



PLANNING COMMISSION RESOLUTION

September 9, 2026
Regular Meeting
Res. No. 26-xxx

MOTION:

SECOND:

RE: DPA 2026-00006, ZONING TEXT AMENDMENT TO THE DATA CENTER OPPORTUNITY ZONE OVERLAY DISTRICT (DCOZOD), COUNTY CODE SEC. 32-509.01 ET SEQ., AND ANY OTHER RELATED SECTIONS OF THE ZONING ORDINANCE, INCLUDING CORRESPONDING DCOZOD MAP AMENDMENTS-COUNTYWIDE

ACTION: RECOMMEND APPROVAL OF DPA2026-00006, ZONING TEXT AMENDMENT TO THE DATA CENTER OPPORTUNITY ZONE OVERLAY DISTRICT, COUNTY CODE SEC. 32-509.01 ET SEQ. (DCOZOD), AND ANY OTHER RELATED SECTIONS OF THE ZONING ORDINANCE, INCLUDING CORRESPONDING DCOZOD MAP AMENDMENTS, AS INITIATED BY THE BOARD OF COUNTY SUPERVISORS ON JUNE 9, 2026, BY ADOPTION OF RESOLUTION NO. 26-374, AND RECOMMEND APPROVAL OF COUNTY STAFF'S RECOMMENDED CHANGES TO DPA2026-00006, ZONING TEXT AMENDMENT TO THE DATA CENTER OPPORTUNITY ZONE OVERLAY DISTRICT, COUNTY CODE SEC. 32-509.01 ET SEQ., AND ANY OTHER RELATED SECTIONS OF THE ZONING ORDINANCE, INCLUDING CORRESPONDING DCOZOD MAP AMENDMENTS

WHEREAS, the Prince William Board of County Supervisors ("the Board") adopted the Data Center Opportunity Zone Overlay District ("the DCOZOD") on May 17, 2016, and amended development standards within the DCOZOD on June 18, 2019; and

WHEREAS, nearly ten years have elapsed since the creation of the DCOZOD, and nearly seven years have elapsed since its development standards were amended; and

WHEREAS, sufficient time has passed for the Board to examine whether further changes to the DCOZOD are appropriate to address changing land use patterns; and

WHEREAS, in accordance with Virginia Code Sections 15.2-2285 and 15.2-2286, the Board may amend the Zoning Ordinance whenever it determines that public necessity, convenience, general welfare, and good zoning practice requires such change; and

WHEREAS, on June 9, 2026, the Board of County Supervisors, by adoption of Resolution No. 26-374, initiated a zoning text amendment to the Data Center Opportunity Zone Overlay District, County Code Sec. 32-509.01 *et seq.*, including corresponding DCOZOD map amendments, and any other related sections of the Zoning Ordinance to amend the data center uses permitted by-right and by special use permit; and

WHEREAS, pursuant to Resolution No. 26-374, County staff is directed to give the highest priority to this zoning text amendment with a target of bringing the final zoning text amendment back to the Board for a public hearing, Board consideration, and potential adoption in September 2026;

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WHEREAS, County staff recommends that the Planning Commission recommends approval of DPA2026-00006, Zoning text amendment to the Data Center Opportunity Zone Overlay District, County Code Sec. 32-509.01 *et seq.*, and corresponding DCOZOD map amendments, which was initiated by the Board on June 9, 2026, by adoption of Resolution No. 26-374; and

WHEREAS, County staff recommends that the Planning Commission recommends that the Board incorporate County staff's recommended changes to DPA2026-00006, Zoning Text Amendment to the Data Center Opportunity Zone Overlay District, County Code Sec. 32-509.01 *et seq.*, and corresponding DCOZOD map amendments, which was initiated by the Board on June 9, 2026, by adoption of Resolution No. 26-374, which are designed to preserve the intent of the zoning text amendment while providing additional clarity; and

WHEREAS, the Planning Commission finds that recommending that the Board amend the Zoning Ordinance for the above-referenced changes is required by public necessity, convenience, general welfare, and good zoning practice;

NOW, THEREFORE, BE IT RESOLVED that the Prince William County Planning Commission does hereby (i) recommend that the Board approve the attached DPA2026-00006, Zoning text amendment to the Data Center Opportunity Zone Overlay District, County Code Sec. 32-509.01 *et seq.*, and corresponding DCOZOD map amendments, which was initiated by the Board on June 9, 2026 by adoption of Resolution No. 26-374; and (ii) recommend that the Board incorporate and approve the attached County staff recommended changes to DPA2026-00006, Zoning text amendment to the Data Center Opportunity Zone Overlay District, County Code Sec. 32-509.01 *et seq.*, and corresponding DCOZOD map amendments, which was initiated by the Board on June 9, 2026 by adoption of Resolution No. 26-374.

ATTACHMENTS:

1. DPA2026-00006, Zoning text amendment to the Data Center Opportunity Zone Overlay District, County Code Sec. 32-509.01 *et seq.*, and
2. County staff recommended changes to DPA2026-00006, Zoning text amendment to the Data Center Opportunity Zone Overlay District, County Code Sec. 32-509.01 *et seq.*

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

For Information:

Director of Planning

ATTEST: _____
Clerk to the Planning Commission

MOTION: GORDY

**June 9, 2026
Regular Meeting
Res. No. 26-374**

SECOND: BODDYE

**RE: INITIATE A ZONING TEXT AMENDMENT TO THE DATA CENTER OPPORTUNITY
ZONE OVERLAY DISTRICT AND RELATED SECTIONS TO AMEND THE DATA
CENTER USES PERMITTED BY RIGHT AND BY SPECIAL USE PERMIT**

ACTION: APPROVED

WHEREAS, the Prince William Board of County Supervisors (Board) adopted the Data Center Opportunity Zone Overlay District (the DCOZOD) on May 17, 2016, and amended development standards within the DCOZOD on June 18, 2019; and

WHEREAS, nearly ten years have elapsed since the creation of the DCOZOD, and nearly seven years have elapsed since its development standards were amended; and

WHEREAS, sufficient time has passed for the Board to examine whether further changes to the DCOZOD are appropriate to address changing land use patterns; and

WHEREAS, in accordance with Virginia Code Sections 15.2-2285 and 15.2286, the Board may amend the Zoning Ordinance whenever it determines that public necessity, convenience, general welfare, and good zoning practice requires such change; and

WHEREAS, on March 3, 2026, by adoption of Resolution Number (Res. No.) 26-125, the Board initiated a zoning text amendment to the DCOZOD; and

WHEREAS, on May 19, 2026, the Board issued Directive DIR 26-11, which among other things, directed the County Executive and staff to stop work on the zoning text amendment which the Board initiated by adoption of Res. No. 26-125; and

WHEREAS, the Board desires to initiate a new zoning text amendment to the DCOZOD; and

WHEREAS, the Board finds that initiation and consideration of a zoning text amendment in a form and substance substantially similar to the attached draft is required by public necessity, convenience, general welfare, and good zoning practice; and

WHEREAS, the Board desires to initiate a zoning text amendment to amend the uses permitted by right and by special use permit in the DCOZOD in a form and substantially similar to the attached draft;

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Regular Meeting
Res. No. 26-374
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NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby initiates a zoning text amendment to the Data Center Opportunity Zone Overlay District, County Code Sec. 32-509.01 *et seq.*, and any other related sections of the Zoning Ordinance to amend the data center uses permitted by-right and by special use permit, including corresponding DCOZOD map amendments, in a form and substance substantially similar to, and consistent with the intent of, the attached draft zoning text amendment, with changes if appropriate, including, but not limited to, based on the input of stakeholders;

BE IT FURTHER RESOLVED that County staff is directed to give the highest priority to this zoning text amendment with a target of bringing the final zoning text amendment back to the Board for a public hearing, Board consideration, and potential adoption in September 2026;

BE IT FURTHER RESOLVED that the Board rescinds its initiation of the zoning text amendment which it initiated by adoption of Resolution Number 26-125 on March 3, 2026.

