



The Mount Vernon Council of Citizens Associations, Inc.

P.O. Box 203, Mount Vernon, VA 22121-9998

<http://www.mvcca.org>

Fairfax County Board of Supervisors

Dear Supervisors,

June 29, 2024

Subject: MVCCA Resolution regarding Data Centers

The MVCCA's resolution attached is providing our detailed comments regarding the proposed county Data Center zoning ordinance. We appreciate you taking our recommendations when finalizing this ordinance.

Regards,

Katherine Ward

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Cochair

MVCCA

Attached: Mount Vernon Council of Citizens' Associations (MVCCA) Resolution "Comments on the May 17, 2024, Proposed County Zoning Ordinance for Data Centers" (E&R and P&Z-J2024-01)

Mount Vernon Council of Citizens' Associations (MVCCA) Resolution "Comments on the May 17, 2024, Proposed County Zoning Ordinance for Data Centers" (E&R and P&Z-J2024-01)

Whereas, Fairfax County proposed a zoning ordinance amendment¹ for data centers dated May 17, 2024;

Whereas, 70 % of the world's internet traffic flows through data centers in Northern Virginia and that growth of data centers is expected to continue²;

Whereas, data centers, especially the large hyperscale data centers, are significant consumers of electricity and water when they employ evaporative cooling;

Whereas, a number of the major corporations that use data centers have strong environmental commitments to address energy and water utilization;

Whereas, even though major corporations have made strong environmental commitments to address energy and water utilization, the permitting process does not either seek this information either voluntarily or through the special exception process;

Whereas, data centers can have many significant impacts on populations and the environment that are significantly greater than most including:

- Threaten energy security for the region (i.e., taxing the electrical grid so that brownouts/blackouts will occur);
- Threaten both Virginia Clean Economy Act and county renewable energy goals;
- Threaten water security;
- Impose significant noise impacts on communities;
- Threaten water quality from data centers that use evaporative cooling, which concentrates salt and minerals into blowdown wastewater;
- Disrupt peaceful neighborhoods for data centers that can create both persistent and emergency operations noise; and
- Disrupt the landscaping with tall imposing structure that are located too close to residential neighborhoods;

¹ <https://www.fairfaxcounty.gov/planning-development/sites/planning-development/files/Assets/Documents/PDF/data-centers-staff-report.pdf>

² <https://wtop.com/business-finance/2022/01/n-virginia-still-tops-global-data-center-markets-and-whats-a-gigawatt/>

Whereas, the proposed changes to the zoning ordinance largely consolidate applicable ordinance into a single ordinance and do not address the vast majority of the above impacts;

Whereas, existing ordinances, such as the landscaping ordinance were designed to provide for general business and residential situations and data centers can pose noise above EPA's recommended levels³ and building heights that are very different from what might otherwise be planned;

Whereas, the proposed ordinance includes a setback of 200 feet from residential areas, which could be reduced through special exception;

Whereas, the proposed ordinance will require noise studies for both by-right and special exception reviews and encourage the use of empty office space for data centers;

Whereas, the special exception reviews would be limited to data centers over 40,000 square feet for C-3 and C-4 commercial areas; 80,000 square feet for I-2, and I-3 industrial areas; and buildings over 75 feet in height or over .5 FAR for I-4, I-5 or I-6 industrial areas, noise and looming buildings over residential areas would be allowed by right under the proposed ordinance.

Therefore, be it resolved that the MVCCA asks that the Board of Supervisors direct staff to undertake reviews of the noise, including consideration of adopting EPA's recommended level of a 55 dB (day-night sound levels) average upper noise limit for outdoor residential areas, and landscaping ordinances and other policies to explicitly address the unique impacts of data centers so that data centers can be welcomed neighbors;

Be it further resolved that the MVCCA commends the inclusion of noise studies and reuse of existing office space for data centers;

Be it resolved that given the high use of electricity by data centers, data centers should provide and document the use of renewable energy to power their operations;

Be it further resolved that the MVCCA asks the Board of Supervisors and our state representatives to adopt laws, direct the establishment of state policies and obtain agreements with data centers to ensure that energy and water security are not threatened;

³ EPA recommends levels of 55 dB over longer averaging periods for outdoor residential areas. The current county standard is 65 dB, which is close to the 70 dB that is associated with hearing impairment. See: <https://nepis.epa.gov/Exe/ZyNET.exe/20012HG5.txt?ZyActionD=ZyDocument&Client=EPA&Index=1976%20Thru%201980&Docs=&Query=&Time=&EndTime=&SearchMethod=1&TocRestrict=n&Toc=&TocEntry=&QField=&QFieldYear=&QFieldMonth=&QFieldDay=&UseQField=&IntQFieldOp=0&ExtQFieldOp=0&XmlQuery=&File=D%3A%5CZYFILES%5CINDEX%20DATA%5C76THRU80%5CTXT%5C00000008%5C20012HG5.txt&User=ANONYMOUS&Password=anonymous&SortMethod=h%7C-&MaximumDocuments=1&FuzzyDegree=0&ImageQuality=r75g8/r75g8/x150y150g16/i425&Display=hpfr&DefSeckPage=x&SearchBack=ZyActionL&Back=ZyActionS&BackDesc=Results%20page&MaximumPages=20&ZyEntry=1&slide>

Be it further resolved that the Board of Supervisors, our state elected officials, neighboring jurisdictions and Dominion Energy to ensure that our Virginia Clean Economy Act and county renewable energy goals are met;

Be it further resolved that the Board of Supervisors direct staff to ensure that county renewable energy goals count out of state renewable energy towards county goals, especially for data centers;

Be it further resolved that the Board of Supervisors direct staff to develop policies to encourage, and require, when possible, solar panels on buildings and parking lots (including data centers and other facilities) to help reduce the demand on fossil fuels to meet the electrical needs of the county; and

Be it finally resolved that our elected officials advocate legislation that will count out of state renewable energy towards our Virginia Clean Economy Act renewable energy goals.

APPROVED BY THE MVCCA GENERAL COUNCIL JUNE 26, 2024