R E S O L U T I O N

ADOPTION OF BOARD POLICY TO ADDRESS DATA CENTER FACILITIES

WHEREAS, the recent developments of data centers in Virginia has generated concerns that such facilities may adversely affect James City County; and

WHEREAS, the Board of Supervisors of James City County, Virginia (the "Board"), adopted amendments to the James City County Code, Chapter 24, Zoning, on September 9, 2025, to define and permit Data Center Facilities in the M-2, General Industrial Zoning District as a specially permitted use; and

WHEREAS, the Board further directed the development of a comprehensive Board policy to address expected land use impacts of data centers; and

WHEREAS, on September 9, 2025, and October 28, 2025, the Board was presented with an assessment, research, and best practices concerning data center facilities.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby establishes the following Data Facilities Policy (the "Policy"):

Land use applications for data centers should be developed consistent with this Policy. Conditions may be imposed upon individual Special Use Permits (SUPs) for data centers to ensure consistency with this Policy and to mitigate negative impacts associated with a data center.

1. Location Guidance

   a. Data centers should be located on property inside the Primary Service Area.
   b. Data centers should not be located within 1,000 feet of occupied dwellings or within 250 feet of historic, cultural, recreational, special flood hazard areas, and environmentally sensitive areas and resources. Data centers should incorporate appropriate setbacks, buffers, and screening to address proximity to the above-named areas. For the purpose of this policy, the recommended distances shall be measured from the fenced area of the data center.
   c. Data centers should avoid the disturbance of habitat cores, blocks, and corridors connecting habitat areas.
   d. Data centers should have principal access from roads meeting Virginia Department of Transportation ("VDOT") standards. While collector or arterial roads are preferred, access from local roads may be considered. Principal access from roads not meeting VDOT standards, local roads through neighborhoods or platted subdivisions, or across railroad tracks are not acceptable, and secondary or construction access from these roads and across railroad tracks is discouraged.

2. Design Elements Guidance

   a. The design of a data center should include and incorporate adaptive measures for future reuse of the structures comprising the data center.
   b. Data centers should include colocation spaces and resources for local server deployments or be located in proximity to the end-users they serve in order to deliver faster services.
   c. Building facades should be consistent with the Character Design Guidelines contained within the Comprehensive Plan.
   d. All fencing should be black vinyl coated and should be limited to 8 feet in height. Fencing may not be placed in any front landscaping areas that are adjacent to a public road. Barbed or razor wire fencing is not permitted for use.
   e. All components of a data center should be screened from any public right-of-way and adjacent properties with a minimum 50-foot-wide vegetated buffer internal to the property lines and 100-foot-wide vegetated buffer adjacent to public rights-of-way. Existing vegetation within the buffer should be retained to the greatest extent possible and supplemented as necessary with additional native plantings, and the evergreen tree and shrub mixture should be increased from at least 35% to at least 45%. Additional evergreen trees should be utilized and placed to reduce noise from the data center and to screen the view from public streets and nearby properties. An inventory of existing vegetation in the buffer areas shall be provided as part of the site plan to verify the quantity of existing vegetation.
   f. Damaged or outdated equipment containing hazardous materials should not be stored on-site unless it is within a hazardous material and chemical storage container that meets Occupational Safety and Health Administration and Environmental Protection Agency standards, as determined by the County Fire Chief or designee. The location of such storage container should be shown on the proposed Master Plan. Should such a storage container not be used or available, a written plan should be provided detailing how damaged equipment will be stored or processed so that hazardous materials will not come into contact with soil, groundwater, or surface water.

