



June 5, 2024

MEMORANDUM

TO: Prince George's County Council

FROM: Chad Williams, LEED AP BD+C, Master Planner

SUBJECT: **CB-52-2024**

Purpose: This proposed Subdivision Bill is for the purpose of exempting developments proposing to conduct qualified data center uses from being required to obtain approval of a preliminary plan of subdivision while retaining requirements for pre-application neighborhood meetings and adequate public facilities.

Policy Analysis: Recently, Prince George's County evaluated existing zoning, subdivision, and other regulations pertaining to qualified data center uses with an eye toward identifying obstacles to attracting these uses to the County and facilitating new data center opportunities.

Several revisions to the Zoning Ordinance are proposed in the 2024 Zoning Ordinance Omnibus bill, CB-15-2024. CB-52-2024 similarly seeks to revise the Subdivision Regulations to streamline requirements for qualified data center uses, specifically to waive requirements for preliminary plans of subdivision, that will work in harmony with the proposed Zoning Ordinance revisions.

Under CB-52-2024, an application proposing the development of qualified data center uses will not be required to obtain approval of a major or minor preliminary plan of subdivision but will have to hold a pre-application neighborhood meeting prior to the application for a final plat of subdivision and obtain approval for a certificate of adequacy. These requirements ensure sufficient public notice of a proposed qualified data center operation and that such qualified data center is subject to public facilities mitigation, including for traffic generation impacts.

Staff supports the intent to streamline procedures for attracting qualified data center uses to Prince George's County, as such businesses generate significant tax revenue. Staff also offers the following comments and clarifying language to strengthen CB-52-2024.

Specifically, the phrase "used primarily for a qualified data center" may have unintended consequences that would lead to broader exemptions on

sites where a qualified data center is accompanied by other uses. In addition, the definition of “qualified data center” already includes co-located or hosting data centers where equipment, space, and bandwidth are available to lease to multiple customers and data centers owned and operated by the company it supports.

Language in the proposed bill should be further clarified to more accurately reflect the subdivision process, resolve conflicting language, and remove duplicative language. Finally, staff notes that, although exempt from the requirement to obtain approval of a preliminary plan of subdivision, a qualified data center will still need to obtain approval of a final plat of minor subdivision pursuant to Section 24-3402(b)(2)(C) of the Subdivision Regulations.

As such, staff recommend page 2, lines 5-12 be revised to read:

“(I) Any subdivision ~~for of~~ **land to be** used for ~~primarily the purpose of developing~~ a qualified data center, ~~is~~ subject to the following additional requirements:

(i) Notwithstanding Section 24-3303(b), ~~(2) of these Regulations, an applicant for a final plat for the subdivision of land proposed to be used primarily for a qualified data center is required to conduct~~ a pre-application neighborhood meeting **shall be conducted** in accordance with Section 24-3303, Pre-Application Neighborhood Meeting, and

(ii) **Notwithstanding Section 24-4503(a)**, a certificate of adequacy has been approved in accordance with Section 24-4500, Public Facility Adequacy.”

Impacted Property:

This bill will affect any property on which the development of a qualified data center use is proposed.

Recommendation:

Support with amendments