Locality Comparison of Data Center Use Regulation

Locality	Land Use Permission	Comments	Policy and Ordinance Amendments
Chesterfield County	**Conditional use permit** within the Agriculture district; **permitted by right** within C5, I-2 and I-3; and permitted with *restrictions in I-1, C3, and C4. Restrictions include: a) outside associated utility infrastructure is limited to a maximum of one generator; b) outside generator area does not exceed the greater of 200 square feet or 1 percent of the gross floor area of the principal use; and c) outside generator is screened.	Current Zoning Regulations are here. Zoning Modernization is found here.	Chesterfield is in the process of a zoning ordinance modernization. In the current draft, data centers are proposed to be a **conditional use** in the Commercial Corridor zoning district and a **permitted use** in the Employment Center, Employment General, and Warehouse & Distribution zoning districts. They expect to propose changes to include enhanced buffers, limitations on noise, fencing material and mechanical equipment screening.
Culpeper County	**By-right** in industrial and heavy industrial zoning districts. **Conditional use permit** required if they need their own substation.	Bldg height max of 45 ft with ability to increase to 75 ft if in the Technology Zone with architectural review process.	Comprehensive Plan recommends that data centers are located no more than 0.5 miles from existing electrical transmission corridors or other suitable electrical sources.
Fairfax County	**By right** up to 40,000 sq ft in C3 and C4 and up to 80,000 in I4 -I6. Height of 75 ft max. **Special exception** for larger size or increase in height or FAR in any listed district.	Setback 200 ft from adjacent residential property line. Equipment such as generators must be 300 ft from residential property line or separated by the data center bldg. Lesser distance may be allowed by special exception. Architectural requirements including equipment screening. Height max ranges from 40 to 120 ft based on zoning district.	On September 10, 2024, they adopted new data center zoning regulations after an extensive review process. This process included a consultant study.

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Fauquier County	Allowed in Business Park and Planned Commercial Industrial District **by right** if the facility will use recycled water, by **special exception** if it will not. Also **special exception** if over 50,000 sq ft. Allowed by right in the Business Park District. Data center uses should only be located within a Service District when determined an appropriate location.	All new power lines, including transmission or substation feedlines are required to be placed underground. Onsite renewable energy is encouraged to meet a portion of the energy requirements. Bldg should use sustainable materials, incorporate heat reflective roofing, be oriented to take advantage of passive cooling and daylight opportunities as well as to use innovative power reduction technologies. 100 ft setback adjacent to existing residential use. Bldg height limited to 45 feet unless a visual impact analysis shows compatibility.	On December 14, 2023, the Board adopted Data Center Development Policy. Max height of 45 ft. Location no further than 1 mile from existing electric transmission lines and underground new lines. The 50,000 sf size was chosen because it's a break point for other uses in the ordinance.
Hanover County	**By right** in all business and industrial districts except B1.	The large transoceanic fiber line comes through Hanover Co.	
Harrisonburg City	Industrial districts only and by **special use permit.**		Harrisonburg just amended their zoning regulations on data centers to require a special use permit in January, 2025.
Henrico County	**By-right** if small enough that all HVAC and other mechanical systems are within an enclosed bldg. Treated as office in all office, business and industrial districts except Community Mixed Use. Large data centers requiring external HVAC and other mechanical systems (including emergency generators) are classified as industrial and only allowed in industrial districts.	The lowest intensity use buildings must be adjacent to single family detached with loading and other service areas to face similar forms of development on adjacent lots. Bldg heights within 75 ft and 150 ft from adjacent residential property lines must not exceed 45 and 55 ft respectively.	May 16, 2024, the Board announced creation of an Affordable Housing Trust Fund with revenue generated solely from data centers.
James City County	**By right** in Limited Business/Industrial District M-1, General Industrial District M-2, Economic Opportunity District, Mixed	Their ordinance uses the term "data processing center."	

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	Use and as an accessory use to other permitted uses in Research & Technology District		
King George County	**Special exception** in C1 and I1 and **by right** in I district.	Use-specific regulations. Shall be connected to public or community water and may not use commercial wells. Mechanical infrastructure shall be within an enclosed and screened structure. Generator testing is limited to 8 am to 5 pm. No data center shall be built until evidence has been given as part of the application that the owner has been approved by the utility company. Principal façade requirements, maximum floor area requirements and transitional buffer requirements.	
Loudon County	Currently **by right** in 3 industrial districts and by **special exception** in 3 others (including office).	Setback of 50 ft parking (berm required if no natural screening exists) and 200 ft structures. Mechanical equipment must be fully screened on all sides. Ground mounted mechanical equipmt must be separated from adjacent residential property. Restrictions on on-site energy storage container locations, size (900 sq ft max) and percentage of GFA. Max bldg height of 45 ft but can be increased with visual impact analysis.	Loudoun County has more data centers than any locality in the world. They are in the process of a 2 phase zoning text amendment and comprehensive plan amendment (Link to the data center project). This first phase ZTA (scheduled for adoption in February, 2025) will make all data centers by special exception. They also have created an interactive data center map showing existing and proposed sites.