ATTACHMENT: Chapter 32 – Zoning Text Amendment (DRAFT)

Votes:

Ayes: Angry, Bailey, Boddye, Gordy, Jefferson, LaCroix, Stewart

Nays: None

Absent from Vote: Vega

Absent from Meeting: None

For Information:

County Executive
Planning Director
County Attorney

ATTEST: _____



Clerk to the Board

Chapter 32 - ZONING
ARTICLE V. - OVERLAY DISTRICTS
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 properties included in the Data Center Opportunity Zone Overlay District boundaries shall be set (i) using a map, (ii) pursuant to County Code Sec. 32-509.03(2), and (iii) pursuant to County Code Sec. 32-509.05. After [insert date of ordinance adoption], no request for an amendment(s) to the map to include a specific property(s) in the Data Center Opportunity Zone Overlay District boundaries shall be considered by the Board of County Supervisors.~~
- 3 2. 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~~ this Section 32-509.02 conflict with the regulations of an underlying zoning district, the ~~Data Center Opportunity Zone Overlay District~~ regulations of this Section 32-509.02 shall apply.
- 4 3. Data Center Design Standards. Data Centers shall meet the following design guidelines:
 - (A) Principal building façades. Principal building façades shall include all building façades that face adjacent major arterials or interstates. When a building has more than one principal façade, such principal building façades shall be consistent in terms of design, materials, details, and treatment. Principal building façades associated with new construction shall meet the following standards:
 - (1) Principal building façades shall avoid the use of undifferentiated surfaces by including at least two of the following design elements:
 - a. change in building height;
 - b. building step-backs or recesses;
 - c. fenestration;
 - d. change in building material, pattern, texture, color; or
 - e. use of accent materials.
 - (B) Screening of mechanical equipment. In order to minimize visibility from adjacent roads and adjacent properties, ground level and roof top mechanical equipment shall be screened from major arterials, interstates and abutting residentially zoned or planned properties. This screening may be provided by a principal building or existing vegetation that will remain on the property or is within a landscaping/buffer easement on an adjacent property. Mechanical equipment not screened by a principal building or existing vegetation shall be screened by a visually solid fence, screen wall or panel, parapet wall, or

other visually solid screen that shall be constructed of materials compatible with those used in the exterior construction of the principal building. Notwithstanding the requirements of this section, mechanical equipment located in a manner found to have no adverse impact on adjacent roads and adjacent properties, as determined by the Planning Director, shall not be required to be screened.

- (C) Buffer yard requirement. A buffer yard is required in order to screen the data center from adjacent residentially zoned or planned properties. In lieu of the buffer yard requirement in DCSM Section 800, any side/rear yard abutting property that is not planned or developed with commercial or industrial uses shall include a buffer yard required plantings installed on an earthen berm that has a minimum height of six (6) feet and a slope not steeper than 2:1, planted to a type C DCSM buffer standard. The buffer yard plantings shall be installed in accordance with the requirements of the DCSM. Notwithstanding the requirements of this section, use of natural topography and preservation of existing vegetation, supplemented by new vegetation, if needed, or on the outside of a six foot tall solid fence, may be substituted for the above requirements when found by the Planning Director to provide visual screening from adjacent land uses at the density, depth, and height equivalent to the buffer yard with earthen berm.
- (D) Fencing. Fencing of the property is permitted, provided that fencing along public or private streets is not chain-link, with or without slatted inserts, and does not include barbed wire or other similarly visibly intrusive deterrence device. Chain-link fencing or barbed wire fencing are prohibited along public or private street frontages. This fencing allowance does not relieve a property owner from complying with all fire and access code requirements. The Planning Director may allow for alternative compliance with this requirement, provided the applicant demonstrates that the fencing visibility is reduced, through the use of landscaping and other methods to reduce visibility. Examples of permitted fencing include the following:



- (E) Data Centers are permitted an increased FAR, within the Data Center Opportunity Zone Overlay District, up to 1.0 FAR provided all other development standards (excluding FAR limitations) for the underlying district are met and only if the data center(s) is permitted pursuant to County Code Sec. 32-509.03(2). ~~Data center outside of the Data Center Opportunity Zone Overlay District may request an increase in FAR through a special use permit process, as described and allowed in Section 32-400.04 of the Zoning Ordinance.~~
- (F) Substations. Substations shall be screened from adjacent major roads or residentially zoned/planned properties as follows:
- (1) Ten-foot-tall opaque fencing facing residentially zoned/planned properties.
 - (2) All other buffering and landscaping requirements of the DCSM shall still apply.
- (G) Building façades facing County registered historic site Manassas Battlefield Park. Building façades facing Manassas Battlefield Park, that are visible from viewshed anchors as identified in the Manassas Battlefields Viewshed Preservation Study, shall be non-reflective and dark green or dark brown in color. The Planning Director may approve other

colors provided the colors are demonstrated to be earth tones that will help the building façade blend into the tree line.

Sec. 32-509.03. Uses permitted by right.

1. All non-data center uses permitted by right in the underlying zoning district shall be permitted in the Data Center Opportunity Zone Overlay District.

2. 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 only if:

(i) the Board of County Supervisors has accepted proffers or proffered conditions which specify a data center(s) use related to a rezoning or proffer amendment by [insert date of ordinance adoption], the applicant relies in good faith on the rezoning or proffer amendment, and the applicant incurs extensive obligations or substantial expenses in diligent pursuit of the specific project;

(ii) the designated County agent has approved a preliminary subdivision plat, preliminary site plan, or plan of development for a data center(s) by [insert date of ordinance adoption] and the applicant diligently pursues approval of the final plat or final site plan within a reasonable period of time under the circumstances, the applicant relies in good faith on the approval, and the applicant incurs extensive obligations or substantial expenses in diligent pursuit of the specific project;

(iii) the designated County agent has approved a final site plan, final plat, or final plan of development for a data center(s) by [insert date of ordinance adoption], the applicant relies in good faith on the approval, and the applicant incurs extensive obligations or substantial expenses in diligent pursuit of the specific project;

(iv) the zoning administrator or other administrative officer has issued a written order, requirement, decision, or determination regarding the permissibility of a data center use that is no longer subject to appeal and no longer subject to change, modification, or reversal under Virginia Code § 15.2-2311(C), the applicant relies in good faith on the written order, requirement, decision, or determination, and the applicant incurs extensive obligations or substantial expenses in diligent pursuit of the specific project; or

(v) a rezoning, special use permit, proffer amendment, an application for a public facilities review for an electric substation, or other legislative application; final site plan; or final plat for a data center(s) is filed with the designated County employee(s) and accepted by the designated County employee(s) for quality control review purposes by 11:59 P.M. on [90 calendar days from date of ordinance adoption] and the applicant incurs extensive obligations or substantial expenses in diligent pursuit of said rezoning, special use permit, proffer amendment, application for a public facilities review for an electric substation, or other legislative application; final site plan; or final plat approval.

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.

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

2. Unless otherwise permitted pursuant to County Code Sec. 32-509.03(2), data centers shall be permitted in the B-1, 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 by special use permit.

Sec. 32-509.06. Prohibited Districts.

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

Sec. 32-401.13. - Special uses.

The following uses shall be permitted in the B-1 District with a Special Use Permit: . . .

10. Data Center unless otherwise permitted pursuant to County Code Sec. 32-509.03(2). As part of a special use permit for a data center(s) in the B-1 zoning district, an applicant may request, and the Board of County Supervisors may approve, an increase in FAR through the special use permit process, as described and allowed in County Code Sec. 32-400.04(3).

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

The following uses shall be permitted by right in the O(L) District: . . .

6. Data Center within the Data Center Opportunity Zone Overlay District only if permitted pursuant to County Code Sec. 32-509.03(2).

Sec. 32-402.13. - Special uses.

The following uses shall be permitted in the O(L) District with a Special Use Permit: . . .

4. Data Center unless otherwise permitted pursuant to County Code Sec. 32-509.03(2). As part of a special use permit for a data center(s) in the O(L) zoning district, an applicant may request, and the Board of County Supervisors may approve, an increase in FAR through the special use permit process, as described and allowed in County Code Sec. 32-400.04(3).

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

The following uses shall be permitted by right in the O(H) District: . . .

6. Data Center within the Data Center Opportunity Zone Overlay District only if permitted pursuant to County Code Sec. 32-509.03(2).

Sec. 32-402.23. - Special uses.

