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*Protecting and restoring the lands and waters of the Virginia Piedmont,  
while building stronger, more sustainable communities*

June 08, 2023

Fauquier County Board of Supervisors; Chris Butler, Chair

c/o Fauquier County Community Development Department, 10 Hotel Street, Warrenton, VA 20186

Re: Catlett Station II Zoning Ordinance Text Amendment

Dear Board of Supervisors,

We urge you to deny the zoning text amendment recently filed on behalf of Catlett Station II, LLC, that would permit data centers using recycled water for cooling to utilize above ground electric lines in the Business Park (BP) Zoning District by special exception.

This text amendment as it stands now would not only enable approximately 3 miles of overhead lines in Catlett along an undetermined route, it would impact many of the other anticipated data centers in the County, which have uncertain plans to bring power to their sites as well as other sites that would qualify under the text amendment's current suggested criteria. The transmission line extensions enabled by the text amendment are paid for by Virginia ratepayers, impact nearby communities, forests, wetlands, streams, historic resources, and the rural landscape, while generating data center development interest along new or upgraded lines.

If the text amendment were to be approved, it would make the choice to rely on overhead transmission lines even easier for data center developers because the SCC rarely approves underground transmission lines without legislative intervention. How the current requirement to underground lines would reconcile with a conflicting SCC decision is uncharted territory for the County, and the data center industry is well aware of localities' limited control over transmission routing. By easing interconnection for data center projects the text amendment would, in effect, provide developers a compelling reason to pursue future rezoning requests for data center sites.

Despite the County's limited control over transmission routing, the existing use category requiring underground lines is a clear message to the development community that data centers in impactful locations with accompanying overhead transmission lines are not compatible with the County's vision. This message was supported by the Comprehensive Plan Amendment adopted earlier this year to discourage the expansion of transmission beyond existing utility corridors. This proposed text amendment would undermine that message.

Although the Applicant has suggested and is receptive to additional criteria that narrows the scope of the text amendment to their site, whether this is desirable or could actually be achieved is questionable.

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Furthermore, we are wary of individually tailoring a zoning text amendment to a single data center site, since it could set a precedent for similar text amendments for future data center sites, ultimately undermining the County's zoning ordinance.

While data centers can be an attractive source of revenue, the fiscal impacts of the 1.8 million square foot Remington Technology Park, and approximately 900,000 square foot by-right facility in Vint Hill, have not been fully realized and we believe that will have significant bearing on what the County's future data center needs might be.

Considering a text amendment brought forward by an applicant with a known development interest is not the way Fauquier County should be anticipating the growth of the data center industry. The County should establish the basis for accommodating any possible data center development in the comprehensive plan and use that basis to develop detailed zoning standards for data centers. Introducing any new land use category allowing overhead lines in lieu of this planning is an overly broad action.

Please uphold the existing zoning regulations that have afforded the County substantial protections against the negative impacts of data centers and deny this zoning text amendment.

Sincerely,

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