

MEMORANDUM
COUNTY OF LOUDOUN

DATE: June 10, 2022

TO: Department and Agency Heads

FROM: Tim Hemstreet, County Administrator

SUBJECT: Action Report of the June 1, 2022, Board of Supervisors Transportation and Land Use Committee Meeting.

Listed below is a summary report of the Transportation and Land Use Committee's (TLUC) discussion at its June 1, 2022, meeting. Please work with your staff to follow through on the Committee requests as noted.

A recording of this meeting is available via the following link:
<https://loudoun.granicus.com/player/clip/6978>

CLOSED SESSION

Supervisor Buffington moved that the Board of Supervisors recess this public meeting and enter into closed session pursuant to Section 2.2-3711 (A)(8) of the Code of Virginia to consult with legal counsel employed or retained by a public body regarding the Route 28 Tax District Zoning Conversion Process, a specific legal matter requiring the provision of legal advice by such counsel. (Seconded by Supervisor Kershner. The motion passed 5-0.)

Supervisor Buffington moved that the closed session be adjourned, that the Board of Supervisors reconvene its public meeting, that the minutes of the public meeting should reflect that no formal action was taken in the closed session, and further move that the Resolution Certifying the Closed Session be adopted and reflected in the minutes of this public meeting. (Seconded by Supervisor Kershner. The motion passed 5-0.)

Resolution Certifying Closed Session

Whereas, the Loudoun County Board of Supervisors this 1st day of June 2022, convened in closed session by an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act:

Now, therefore, be it resolved that the Board of Supervisors does hereby certify that to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed in the closed session to which this certification applies; and (2) only such public business matters as were identified in the motions by which the said closed session was convened were heard, discussed or considered by the Board of Supervisors.

ACTION ITEM

1. Data Center Discussion Series (Countywide)

Chair Turner moved that the Transportation and Land Use Committee direct staff to move forward with the next steps in the discussion series and return to the July TLUC meeting for further review and consideration by the Committee. (Seconded by Supervisor Buffington. The motion passed 5-0.)

Committee Recommendations and Requests:

The high level, conceptual TLUC recommendations, as outlined below, are provided with the knowledge that any given property may have attached vested rights as a result of a prior legislative or administrative approval, or statutory protections associated with the Route 28 Tax District enabling legislation.

Urban Employment:

TLUC recommended that data centers not be permitted in zoning districts in the Urban Employment Place Type. However, if data centers are developed by-right in these areas, TLUC requested data centers are developed with high design standards.

Urban Mixed Use:

TLUC recommended that data centers not be permitted in zoning districts in the Urban Mixed Use Place Type areas, as these are high density residential areas.

Urban Transit Center:

TLUC recommended data centers not be permitted in zoning districts in the Urban Transit Center Place Type.

Suburban Mixed Use:

TLUC recommended that data centers not be permitted in zoning districts in the Suburban Mixed Use Place Type. However, if data centers are developed by-right in these areas, TLUC requested data centers are developed with high design standards.

Suburban Neighborhood:

TLUC recommended that data centers not be permitted in zoning districts in the Suburban Neighborhood Place Type area. However, if data centers are developed by-right in these areas, TLUC requested data centers are developed with high design standards.

Suburban Employment:

TLUC recommended, should data centers be permitted in zoning districts in the Suburban Employment Place Type area, that development is not permitted by-right, but allowed by special exception.

Suburban Industrial/Mineral Extraction, Transition Light Industrial, Transition Industrial/Mineral Extraction, and Leesburg JLMA Employment:

TLUC recommended data centers be permitted by-right in zoning districts in the Suburban Industrial/Mineral Extraction, Transition Light Industrial, Transition Industrial/Mineral Extraction, and Leesburg JLMA Employment Place Types.

Planned Development – Town Center (PD-TC):

By majority, TLUC recommended if data centers are permitted by-right in the PD-TC zoning district, data centers are developed with high design standards.

Planned Development – Research and Development Park (PD-RDP):

By majority, TLUC recommended if data centers are permitted by-right in the PD-RDP zoning district, data centers are developed with high design standards.

Dulles Cloud South:

By majority, TLUC recommended no further discussion of the Dulles Cloud South area, for purposes of the TLUC Data Center Series discussion.

Route 28 Tax District:

TLUC recommended that data centers be permitted in the Route 28 Tax District. Chair Randall and Supervisor Glass requested, however, that data centers are developed with the highest design standards and are as environmentally friendly as possible.

Route 28 Tax District and Suburban Mixed Use:

TLUC recommended data centers not be permitted in the Route 28 Tax District if the parcel is in the Suburban Mixed Use Place Type.

Route 28 Tax District and Route 7 and Suburban Mixed Use:

TLUC recommended data centers not be permitted in the Route 28 Tax District if the parcel is also located in the Route 7 corridor and in the Suburban Mixed Use Place Type.

Zoning Conversion in the Route 28 Tax District (ZRTD) Process:

TLUC recommended transitioning from the current ZRTD legislative process which requires Board of Supervisors (Board) approval, to an administrative process to incentivize Route 28 Tax District property owners to voluntarily develop their property in accordance with the current zoning regulations.

Staff Contacts: Kate McConnell & Joe Kroboth, III, Planning and Zoning; Buddy Rizer, Economic Development

INFORMATION ITEM

2. Data Center Financial Considerations (Countywide)

John Sandy, with the Department of Finance and Budget, reviewed the relationship between data center land use policy decisions and tax revenue policy. As explored in the memorandum distributed to the Board dated May 12, 2022, Mr. Sandy advised that staff believes the best way to reconcile land use policy related to data center development, with financial concerns of tax revenue policy, is to focus future development on those parcels that align with the Board's vision regarding the best locations for data centers. Data centers generate significant real and

business personal property tax revenue, and the intent of staff's recommended tax revenue policy is to bring balance to the General Fund revenue tax base.

Link to full discussion:

https://loudoun.granicus.com/player/clip/6978?meta_id=211827

Staff Contacts: John Sandy, Finance and Budget; Tim Hemstreet, County Administration