

25104301D

HOUSE BILL NO. 2026

Offered January 13, 2025

Prefiled January 7, 2025

A *BILL to amend the Code of Virginia by adding a section numbered 15.2-2295.3, relating to data centers; industrial zoning.*

Patron—Thomas

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.2-2295.3 as follows:

§ 15.2-2295.3. Data centers to be zoned as industrial use.

A. To the extent necessary, a locality shall review and amend its zoning ordinance to conform to the requirements of this section on or before the date of a locality's next update to its comprehensive plan pursuant to § 15.2-2230. For the purposes of this section, "data center" means the same as that term is defined in subdivision A 43 of § 58.1-3506.

B. In reviewing its zoning ordinance pursuant to subsection A, a locality shall (i) designate data centers as industrial uses for zoning purposes; (ii) review the locations of zones allowing data centers by right, and adjust the zoning map, if needed, considering proximity to residential areas; (iii) review the minimum requirements in the zoning ordinance, such as setbacks and building heights, for the purpose of mitigating negative impacts on residential or other sensitive areas and consider adding requirements specific to data centers as needed; (iv) identify optimal areas for data center development in the locality, including locations that are suitable from the locality's perspective as well as the industry's perspective; (v) consider zoning ordinance changes to reduce the likelihood of noisy data centers, including through limiting allowable locations and requiring sound modeling, and prohibit the constant low-frequency noise of data centers from reaching residential areas; and (vi) require commitments from data centers making zoning requests to sufficiently mitigate negative impacts on any nearby residential areas.

C. This section shall only apply to localities where data centers are already addressed in the locality's zoning ordinance and where a locality is revising its zoning ordinance to include data centers.

INTRODUCED

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