

# ORANGE COUNTY, VIRGINIA

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### ORDINANCE OF APPROVAL

**MOTION: MARSHALL**

**SECOND: VAN HOVEN**

**April 28, 2026  
Regular Meeting  
Ord. No. 260428 – 5A**

**RE: ORDINANCE APPROVING ZTA 26-01; TEXT AMENDMENT FOR REMOVAL OF DATA CENTER AS A BY-RIGHT USE**

**WHEREAS**, pursuant to §15.2-2286 of the Code of Virginia and Sec. 70-212 of the Orange County Code, amendments to the Orange County Zoning Ordinance may be initiated by the Board of Supervisors; and

**WHEREAS**, on January 13, 2026, the Board of Supervisors adopted a Resolution (Res. No. 260113-7A), initiating amendment of the Zoning Ordinance and referring said amendment to remove data center as a by-right use in all zoning districts to the Planning Commission for public hearing and recommendation; and

**WHEREAS**, pursuant to §§15.2-2285 and -2286 of the Code of Virginia and Sec. 70-213 of the Orange County Code, the Orange County Zoning Ordinance may be amended by the Board of Supervisors after said amendment has been reviewed and considered by the Planning Commission; and

**WHEREAS**, the recommended language for the text amendment was developed and the Planning Commission advertised and conducted its public hearing on the proposed text amendment on March 5, 2026; and

**WHEREAS**, after discussing the proposed text amendment and receiving public comment, the Planning Commission recommended approval of the proposed text amendment to the Board of Supervisors, as modified during its public hearing; and

**WHEREAS**, the Board of Supervisors advertised and conducted its public hearing on the proposed text amendment on April 14, 2026, but tabled the matter until April 28, 2026; and

**WHEREAS**, following discussion and receipt of public comment at its public hearing, and further discussion at its subsequent meeting, the Board of Supervisors hereby supports the proposed text amendment, as modified; and

**WHEREAS**, public necessity, convenience, general welfare, and/or good planning and zoning practice also support approval of the proposed text amendment, as modified;

**NOW, THEREFORE, BE IT ORDAINED**, on this 28<sup>th</sup> day of April, 2026, that the Orange County Board of Supervisors hereby **approves** ZTA 26-01, as modified and attached hereto.

**Votes:**

|                   |            |
|-------------------|------------|
| <b>Capelle:</b>   | <b>AYE</b> |
| <b>Van Hoven:</b> | <b>AYE</b> |
| <b>Marshall:</b>  | <b>AYE</b> |
| <b>Coleman:</b>   | <b>AYE</b> |
| <b>Nicol:</b>     | <b>AYE</b> |

**Attachment:**                    **Amendment to the Orange County Code of Ordinances**

**For Information:**            **Alyson Simpson, Acting Director of Development Services**  
                                 **Josh Frederick, Planning and Zoning Services Manager**

**CERTIFIED COPY**



**Clerk to the Board of Supervisors**



## Amendments to the Orange County Zoning Ordinance

### **As adopted in Ord. No. 260428– 5A by the Orange County Board of Supervisors on April 28, 2026**

The symbols [...] are used to indicate that text exists above and/or below the amended text in the noted code section, but said text is intentionally omitted as it is not impacted by the proposed amendment.

#### **Chapter 70 – Zoning**

##### **Article I – In General**

##### **Sec. 70-1 – Definitions**

[...]

*Data center* means a ~~facility~~use consisting of one or more buildings, structures, or portions thereof, permitted only by Special Use Permit and only in the Technology (T) zoning district, used primarily for the storage, management, processing, and transmission of digital data, where such use is the principal use of the building. A data center ~~which~~houses computer and/or network equipment, ~~systems,~~ servers, ~~appliances,~~ and other associated components, together with supporting mechanical, electrical, and cooling infrastructure necessary for ~~related to digital~~ data operations. A data center shall be considered a principal use, regardless of how it is characterized, if it exceeds 10,000 square feet in aggregate within a building, on a lot, or as part of a unified development, or is designed to operate independently of, or serve multiple unaffiliated users or customers.

[...]

#### **Chapter 70 – Zoning**

##### **Article IV – District Regulations**

##### **Division 10 – General Industrial Zoning District (I-2)**

##### **Sec. 70-542 – Permitted Uses**

In the general industrial district, land may be used for the following uses and any customarily incidental accessory use:

- (a) Accessory retail or office use, not exceeding twenty percent (20%) of the gross floor area of the principal use.
- (b) Brewery.
- (c) Building materials sales establishment.
- (d) Contractor's shop.
- ~~(e) Data center.~~
- ~~(f)~~(e) Distillery.
- ~~(g)~~(f) Feed, grain, and fertilizer sales.

[...]

*Note:* The remaining permitted uses in I-2 will remain unchanged but will be re-numbered to account for deletion of data center as subsection e. Re-numbering examples are shown above.