The following uses shall be permitted in the O(H) District with a Special Use Permit: . . .

3. Data Center unless otherwise permitted pursuant to County Code Sec. 32-509.03(2). As part of a special use permit for a data center(s) in the O(H) zoning district, an applicant may request, and the Board of County Supervisors may approve, an increase in FAR through the special use permit process, as described and allowed in County Code Sec. 32-400.04(3).

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

The following uses shall be permitted by right in the O(M) District: . . .

6. Data Center within the Data Center Opportunity Zone Overlay District only if permitted pursuant to County Code Sec. 32-509.03(2).

Sec. 32-402.33. - Special uses.

The following uses shall be permitted in the O(M) District with a Special Use Permit: . . .

3. Data Center unless otherwise permitted pursuant to County Code Sec. 32-509.03(2). As part of a special use permit for a data center(s) in the O(M) zoning district, an applicant may request, and the

Board of County Supervisors may approve, an increase in FAR through the special use permit process, as described and allowed in County Code Sec. 32-400.04(3).

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

The following uses shall be permitted by right in the O(F) District: . . .

8. Data Center within the Data Center Opportunity Zone Overlay District only if permitted pursuant to County Code Sec. 32-509.03(2).

Sec. 32-402.43. - Special uses.

The following uses shall be permitted in the O(F) District with a Special Use Permit: . . .

3. Data Center unless otherwise permitted pursuant to County Code Sec. 32-509.03(2). As part of a special use permit for a data center(s) in the O(F) zoning district, an applicant may request, and the Board of County Supervisors may approve, an increase in FAR through the special use permit process, as described and allowed in County Code Sec. 32-400.04(3).

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

The following uses shall be permitted by right in the M-1 District: . . .

19. Data Center within the Data Center Opportunity Zone Overlay District only if permitted pursuant to County Code Sec. 32-509.03(2).

Sec. 32-403.13. - Special uses.

The following uses shall be permitted in the M-1 District with a Special Use Permit, including any other manufacturing, processing or wholesaling use not otherwise permitted by this chapter; including any use involving the storage of petroleum, propane or natural gas products or hazardous materials. . . .

3. Data Center unless otherwise permitted pursuant to County Code Sec. 32-509.03(2). As part of a special use permit for a data center(s) in the M-1 zoning district, an applicant may request, and the Board of County Supervisors may approve, an increase in FAR through the special use permit process, as described and allowed in County Code Sec. 32-400.04(3).

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

The following uses shall be permitted by right in the M-2 District: . . .

13. Data Center within the Data Center Opportunity Zone Overlay District only if permitted under County Code Sec. 32-509.03(2).

Sec. 32-403.23. - Special uses.

The following uses shall be permitted in the M-2 District with a Special Use Permit: . . .

3. Data Center unless otherwise permitted pursuant to County Code Sec. 32-509.03(2). As part of a special use permit for a data center(s) in the M-2 zoning district, an applicant may request, and the Board of County Supervisors may approve, an increase in FAR through the special use permit process, as described and allowed in County Code Sec. 32-400.04(3).

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

The following uses shall be permitted by right in the M/T District: . . .

21. Data Center within the Data Center Opportunity Zone Overlay District only if permitted pursuant to County Code Sec. 32-509.03(2).

Sec. 32-403.33. - Special uses.

The following uses shall be permitted in the M/T District with a Special Use Permit, including any other manufacturing, processing, or wholesaling use not otherwise permitted by this chapter, including any use involving the storage of petroleum, propane or natural gas products or hazardous materials. . . .

3. Data Center unless otherwise permitted pursuant to County Code Sec. 32-509.03(2). As part of a special use permit for a data center(s) in the M/T zoning district, an applicant may request, and the Board of County Supervisors may approve, an increase in FAR through the special use permit process, as described and allowed in County Code Sec. 32-400.04(3).

DRAFT

Chapter 32 - ZONING
ARTICLE V. - OVERLAY DISTRICTS
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.

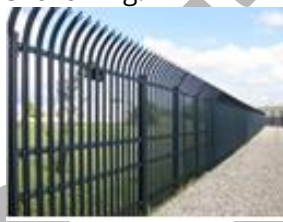
Sec. 32-509.02. Establishment of Data Center Opportunity Zone Overlay District.

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 properties included in the Data Center Opportunity Zone Overlay District boundaries shall be set using a map, and pursuant to County Code Sec. 32-509.02(2). After [insert date of ordinance adoption], no request for an amendment(s) to the map to include a specific property(s) in the Data Center Opportunity Zone Overlay District boundaries shall be considered by the Board of County Supervisors.~~
2. The properties included in the Data Center Opportunity Zone Overlay District shall (i) have been included in the Data Center Opportunity Zone Overlay District on [the day immediately before the date of ordinance adoption] and (ii) meet at least one of the following criteria:
 - a) the Board of County Supervisors has accepted proffers or proffered conditions which specify a data center(s) use related to a rezoning or proffer amendment by [insert date of ordinance adoption], the applicant relies in good faith on the rezoning or proffer amendment, and the applicant incurs extensive obligations or substantial expenses in diligent pursuit of the specific project;
 - b) the designated County agent has approved a preliminary subdivision plat, preliminary site plan, or plan of development for a data center(s) by [insert date of ordinance adoption] and the applicant diligently pursues approval of the final plat or final site plan within a reasonable period of time under the circumstances, the applicant relies in good faith on the approval, and the applicant incurs extensive obligations or substantial expenses in diligent pursuit of the specific project;
 - c) the designated County agent has approved a final site plan, final plat, or final plan of development for a data center(s) by [insert date of ordinance adoption], the applicant relies in good faith on the approval, and the applicant incurs extensive obligations or substantial expenses in diligent pursuit of the specific project;
 - d) the zoning administrator or other administrative officer has issued a written order, requirement, decision, or determination regarding the permissibility of a data center use that is no longer subject to appeal and no longer subject to change, modification, or reversal under Virginia Code § 15.2-2311(C), the applicant relies in good faith on the written order, requirement, decision, or determination, and the applicant incurs extensive obligations or substantial expenses in diligent pursuit of the specific project; or

- e) a rezoning for a data center(s), special use permit for a data center(s), proffer amendment for a data center(s), an application for a public facilities review for an electric substation, or other legislative application for a data center(s); final site plan for a data center(s), or final plat for a data center(s) is filed with the designated County employee(s) and accepted by the designated County employee(s) for quality control review purposes by 11:59 P.M. on [90 calendar days from date of ordinance adoption] and the applicant incurs extensive obligations or substantial expenses in diligent pursuit of said rezoning, special use permit, proffer amendment, application for a public facilities review for an electric substation, or other legislative application; final site plan; or final plat approval.
- 3 ~~2~~. 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~~ this Section 32-509.02 conflict with the regulations of an underlying zoning district, the ~~Data Center Opportunity Zone Overlay District~~ regulations of this Section 32-509.02 shall apply.
- 4 ~~3~~. Data Center Design Standards. Data Centers shall meet the following design guidelines:
- (A) Principal building façades. Principal building façades shall include all building façades that face adjacent major arterials or interstates. When a building has more than one principal façade, such principal building façades shall be consistent in terms of design, materials, details, and treatment. Principal building façades associated with new construction shall meet the following standards:
- (1) Principal building façades shall avoid the use of undifferentiated surfaces by including at least two of the following design elements:
- change in building height;
 - building step-backs or recesses;
 - fenestration;
 - change in building material, pattern, texture, color; or
 - use of accent materials.
- (B) Screening of mechanical equipment. In order to minimize visibility from adjacent roads and adjacent properties, ground level and roof top mechanical equipment shall be screened from major arterials, interstates and abutting residentially zoned or planned properties. This screening may be provided by a principal building or existing vegetation that will remain on the property or is within a landscaping/buffer easement on an adjacent property. Mechanical equipment not screened by a principal building or existing vegetation shall be screened by a visually solid fence, screen wall or panel, parapet wall, or other visually solid screen that shall be constructed of materials compatible with those used in the exterior construction of the principal building. Notwithstanding the requirements of this section, mechanical equipment located in a manner found to have no adverse impact on adjacent roads and adjacent properties, as determined by the Planning Director, shall not be required to be screened.
- (C) Buffer yard requirement. A buffer yard is required in order to screen the data center from adjacent residentially zoned or planned properties. In lieu of the buffer yard requirement in DCSM Section 800, any side/rear yard abutting property that is not planned or developed with commercial or industrial uses shall include a buffer yard required plantings installed on an earthen berm that has a minimum height of six (6) feet and a slope not steeper than 2:1, planted to a type C DCSM buffer standard. The buffer yard plantings shall be installed in accordance with the requirements of the DCSM.

