

PUBLIC HEARING NOTICE

The Pittsylvania County Board of Supervisors will hold a Public Hearing at 7:00 p.m., on Tuesday, May 21, 2024, at the Board Meeting Room, 39 Bank Street SE, Chatham, Virginia 24531, to receive citizen input on proposed revisions to Pittsylvania County Code §§ 35-142 (Data Center) and 35-403 (M-2 SUPs). A complete copy of the proposed revisions is available at the Pittsylvania County Administrator's Office, 1 Center Street, Chatham, Virginia 24531, Monday through Friday, 8:00 a.m. to 5:00 p.m., as well as on the County's website at www.pittsylvaniacountyva.gov.

DIVISION 12. INDUSTRIAL DISTRICT (M-2); HEAVY INDUSTRY

SEC. 35-403. SPECIAL USE PERMITS

The following uses shall be permitted only by special use permit:

abattoirs (rendering plants)
acetylene mfg.
acid mfg.
automobile, vehicle graveyards
canning
child day care (licensed) (Amended February 18, 1992)
crushed stone operations
curing food
data center
electric transmission-private
electric towers-private
fertilizer mill
feed and grain storage
flour milling
food products mfg.
frozen food products mfg.
fruit processing
gasoline stations
gasoline storage bulk
grain milling
incineration of animals, garbage, wastes-non-radioactive
junkyards, salvage yards
LP gas, natural gas storage
malt products mfg.
matches mfg.
milk bottling
milk, dairy products mfg.
mining (conforming to State regulations)
oil, gas transmission facility
ordnance (explosives) mfg.
petroleum, petroleum by-products refining, processing, storage
poultry processing, packaging
private recreational facilities
public landfills non-hazardous, non-radioactive materials, approved by the Virginia Department of Waste Management and Pittsylvania County Waste Ordinance (Chapter 29)
public recreational facilities
special temporary churches (Amended December 21, 1993)
quarrying (conforming to State regulations)
raceway
roasted coffee, tea products
radio and TV towers
radio and TV transmission/transmitters
salvage yards
spice processing, packaging

DIVISION 4. SUPPLEMENTARY REGULATIONS

SEC. 35-142. DATA CENTER.

- (A) Due to the high water demand, data centers shall be connected to a public water system if a water-based cooling system is utilized.
 - (1) Data centers shall not establish commercial wells for any operations.
- (B) Power generators, water cooling systems, storage facilities, and any other mechanical infrastructure necessary for the operations of the data center shall be within an enclosed structure screened as not to be visible from any adjacent street, use, or building.
 - (1) Ground mounted mechanical equipment is prohibited in front yards.
 - (2) Solid screening walls must be constructed with a design, materials, details, and treatment compatible with those used on the nearest Principal Facade of a building but may include perforated surfaces as needed for ventilation of mechanical equipment.
- (C) Generator testing shall be limited to weekdays between 8:00 a.m. and 5:00 p.m.
- (D) No data center shall be built until evidence has been given as part of the application that the owner has been approved by the utility company.
- (E) Principal façade requirements apply to all building facades that face adjacent existing or planned public roads or that face an adjacent property with existing residential development, an approved plat showing residential development, or zoning district permitting residential dwellings. Principal facades must have differentiated surfaces, consistent design and fenestration to create visual interest and consistency with community character.
- (F) Ground mounted mechanical equipment must be setback from adjacent property with existing residential development, an approved plat showing residential development, or zoning district permitting residential dwellings, a minimum of 75 ft. from the property line.
- (G) During operation, a data center shall not produce a noise level that exceeds 65 dBA as measured at the property line.
- (H) Noise Testing. Operation of all data center uses shall not commence until conformance with the requirements of this Section is confirmed.
 - (1) After completion of construction and prior to commencement of operation, the applicant shall submit a sound test prepared by a qualified full member of the Acoustical Society of America (ASA), a Board Certified member of the Institute of Noise Control Engineering (INCE), or other credentialed professional as approved by the Administrator. The purpose of such test is to confirm noise levels after completion of construction and prior commencement of operation meet the general standards provided above and/or any additional use performance standards and conditions associated with the use.
 - (i) If the sound test finds that noise levels exceed the maximum permissible dBA stated in Section 7-6-2(G), above, or any additional use performance standards and conditions associated with the use, then there shall be no commencement of the use.

- (ii) For projects completed in phases, the above testing requirements shall apply after construction of each phase and prior to full operation.
- (2) Annual Testing. Noise testing as required in Section 7-6-2(A), above, shall be conducted annually and submitted to the Administrator no later than July 1 of each calendar year for the life of the use.
 - (i) If the sound test finds that noise levels exceed the maximum permissible dBA stated in this Division or any additional use performance standards and conditions associated with the use, the applicant shall have 48 hours to mitigate the violation or operations shall be suspended and the Applicant shall cease the use until such time that the Applicant can demonstrate the noise levels are in compliance with this Section.