wade will need to request funding through the Board to cover the costs. The CXO and the Board will need to be briefed to see if they are supportive of the funding request. The second task order for DSCM/Zoning will be much more than the current task order.**
- b. Supervisor Vega issued a directive to staff to schedule a Public Hearing on February 20 to consider the extension of the Noise Ordinance sunset clause.**

## **3. DCOAG work plan discussion – Wade**

- a. We will work with JMT to explore the option of issuing a partial task order with the money we currently have in place. The partial Task Order will allow work to commence now will the larger funding issue is being worked out.**

## **4. County enforcement of Noise Ordinance – Dr. Lyver**

- a. Currently measuring with DBA, as the DBZ requirement is not in the noise ordinance. However, Proffer 17 for Devlin Technology Park says that it is measuring in DBZ.**

- b. We need to address the basic capabilities of the County to understand and deal with the issue. With all these data centers coming online, the issue with noise is going to be more difficult.
  - c. Complaint process and the investigation (Police)
    - i. With the number of data centers coming online, the concern is the amount of noise complaints that will be sent to the Police as a result. How will it be enforced/managed?
  - d. In Loudoun, all data center complaints go to a separate office (outside of law enforcement) to deal with first. They determine where the noise is coming from and who it needs to go to
  - e. How the Police address noise complaints (Major Hughart)
    - i. Law enforcement is directed to an individual, as someone has to be held responsible.
    - ii. With noise violations coming from a building, there is not an individual to be held accountable so it cannot be enforced.
    - iii. Currently, 500 of the 700 Police officers have the capability to use the noise meters and they have 6 meters (2 per district).
    - iv. When dealing with noise coming from a cluster of buildings, there is no way to conclusively say which building the noise is coming from.
  - f. Zoning can't enforce the Noise Ordinance but can enforce the proffers. So, if a data center has a proffers about noise levels, then Zoning can enforce that.
  - g. Did we ask the JMT to look at other jurisdictions and how they enforce this?
    - i. We can add it as a change order for the consultant, if need be. Or staff can research this on our own.
    - ii. As JMT is working through the task order, they may come across other jurisdictions and can reach out to them and ask how they deal with/enforce the noise issue.
    - iii. Other jurisdictions may not have an ordinance for this, so we may be creating our own
  - h. Should the Supervisors be updated throughout this process of the issues that are coming up and the group is working through?
    - i. We have built in work sessions in the JMT task order that would address this
5. Future meeting schedule
- a. Staff looked at changing the meeting day/time to Thursday afternoons or Monday afternoons from 3:00pm – 4:30pm.
  - b. Due to conflicts with the residents' schedules, we will keep the current meeting schedule (Wednesdays at 11:00am).

6. Meeting adjourned