Notwithstanding the requirements of this section, use of natural topography and preservation of existing vegetation, supplemented by new vegetation, if needed, or on the outside of a six foot tall solid fence, may be substituted for the above requirements when found by the Planning Director to provide visual screening from adjacent land uses at the density, depth, and height equivalent to the buffer yard with earthen berm.

- (D) Fencing. Fencing of the property is permitted, provided that fencing along public or private streets is not chain-link, with or without slatted inserts, and does not include barbed wire or other similarly visibly intrusive deterrence device. Chain-link fencing or barbed wire fencing are prohibited along public or private street frontages. This fencing allowance does not relieve a property owner from complying with all fire and access code requirements. The Planning Director may allow for alternative compliance with this requirement, provided the applicant demonstrates that the fencing visibility is reduced, through the use of landscaping and other methods to reduce visibility. Examples of permitted fencing include the following:



- (E) Data Centers are permitted an increased FAR, within the Data Center Opportunity Zone Overlay District, up to 1.0 FAR provided all other development standards (excluding FAR limitations) for the underlying district are met and only if the data center(s) is permitted pursuant to County Code Sec. 32-509.03(2). ~~Data center outside of the Data Center Opportunity Zone Overlay District may request an increase in FAR through a special use permit process, as described and allowed in Section 32-400.04 of the Zoning Ordinance.~~
- (F) Substations. Substations shall be screened from adjacent major roads or residentially zoned/planned properties as follows:
- (1) Ten-foot-tall opaque fencing facing residentially zoned/planned properties.
 - (2) All other buffering and landscaping requirements of the DCSM shall still apply.
- (G) Building façades facing County registered historic site Manassas Battlefield Park. Building façades facing Manassas Battlefield Park, that are visible from viewshed anchors as identified in the Manassas Battlefields Viewshed Preservation Study, shall be non-reflective and dark green or dark brown in color. The Planning Director may approve other colors provided the colors are demonstrated to be earth tones that will help the building façade blend into the tree line.

Sec. 32-509.03. Uses permitted by right.

1. All non-data center uses permitted by right in the underlying zoning district shall be permitted in the Data Center Opportunity Zone Overlay District.
2. 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.

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

2. Unless otherwise permitted pursuant to County Code Sec. 32-509.03(2), data centers shall be permitted in the B-1, 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 by special use permit.

Sec. 32-509.06. Prohibited Districts.

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

Sec. 32-401.13. - Special uses.

The following uses shall be permitted in the B-1 District with a Special Use Permit: . . .

10. Data Center unless otherwise permitted pursuant to County Code Sec. 32-509.03(2). As part of a special use permit for a data center(s) in the B-1 zoning district, an applicant may request, and the Board of County Supervisors may approve, an increase in FAR through the special use permit process, as described and allowed in County Code Sec. 32-400.04(3).

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

The following uses shall be permitted by right in the O(L) District: . . .

6. Data Center within the Data Center Opportunity Zone Overlay District only if permitted pursuant to County Code Sec. 32-509.03(2).

Sec. 32-402.13. - Special uses.

The following uses shall be permitted in the O(L) District with a Special Use Permit: . . .

4. Data Center unless otherwise permitted pursuant to County Code Sec. 32-509.03(2). As part of a special use permit for a data center(s) in the O(L) zoning district, an applicant may request, and the Board of County Supervisors may approve, an increase in FAR through the special use permit process, as described and allowed in County Code Sec. 32-400.04(3).

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

The following uses shall be permitted by right in the O(H) District: . . .

6. Data Center within the Data Center Opportunity Zone Overlay District only if permitted pursuant to County Code Sec. 32-509.03(2).

Sec. 32-402.23. - Special uses.

The following uses shall be permitted in the O(H) District with a Special Use Permit: . . .

3. Data Center unless otherwise permitted pursuant to County Code Sec. 32-509.03(2). As part of a special use permit for a data center(s) in the O(H) zoning district, an applicant may request, and the Board of County Supervisors may approve, an increase in FAR through the special use permit process, as described and allowed in County Code Sec. 32-400.04(3).

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

The following uses shall be permitted by right in the O(M) District: . . .

6. Data Center within the Data Center Opportunity Zone Overlay District only if permitted pursuant to County Code Sec. 32-509.03(2).

Sec. 32-402.33. - Special uses.

The following uses shall be permitted in the O(M) District with a Special Use Permit: . . .

3. Data Center unless otherwise permitted pursuant to County Code Sec. 32-509.03(2). As part of a special use permit for a data center(s) in the O(M) zoning district, an applicant may request, and the Board of County Supervisors may approve, an increase in FAR through the special use permit process, as described and allowed in County Code Sec. 32-400.04(3).

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

The following uses shall be permitted by right in the O(F) District: . . .

8. Data Center within the Data Center Opportunity Zone Overlay District only if permitted pursuant to County Code Sec. 32-509.03(2).

Sec. 32-402.43. - Special uses.

The following uses shall be permitted in the O(F) District with a Special Use Permit: . . .

3. Data Center unless otherwise permitted pursuant to County Code Sec. 32-509.03(2). As part of a special use permit for a data center(s) in the O(F) zoning district, an applicant may request, and the Board of County Supervisors may approve, an increase in FAR through the special use permit process, as described and allowed in County Code Sec. 32-400.04(3).

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

The following uses shall be permitted by right in the M-1 District: . . .

19. Data Center within the Data Center Opportunity Zone Overlay District only if permitted pursuant to County Code Sec. 32-509.03(2).

Sec. 32-403.13. - Special uses.

The following uses shall be permitted in the M-1 District with a Special Use Permit, including any other manufacturing, processing or wholesaling use not otherwise permitted by this chapter; including any use involving the storage of petroleum, propane or natural gas products or hazardous materials. . . .

3. Data Center unless otherwise permitted pursuant to County Code Sec. 32-509.03(2). As part of a special use permit for a data center(s) in the M-1 zoning district, an applicant may request, and the Board of County Supervisors may approve, an increase in FAR through the special use permit process, as described and allowed in County Code Sec. 32-400.04(3).

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

The following uses shall be permitted by right in the M-2 District: . . .

13. Data Center within the Data Center Opportunity Zone Overlay District only if permitted under County Code Sec. 32-509.03(2).

Sec. 32-403.23. - Special uses.

The following uses shall be permitted in the M-2 District with a Special Use Permit: . . .

3. Data Center unless otherwise permitted pursuant to County Code Sec. 32-509.03(2). As part of a special use permit for a data center(s) in the M-2 zoning district, an applicant may request, and the Board of County Supervisors may approve, an increase in FAR through the special use permit process, as described and allowed in County Code Sec. 32-400.04(3).

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

The following uses shall be permitted by right in the M/T District. . . .

21. Data Center within the Data Center Opportunity Zone Overlay District only if permitted pursuant to County Code Sec. 32-509.03(2).

Sec. 32-403.33. - Special uses.

The following uses shall be permitted in the M/T District with a Special Use Permit, including any other manufacturing, processing, or wholesaling use not otherwise permitted by this chapter, including any use involving the storage of petroleum, propane or natural gas products or hazardous materials. . . .

3. Data Center unless otherwise permitted pursuant to County Code Sec. 32-509.03(2). As part of a special use permit for a data center(s) in the M/T zoning district, an applicant may request, and the Board of County Supervisors may approve, an increase in FAR through the special use permit process, as described and allowed in County Code Sec. 32-400.04(3).