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Louisa County	**Conditional use permit** within the Technology Overlay District.	200 ft buffer adjacent to residential; 100 ft adjacent to commercial/industrial. All ground or rooftop accessory equipment must be screened from public rds abutting residential. Building façade requirements. Setback from rds 150 ft primary or 100 ft secondary. Max height of 80 ft that can be modified with special exception.	
Prince William County	**By Right** in Data center Opportunity Zone Overlay District (DCOZOD). This district overlays several office and industrial zoning districts. Outside the overlay district, the use is by **special use permit**. Electric substations are by-right in the DCOZOD (except 15.202232 review) and by special use permit elsewhere.	Floor area and maximum lot coverage requirements. DCOZOD allows increased floor area ratio for data centers and streamlines approval process. Bldg height ranges from 45 to 100 feet (may be increased by proffered rezoning or SUP). Architectural design, screening mechanical equipment, FAR. SB for structures above 45 ft is 20 ft base + 2 ft for each foot in height above 45 when abutting residential or agricultural.	They are currently in the process of utilizing a consultant to revise their zoning regulations relating to data centers. This document provides FAQ about the Data Center Opportunity Zone Overlay District.
Roanoke County	Allowed as Industry Type I use **by right** in the I-1 Low Intensity Industrial District, I-2 High Intensity Industrial District, and the Explore Park District, Planned Technology Development District,		
Stafford County	**By right** in M-2 and Integrated Corporate and Technology Park Overlay Districts.	Within M2, all uses conducted within 500 ft of residential shall be within enclosed buildings. Primary structures minimum 200 ft from non-commercial or non-industrial property lines. When in close proximity to parks and conservation properties, enhanced buffers and setbacks should be considered. Facilities	On October 17, 2023, Stafford amended their Comprehensive Plan language relating to data centers.

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		should use water reuse systems or closed-loop for cooling.	
Warrenton	**Special use permit** in industrial zoning.	Complete mechanical equipment screening. Generators must be equipped with mufflers to reduce emissions and noise. Max bldg. height 35 ft but can be increased (with SUP) with increased setback. Buffer yard of 50 ft wide plus 1 ft for each foot of bldg. height above 35 ft. Shall use recycled water or air chillers, not potable water for cooling. All electric service lines shall be underground. 100 ft setback from property lines.	On February 11, 2024, Warrenton Town Council voted to begin the ordinance amendment process to remove data centers as an allowed use, citing that they are not appropriate in the town.
York County	Data centers are not explicitly listed in the current zoning ordinance. They do not have any data centers at this time.		The zoning text amendment is scheduled for March 4, 2025 with the York County Board of Supervisors. This would amend zoning regulations to require a special use permit in Economic Opportunity, Limited Industrial and General Industrial zoning districts and adding performance standards. Will allow accessory data centers based on the function of the center. Proposed performance standards include: a) requiring letter from electric utility of sufficient proximity and availability to substation and transmission lines; b) requiring a letter from the water purveyor to indicate sufficient capacity

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			to serve the proposed data center and to require water conservation methods (rainwater harvesting, water recycling, etc.); c) Setback of 200 ft from all property lines and 500 ft from any residential dwelling; d) Noise standards; e) architectural standards; and f) addressing Fire and life safety guidelines.
Other States			
Chandler, AZ	**Not permitted unless ancillary to another primary use** if a) occupy no more than 10% of bldg. footprint, b) used to serve enterprise functions of onsite property owner and are not used to lease data storage and processing services to third parties, and c) are not housed in separate stand-alone structure on the parcel.	Large bldg. facades are discouraged. All mechanical equipment must be screened from view in their entirety. New non-residential water users are limited to 9,000 gallons per day unless they have a "water use plan."	
Elk Grove Village, Illinois	**Permitted by right** in I-1 and I-2 Innovation and technology center districts. Requires **special use permit** if over100 ft height requested within 1,000 ft of residential zoning.		

Notes:

I stands for industrial; **M** for manufacturing; **C** for commercial.

GFA – gross floor area