3. Noise Impact Guidance

   a. A sound study prepared by a professional engineer licensed in the Commonwealth in accordance with ISO 9613 acoustics standards should be submitted and include the following minimum elements:
      i. Pre-construction survey assessing the existing ambient noise environment of the proposed data center site including measurements between the hours of 11 p.m. and 7 a.m., from a minimum of the four corners of the property or proposed property lines. "Ambient noise environment" is defined as the normal or existing level of noise from existing conditions or activities at a given location.
      ii. A sound modeling study that demonstrates the maximum sound levels specific to the proposed site topography, layout, and building type, scale, height, and construction proposed. The sound study should include maximum sound levels from all ancillary equipment including backup generators.
      iii. The sound modeling study must include recommendations for sound mitigation measures, if they are necessary for the data center to comply with maximum sound levels.
      iv. A post-construction sound survey completed no earlier than one month and no later than 12 months following issuance of the Certificate of Occupancy to demonstrate compliance with maximum sound levels during operation

with all existing and planned equipment including backup generators at maximum capacity.

a. Data centers and associated ancillary equipment should not produce any sound that exceeds the existing ambient noise captured in the sound study or fifty-five decibels (55 dB), whichever is greater, when measured from the four corners of the property or proposed property lines.
b. All equipment used for cooling and backup generators should be contained within an enclosed building or should be attenuated through sound mitigation measures including, but not limited to, sound muffling materials and should be screened by a wall or a similar barrier. All generators must meet or exceed Environmental Protection Agency Tier 4 emission standards and routine generator testing should be limited to weekdays between 9 a.m. and 5 p.m.

4. Water Consumption Guidance

   a. Data centers should be connected to a public water system and should not use wells for any water needs.
   b. Applicants should ensure sufficient water capacity to serve the proposed data center by consulting with the public water purveyor and incorporating any suggested water-reducing measures into the plan of development. Evidence of the consultation should be submitted with the initial SUP application.
   c. Data centers should use closed-loop liquid cooling systems or other methods to reduce water usage to the least possible for the proposed development.
   d. A Water Conservation Agreement should be submitted and approved by the James City Service Authority or any other applicable water purveyor, and should include water conservation measures such as:
      i. Time and frequency of any maintenance of the closed-loop liquid cooling system, such as draining, flushing, and refilling;
      ii. Limitations and use of irrigation systems and irrigation wells;
      iii. Incorporating landscaping materials such as drought-tolerant plants; and
      iv. Use of water-conserving fixtures and appliances.

5. Electricity Consumption Guidance

   a. Applicants should develop and submit energy-efficient design standards to demonstrate energy efficiency of the site and equipment for the proposed data center.
   b. Data centers should seek energy to use from renewable systems on-site or within the grid region.
   c. The closest point of any data center should be located within two miles of an existing transmission line within the County or an adjoining locality. Any electrical lines from the data center to a substation or point of interconnection should be located underground. For the purpose of this policy, the recommended distances shall be measured from the fenced area of the data center.
   d. Applications for data centers should identify existing electric distribution or transmission infrastructure that may need to be upgraded for the data center. Any new or upgraded electrical power poles or electrical lines or connections should be located underground.

6. Special Use Permit Applications

   a. To help staff analyze the impacts of any proposed data center, the SUP application should include the following:

i. A Construction Management Plan detailing the construction schedule, construction phasing plan, hours of construction, noise mitigation measures, parking, and traffic control plans.

ii. A Landscape Plan outlining existing vegetation and limits of proposed clearing, buffers, screening, and plant materials and species. It should also include a report describing and addressing the viewshed impacts of the data center.

iii. An inventory of wetlands, Resource Protection Areas, streams, floodplains, and forested areas on the proposed data center site.

iv. Information and analysis regarding anticipated fiscal impacts of the data center to the County (both Operating and Capital budget).

v. A narrative of the perceived consistency with adopted Comprehensive Plan goals regarding the capacity of existing and planned public facilities and services and the County's ability to provide such facilities and services.

James O. Icenhour, Jr.
Chair, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

	VOTES AYE	NAY	ABSTAIN	ABSENT
HIPPLE	✓			
NULL	✓			
LARSON	✓			
MCGLENNON	✓			
ICENHOUR	✓			

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of November, 2025.

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