STAFF REPORT

PC Meeting Date:	September 9, 2026
Agenda Title:	Amendment to Chapter 32, Section 509 of the Prince William County Zoning Ordinance, Data Center Opportunity Zone Overlay District (DCOZOD), and related sections
District Impact:	Countywide
Requested Action:	Recommend Approval of DPA2026-00006, Zoning Text Amendment to The Data Center Opportunity Zone Overlay District, County Code Sec. 32-509.01 Et Seq. (DCOZOD), And Any Other Related Sections of the Zoning Ordinance, Including Corresponding DCOZOD Map Amendments, As Initiated by the Board of County Supervisors on June 9, 2026, By Adoption of Resolution No. 26-374, And Recommend Approval of County Staff's Recommended Changes to DPA2026-00006, Zoning Text Amendment to the Data Center Opportunity Zone Overlay District, County Code Sec. 32-509.01 Et Seq., and Other Related Sections of the Zoning Ordinance, Including Corresponding DCOZOD Map Amendments
Department Lead:	Planning Office
Staff Lead:	Tanya M. Washington, AICP, Director of Planning
Case Planner	Reza Ramyar, Principal Planner

EXECUTIVE SUMMARY

On March 3, 2026, the Board of County Supervisors (Board) adopted Resolution No. 26-125 to initiate a Zoning Text Amendment to revise the regulations governing data center uses within the Data Center Opportunity Zone Overlay District (DCOZOD) and related sections.

On May 19, 2026, the Board of County Supervisors issued Directive DIR 26-11, which directed Staff to pause work on the March 3 initiated zoning text amendment, including postponing the then-scheduled June 10, 2026, Planning Commission public hearing.

On June 9, 2026, by adoption of Resolution No. 26-374, the Board initiated "a zoning text amendment to the Data Center Opportunity Zone Overlay District, County Code Sec. 32-509.01 et seq., and any other related sections of the Zoning Ordinance to amend the data center uses permitted by-right and by special use permit, including corresponding DCOZOD map amendments, in a form and substance substantially similar to, and consistent with the intent of, the attached draft zoning text amendment". The Board also "rescind[ed] its initiation of the zoning text amendment which it initiated by adoption of Resolution Number 26-125 on March 3, 2026."

The zoning text amendment initiated by the Board on June 9 by adoption of Resolution No. 26-374 (ZTA) includes updates to uses permitted by right and by Special Use Permit (SUP), as well as revisions to the DCOZOD boundary.

The ZTA substantially restructures the County's regulatory framework for data center development by redefining the role and function of the DCOZOD. Under the ZTA, properties included within the DCOZOD are determined based on a series of eligibility criteria intended to identify properties with established development status, prior approvals, existing development rights, or pending applications. Properties meeting one or more of the eligibility pathways may remain within the revised DCOZOD, while properties that do not satisfy the criteria would be removed from the Overlay District.

The initiated ZTA also modifies the approval for future data center development. Data center development within the revised DCOZOD would be limited to qualifying properties identified through the eligibility criteria. Outside the DCOZOD, new data center proposals may be considered through the Special Use Permit process in the zoning districts identified by the ordinance.

The ZTA was presented to the Planning Commission on July 15, 2026. To ensure compliance with public notice requirements, the public hearing was subsequently re-advertised and rescheduled for September 9, 2026.

Staff recommends several revisions to the initiated ZTA to further improve clarity and assist staff with implementation of the ZTA. Staff recommends that the Planning Commission recommend approval of (i) the Zoning Text Amendment, and associated map amendment, and (ii) staff's recommended changes to the ZTA.

BACKGROUND

On March 3, 2026, the Board of County Supervisors adopted Resolution No. 26-125, which initiated a Zoning Text Amendment to revise the uses permitted by right and by Special Use Permit within the DCOZOD and related sections of the Zoning Ordinance. The initiated ZTA also proposed revisions to the DCOZOD boundaries and approval framework for future data center development.

On May 19, 2026, the Board issued Directive DIR 26-11 which directed Staff to pause work on the ZTA which was initiated on March 3, including postponement of the then-scheduled June 10, 2026, Planning Commission public hearing, to allow additional time to refine the draft ZTA based on community, industry, and Board feedback.

On June 9, 2026, by adoption of Resolution No. 26-374, the Board initiated "a zoning text amendment to the Data Center Opportunity Zone Overlay District, County Code Sec. 32-509.01 et seq., and any other related sections of the Zoning Ordinance to amend the data center uses permitted by-right and by special use permit, including corresponding DCOZOD map amendments, in a form and substance substantially similar to, and consistent with the intent of, the attached draft zoning text amendment". The Board also

“rescind[ed] its initiation of the zoning text amendment which it initiated by adoption of Resolution Number 26-125 on March 3, 2026.”

STAFF RECOMMENDATION

- A. Staff Evaluation of Proposed Request – Staff has conducted a comprehensive review of the ZTA, including an evaluation of the proposed regulatory framework, DCOZOD boundary revisions, implementation considerations, and potential land use impacts. Staff also performed a preliminary assessment of the ZTA’s effect on the existing and future data center development pipeline. Detailed analysis is provided in Attachment A.
- B. Staff Recommendation - Staff recommends that the Planning Commission recommend that the Board (i) approve the ZTA, and (ii) incorporate and approve staff’s recommended changes to the ZTA.

If the Board adopts DPA2026-00006, Zoning Text Amendment to the Data Center Opportunity Zone Overlay District (DCOZOD), County staff will prepare and maintain an updated DCOZOD map reflecting all qualifying parcels pursuant to Sec. 32-509.01 et seq. Staff will update the DCOZOD map as additional properties are verified by staff to have met the eligibility criteria established under the adopted ordinance.

- C. Summary of Proposed Framework - The following summary outlines the ZTA:

Eligibility Criteria for Inclusion Within the Revised DCOZOD: Under the initiated ZTA, properties included within the revised DCOZOD must satisfy one or more of the eligibility criteria contained in Sec. 32-509.03(2). These criteria generally recognize properties with existing approvals, established development rights, prior administrative determinations, or certain pending legislative and development applications.

Inside the Revised DCOZOD: Under the ZTA, the DCOZOD functions primarily as a limited eligibility boundary recognizing a defined set of qualifying properties. Only properties included within the DCOZOD may continue to utilize the DCOZOD’s by-right data center provisions. Properties that do not satisfy the eligibility criteria would not be included in the DCOZOD.

Outside the DCOZOD: Outside the DCOZOD, new data center applications would be governed by the special use permit provisions in the ZTA. New data center applications would be considered in the zoning districts identified by the ZTA through the SUP process, including the B 1, General Business, O(L), Office Low-Rise, O(H), Office High-Rise, O(M), Office Mid-Rise, O(F), Office/Flex, M 1, Heavy Industrial, M 2, Light Industrial, and M/T, Industrial/Transportation, zoning districts, and

designated office or industrial land bays in PBD, Planned Business, and PMD, Planned Mixed Use, zoning districts, and subject to Board review and approval.

D. Stakeholder Input

Staff presented the zoning text amendment, which was initiated by the Board on March 3, 2026, by adoption of Resolution No. 26-125, to the Design and Construction Standards (DCSM)/Zoning Ordinance Advisory Committee (DORAC) on April 23, 2026. Staff outlined the proposed DCOZOD and the associated regulatory framework. During that meeting, DORAC members requested an opportunity to review the zoning text amendment with staff-recommended changes before taking a formal position, prior to the Planning Commission public hearing. In response, a special follow-up DORAC meeting was scheduled for May 28, 2026, dedicated exclusively to discussion and consideration of any staff-recommended changes to the zoning text amendment.

Prior to and following the April 23 DORAC meeting, the Planning Office also received written feedback submitted by individual DORAC members and development industry stakeholders. The written comments are summarized below. Across these submissions, two overarching themes emerge: procedural clarity and transitional protections for in process projects.

DORAC members raised the following issues in written feedback:

- Requested a detailed explanation of Section 32-509.3, focusing on the meaning, thresholds, and administrative application of the term “extensive obligations or substantial expenses.”
- Comments emphasizing that expressly identifying eligibility pathways tied to vested rights under Virginia Code §§ 15.2-2307 and 15.2-2303.B, while also maintaining at least one zoning district where new data centers may be considered through the Special Use Permit (SUP) process (M-2), is important to supporting the legal defensibility of the proposed ordinance amendments. The comments noted that these provisions help demonstrate that the County is not entirely foreclosing future opportunities for data center development, while still advancing the Board’s objective of increasing oversight and discretionary review of future facilities.

NAIOP (National Association of Industrial and Office Parks) Northern Virginia, the local chapter of the Commercial Real Estate Development Association, submitted comments, dated April 17, 2026, regarding the zoning text amendment initiated by the Board on March 3, emphasizing the importance of predictable transition rules for applicants who have already invested in entitlements under the current by right framework. Their feedback includes the following:

1. Removal or modification of the fixed final-plan deadline in Section 32-509.03.2(v), noting that external review agencies (e.g., VDOT, Health Department) can delay approvals beyond an applicant’s control.
2. Expansion of “grandfathering” provisions to include not only site plans but also rezonings and Special Use Permits that have been submitted and accepted, consistent with regional practice and Virginia vested-rights principles.

3. Authorization for administrative approval of minor amendments to previously approved and vested entitlements—such as modest height adjustments, footprint refinements, or phasing changes—without requiring a new SUP, provided the changes remain within defined limits.

The development industry commenters expressed concern that rigid deadlines and narrow grandfathering could strand substantial sunk costs, create appeals or legal exposure, and discourage investment across all development types, not just data centers. Their recommendations expressed an intention to ensure that the County's modernization of the DCOZOD does not inadvertently undermine its reputation as a predictable and business-friendly jurisdiction.

Several of the concerns raised by individual DORAC members and industry stakeholders regarding the zoning text amendment initiated on March 3 have been addressed in the ZTA initiated on June 9, 2026. The ZTA expands the eligibility criteria in Sec. 32 509.03(2), particularly Criterion (v), to include rezonings, special use permits, proffer amendments, public facility reviews for electric substations, and other legislative applications that were filed and accepted for quality control review by the stated deadline. This revision directly addresses stakeholder requests for broader transitional protections and reduces the risk that in process applications could be excluded due to factors outside an applicant's control. The ZTA also includes the ability for an applicant to request a special use permit for data centers in multiple zoning districts—rather than limiting new SUP applications to the M-2 district.

On July 15, 2026, staff presented an overview of the proposed ZTA for the DCOZOD to the Commercial Development Committee (CDC) during its regular meeting. Staff responded to questions from CDC members regarding the ZTA, specifically addressing how the proposed amendments would affect the data center development process and impact the overall overlay district boundaries and standards.

During the July 23 DORAC meeting, staff presented the ZTA initiated by the Board on June 9 along with the staff-recommended changes. During the discussion, a member questioned the necessity of the ZTA and stated concerns on behalf of property owners who would be removed from the overlay district. The member noted that these owners have paid higher property taxes for approximately ten years since the overlay district was established in 2016 and have not received any benefit from being included in the overlay district. The member also suggested that removing all overlay district boundaries might be a more effective solution to these concerns than proceeding with the ZTA. The committee did not take a vote on the ZTA during the meeting. DORAC members expressed a preference to send any further comments individually rather than as a body.

On August 13, 2026, county staff met virtually with representatives of NAIOP to discuss technical questions related to the proposed DCOZOD ZTA. Discussion topics included the purpose and implementation of the proposed Overlay map, the 90-day eligibility period under Criterion 5, and the process for updating the Overlay map following adoption of the ZTA. Staff explained that the Planning Office anticipates administratively finalizing and updating the map following the expiration of the 90-day eligibility period.

Staff also noted that administrative updates to maps are used in other County programs and overlay districts.

Community Input

As of the date of this report, staff has received limited community input regarding DPA2026-00006, consisting of one written comment in opposition and a small number of informational inquiries. The single written comment expressed opposition to the initiated ZTA, noting concerns that the amendment may negatively affect the commenter's property or the surrounding area and requesting that the Planning Commission consider these concerns during its evaluation. Additionally, staff received several phone calls and emails seeking technical clarification regarding which individual properties qualify for inclusion or exclusion under the revised DCOZOD boundaries and the potential land use impacts on specific parcels. These inquiries did not express support or opposition to the proposed ZTA, and staff responded by providing the requested technical information and boundary details. No further public comments have been received as of the date of this report.

Legal Issues

Legal Issues resulting from the Planning Commission's action are appropriately addressed by the County Attorney's Office.

Timing

Board Resolution No. 26-374 which initiated the ZTA directed County staff to give the highest priority to this zoning text amendment with a target of bringing the final zoning text amendment back to the Board for a public hearing, Board consideration, and potential adoption in September 2026.

STAFF CONTACT INFORMATION

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ATTACHMENTS

Attachment A: Staff Analysis & Recommendations for Initiated ZTA

Staff Analysis and Recommendations for Revised Initiated ZTA

1. Separation of DCOZOD Boundary Determination and Development Rights

Under the initiated ZTA, the eligibility criteria in Sec. 32-509.03(2) serve two separate functions:

1. Determining which properties remain within the DCOZOD; and
2. Determining eligibility for by-right data center development.

In staff's opinion, combining these functions within a single section could potentially create ambiguity regarding whether the criteria are intended to establish the DCOZOD boundaries, eligibility criteria, or both.

Staff recommends restructuring the ZTA by relocating the eligibility criteria currently contained in Sec. 32-509.03(2) to Sec. 32-509.02, which governs establishment of the DCOZOD. Under this approach, in staff's opinion, the criteria would be used solely to determine which properties are included within the DCOZOD boundary. Once a property is determined to be within the DCOZOD, the by-right use provisions of Sec. 32-509.03 would apply.

Staff believes this approach could provide several benefits:

- Simplifies staff administration by avoiding repeated eligibility determinations during future application reviews; and
- Better aligns the ZTA structure with the apparent intent of the ZTA.

2. Criterion (v) – Pending Applications Filed Within 90 Days of Adoption

The revised criterion (v) currently provides eligibility for properties where:

"a rezoning, special use permit, proffer amendment, an application for a public facilities review for an electric substation, or other legislative application; final site plan; or final plat for a data center(s) is filed ... and accepted ... for quality control review purposes by 11:59 P.M. on [90 calendar days from date of ordinance adoption]..."

In staff's opinion, as written, the provision could potentially be interpreted to include any rezoning, Special Use Permit, proffer amendment, or legislative application accepted during the 90-day period, regardless of whether the application relates to a data center proposal. Staff recommends clarifying that each listed application must specifically relate to a proposed data center development.

3. Determination of DCOZOD Boundaries

The initiated text of the ZTA provides that properties included within the DCOZOD shall be determined:

1. Using a map;
2. Pursuant to Sec. 32-509.03(2); and
3. Pursuant to Sec. 32-509.05.

Staff identified two implementation concerns:

A. Potential Expansion of the DCOZOD Boundary

In staff's opinion, Sec. 32-509.03(2) may not be interpreted as expressly limited to properties currently located within the DCOZOD and could be interpreted to allow properties outside the existing DCOZOD boundary to qualify for inclusion if they satisfy one or more eligibility criteria. Staff does not believe this interpretation reflects the apparent intent of the initiated ZTA. The initiating resolution focuses on revising the approval structure and reducing the DCOZOD boundary, rather than expanding the DCOZOD or adding new geographic areas to the DCOZOD. Staff recommends clarifying that eligible properties must also have been located within the DCOZOD immediately prior to adoption of the ordinance.

Staff recommends adding language such as:

"and have previously been included in the Data Center Opportunity Zone Overlay District on [the day before the date of ordinance adoption]."

B. Reference to Sec. 32-509.05

The ZTA also provides that DCOZOD properties shall be determined pursuant to Sec. 32-509.05. However, Sec. 32-509.05 establishes circumstances under which data centers may be approved through the special use permit process, which in staff's opinion means that a future Board approved SUP for a data center could be included in the DCOZOD. Because the apparent intent of the initiated ZTA is to establish a fixed DCOZOD boundary rather than create a process for future expansion, staff recommends removing the reference to:

"(iii) pursuant to County Code Sec. 32-509.05".

Proposed Staff Revisions

Sec. 32-509.02:

Existing Ordinance Language	Board-Initiated ZTA Language	Proposed Staff Revisions
Sec. 32-509.02 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.	Sec. 32-509.02 1. A Data Center Opportunity Zone Overlay District shall be created and amended by ordinance upon resolution of the Board of County Supervisors. The properties included in the Data Center Opportunity Zone Overlay District	Sec. 32-509.02 1. A Data Center Opportunity Zone Overlay District shall be created and amended by ordinance upon resolution of the Board of County Supervisors. The properties included in the Data Center Opportunity Zone Overlay District boundaries shall be set (i) using a map, (ii) pursuant to County Code Sec. 32-509.02(2), and (iii) pursuant to County Code Sec. 32-509.05. After [insert date of ordinance adoption], no request for an amendment(s) to the map to include a specific property(s) in the Data Center Opportunity Zone Overlay District boundaries shall be considered by the Board of County Supervisors. 2. The properties included in the Data Center Opportunity Zone Overlay District shall (i) have been included in the Data Center Opportunity Zone Overlay District on [the day immediately before

Attachment A: Staff Analysis & Recommendations for Initiated ZTA

2. A Data Center Opportunity Zone Overlay District shall be created and amended by ordinance upon resolution of the Board of County Supervisors.	boundaries shall be set (i) using a map, (ii) pursuant to <u>County Code Sec. 32-509.03(2)</u>, and (iii) pursuant to <u>County Code Sec. 32-509.05</u>. After [insert date of ordinance adoption], no request for an amendment(s) to the map to include a specific property(s) in the Data Center Opportunity Zone Overlay District boundaries shall be considered by the Board of County Supervisors.	the date of ordinance adoption] and (ii) meet at least one of the following criteria: a) the Board of County Supervisors has accepted proffers or proffered conditions which specify a data center(s) use related to a rezoning or proffer amendment by [insert date of ordinance adoption], the applicant relies in good faith on the rezoning or proffer amendment, and the applicant incurs extensive obligations or substantial expenses in diligent pursuit of the specific project; b) the designated County agent has approved a preliminary subdivision plat, preliminary site plan, or plan of development for a data center(s) by [insert date of ordinance adoption] and the applicant diligently pursues approval of the final plat or final site plan within a reasonable period of time under the circumstances, the applicant relies in good faith on the approval, and the applicant incurs extensive obligations or substantial expenses in diligent pursuit of the specific project; c) the designated County agent has approved a final site plan, final plat, or final plan of development for a data center(s) by [insert date of ordinance adoption], the applicant relies in good faith on the approval, and the applicant incurs extensive obligations or substantial expenses in diligent pursuit of the specific project; d) the zoning administrator or other administrative officer has issued a written order, requirement, decision, or determination regarding the permissibility of a data center use that is no longer subject to appeal and no longer subject to change, modification, or reversal under Virginia Code § 15.2-2311(C), the applicant relies in good faith on the written order, requirement, decision, or determination, and the applicant incurs extensive obligations or substantial expenses in diligent pursuit of the specific project; or e) a rezoning for a data center(s), special use permit for a data center(s), proffer amendment for a data center(s), an application for a public facilities review for an electric substation, or other legislative application for a data center(s); final site plan for a data center(s), or final plat for a data center(s) is filed with the designated County employee(s) and accepted by the designated County employee(s) for quality control review purposes by 11:59 P.M. on [90 calendar days from date of ordinance adoption] and the applicant incurs extensive obligations or substantial expenses in diligent pursuit of said rezoning, special use permit, proffer amendment, application for a public facilities review for an electric substation, or other legislative application; final site plan; or final plat approval.
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Sec. 32-509.03 (2). Uses permitted by right.

Existing Ordinance Language	Board-Initiated ZTA Language	Proposed Staff Revisions
2. 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.	2. 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 <u>only if</u>: (i) the Board of County Supervisors has <u>accepted proffers or proffered conditions which specify a data center(s) use related to a rezoning or proffer amendment by [insert date of ordinance adoption]</u>, the applicant <u>relies in good faith on the rezoning or proffer amendment</u>, and the applicant <u>incurs extensive obligations or substantial expenses in diligent pursuit of the specific project</u>; (ii) the designated County agent has <u>approved a preliminary subdivision plat, preliminary site plan, or plan of development for a data center(s) by [insert date of ordinance adoption]</u> and the applicant <u>diligently pursues approval of the final plat or final site plan within a reasonable period of time under the circumstances, the applicant relies in good faith on the approval</u>, and the applicant <u>incurs extensive obligations or substantial expenses in diligent pursuit of the specific project</u>; (iii) the designated County agent has <u>approved a final site plan, final plat, or final plan of development for a data center(s) by [insert date of ordinance adoption]</u>, the applicant <u>relies in good faith on the approval</u>, and the applicant <u>incurs extensive obligations or substantial expenses in diligent pursuit of the specific project</u>; (iv) the zoning administrator or other administrative officer has <u>issued a written order, requirement, decision, or determination regarding the permissibility of a data center use that is no longer subject to appeal and no longer subject to change, modification, or reversal under Virginia Code § 15.2-2311(C)</u>, the applicant <u>relies in good faith on the written order, requirement, decision, or determination</u>, and the applicant <u>incurs extensive obligations or</u>	2. 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 <u>only if</u>: (i) the Board of County Supervisors has accepted proffers or proffered conditions which specify a data center(s) use related to a rezoning or proffer amendment by [insert date of ordinance adoption], the applicant relies in good faith on the rezoning or proffer amendment, and the applicant incurs extensive obligations or substantial expenses in diligent pursuit of the specific project; (ii) the designated County agent has approved a preliminary subdivision plat, preliminary site plan, or plan of development for a data center(s) by [insert date of ordinance adoption] and the applicant diligently pursues approval of the final plat or final site plan within a reasonable period of time under the circumstances, the applicant relies in good faith on the approval, and the applicant incurs extensive obligations or substantial expenses in diligent pursuit of the specific project; (iii) the designated County agent has approved a final site plan, final plat, or final plan of development for a data center(s) by [insert date of ordinance adoption], the applicant relies in good faith on the approval, and the applicant incurs extensive obligations or substantial expenses in diligent pursuit of the specific project; (iv) the zoning administrator or other administrative officer has issued a written order, requirement, decision, or determination regarding the permissibility of a data center use that is no longer subject to appeal and no longer subject to change, modification, or reversal under Virginia Code § 15.2-2311(C), the applicant relies in good faith on the written order, requirement, decision, or determination, and the applicant incurs extensive obligations or substantial

Attachment A: Staff Analysis & Recommendations for Initiated ZTA

	<u>substantial expenses in diligent pursuit of the specific project; or</u> <u>(v) a rezoning, special use permit, proffer amendment, an application for a public facilities review for an electric substation, or other legislative application; final site plan; or final plat for a data center(s) is filed with the designated County employee(s) and accepted by the designated County employee(s) for quality control review purposes by 11:59 P.M. on [90 calendar days from date of ordinance adoption] and the applicant incurs extensive obligations or substantial expenses in diligent pursuit of said rezoning, special use permit, proffer amendment, application for a public facilities review for an electric substation, or other legislative application; final site plan; or final plat approval.</u>	expenses in diligent pursuit of the specific project; or (v) a rezoning, special use permit, proffer amendment, an application for a public facilities review for an electric substation, or other legislative application; final site plan; or final plat for a data center(s) is filed with the designated County employee(s) and accepted by the designated County employee(s) for quality control review purposes by 11:59 P.M. on [90 calendar days from date of ordinance adoption] and the applicant incurs extensive obligations or substantial expenses in diligent pursuit of said rezoning, special use permit, proffer amendment, application for a public facilities review for an electric substation, or other legislative application; final site plan; or final plat approval.
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Proposed Revisions to Data Center Opportunity Zone Overlay District

Based on staff's evaluation of properties as of August 13, 2026, the proposed DCOZOD under the revised ZTA includes approximately 237 qualifying parcels totaling roughly 3,654 acres. This reflects a reduction of about 6,044 acres, or approximately 62 percent, compared to the existing Overlay boundary. Parcels are included on the DCOZOD only if they meet one or more of the five eligibility criteria identified in Sec. 32-509.03(2) of the revised ZTA. Of the approximately 237 qualifying parcels, 1 meets Criterion 1 (Approved Proffers) totaling 22 acres; 0 meet Criterion 2 (Approved Preliminary Plan); 78 meet Criterion 3 (Approved Final Plan) totaling 1,757 acres, 3 meet Criterion 4 (Final Zoning Determination) totaling 23 acres; and 155 meet Criterion 5 (Filed for Quality Control Review) totaling 1,852 acres.

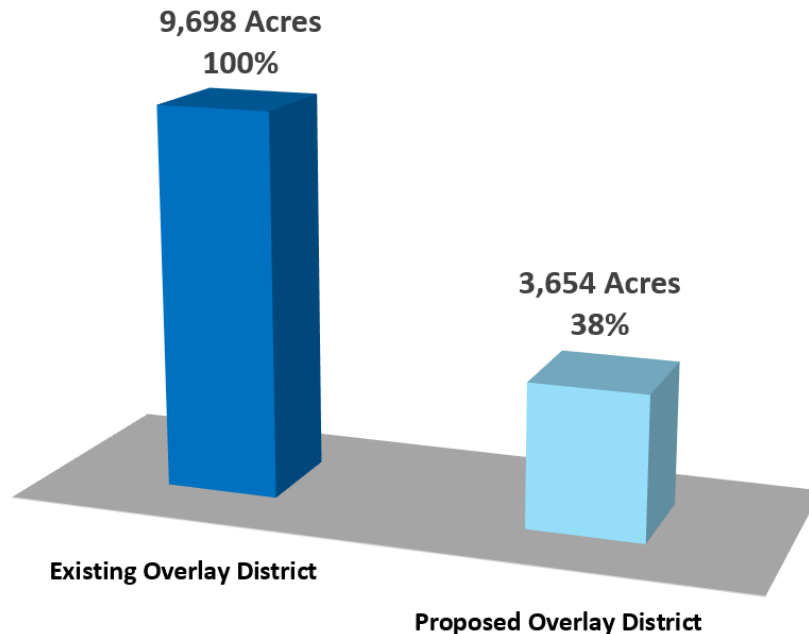


Diagram 1: Existing and Proposed Data Center Opportunity Zone Overlay District Comparison as of August 13, 2026 (percentages are rounded to the nearest percent)

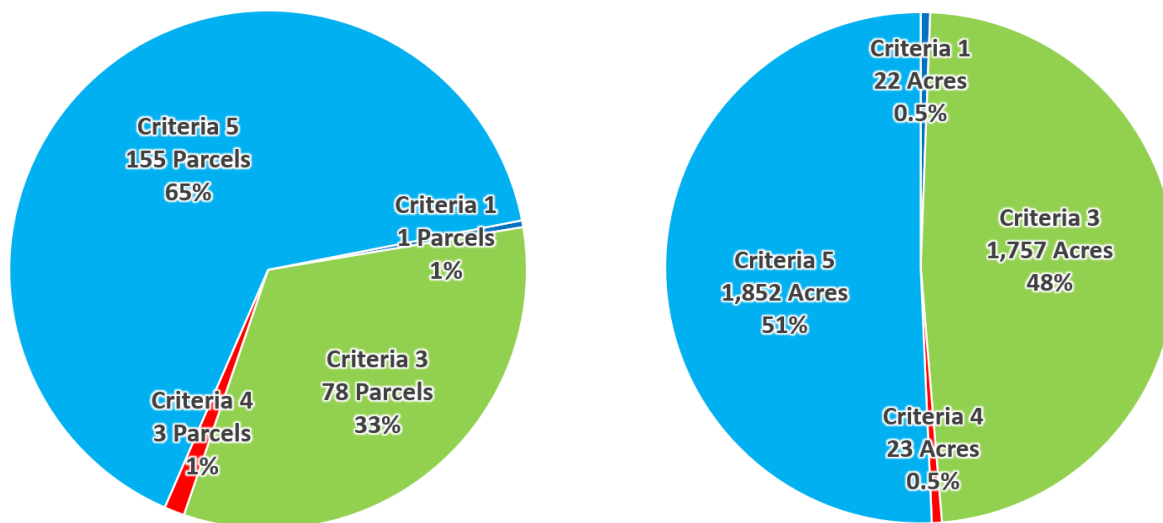
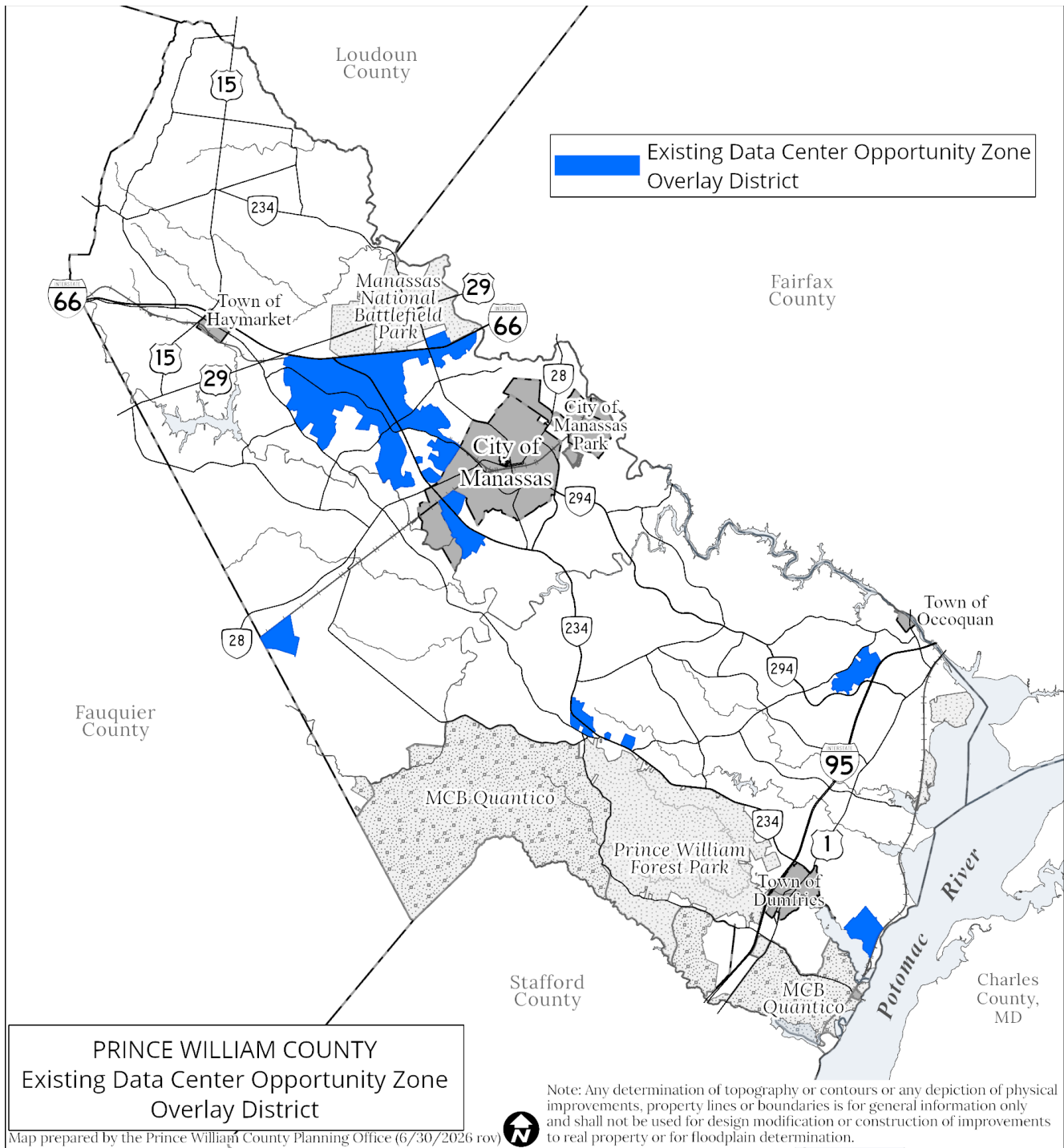


Diagram 2: Data Center parcel counts (left) and land acreage (right) by proposed criteria type, as of August 13, 2026 (percentages are rounded to the nearest percent)



Existing Data Center Opportunity Zone Overlay District Map as of August 13, 2026