MARANA TOWN COUNCIL
STUDY SESSION
NOTICE AND AGENDA
11555 W. Civic Center Drive, Marana, Arizona 85653
Second Floor Conference Center, May 14, 2024, at or after 6:00 PM

Ed Honea, Mayor
Jon Post, Vice Mayor
Patti Comerford, Council Member
Jackie Craig, Council Member
Herb Kai, Council Member
John Officer, Council Member
Roxanne Ziegler, Council Member

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the Marana Town Council and to the general public that the Town Council will hold a meeting open to the public on May 14, 2024, at or after 6:00 PM located in the Second Floor Conference Centerof the Marana Municipal Complex, 11555 W. Civic Center Drive, Marana, Arizona.

ACTION MAY BE TAKEN BY THE COUNCIL ON ANY ITEM LISTED ON THIS AGENDA. Revisions to the agenda can occur up to 24 hours prior to the meeting. Revised agenda items appear in *italics*.

The Second Floor Conference Center is wheelchair and handicapped accessible. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Town Clerk at (520) 382-1999. Requests should be made as early as possible to arrange the accommodation.

This Notice and Agenda posted no later than 24 hours prior to the meeting at the Marana Municipal Complex, 11555 W. Civic Center Drive, the Marana Operations Center, 5100 W. Ina Road, and at www.maranaaz.gov under Agendas and Minutes.

CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE/INVOCATION/MOMENT OF SILENCE

APPROVAL OF AGENDA

DISCUSSION/DIRECTION/POSSIBLE ACTION

D1 Relating to Development; presentation, discussion, and possible direction regarding proposed amendments to Marana Town Code Title 17 (Land Development) for the purpose of enacting reasonable zoning, design, operational, and other regulations for data centers (Jane Fairall)

EXECUTIVE SESSIONS

Pursuant to A.R.S. § 38-431.03, the Town Council may vote to go into executive session, which will not be open to the public, to discuss certain matters.

E1 Executive Session pursuant to A.R.S. §38-431.03 (A), Council may ask for discussion or consideration, or consultation with designated Town representatives, or consultation for legal advice with the Town Attorney, concerning any matter listed on this agenda for any of the reasons listed in A.R.S. §38-431.03 (A).

FUTURE AGENDA ITEMS

Notwithstanding the Mayor's discretion regarding the items to be placed on the agenda, if three or more Council members request that an item be placed on the agenda, it must be placed on the agenda for the second regular Town Council meeting after the date of the request, pursuant to Marana Town Code Section 2-4-2(B).

ADJOURNMENT

Council-Study Session **D1**

Meeting Date: 05/14/2024

To: Mayor and Council

From: Jane Fairall, Town Attorney

Date: May 14, 2024

Strategic Plan Focus Area:
Thriving Commerce, Vibrant Community, Proactive Public Services

Subject: Relating to Development; presentation, discussion, and possible direction regarding proposed amendments to Marana Town Code Title 17 (Land Development) for the purpose of enacting reasonable zoning, design, operational, and other regulations for data centers (Jane Fairall)

Discussion:

A data center is a facility that houses computer servers and their network connections. The growth of digital data has expanded exponentially in recent years, resulting in a rapid increase in data center facilities that is anticipated to continue. This growth is needed to support the increased online population as well as business applications in all sectors, including finance, entertainment, healthcare, and education. Data centers can bring positive tax revenues, with few impacts to transportation systems or schools. However, data centers are industrial uses that may affect surrounding uses (through noise and visual impacts), or affect energy demand and water supplies. (Source: *County of Fairfax, Virginia, January 9, 2024, Data Centers Report and Recommendations*)

The Marana Town Code does not currently include provisions that address the development of data centers. Based on feedback and direction from Council at the February 2024 Council Retreat, Town staff has conducted research regarding data center regulations, including best practices and lessons learned in other communities. The attached draft Town Code revisions are presented to Council and the community as a result of this research.

The draft Town Code revisions address all of the following issues related to data centers:

- An appropriate and comprehensive definition of data centers
- Zoning
    - Data centers allowed as a principal use only when approved by Council in a specific plan explicitly created for the purpose of data center development and adopted through the rezoning process
    - Principal use data centers not permitted "by right" in any Town zoning districts
    - Accessory use data centers permitted only in industrial zoning districts, with limitations on the size and operation of the accessory use
- Supplemental specific plan application requirements specific to data centers, including requirements to address electric, water, and other energy needs for the site
- Noise attenuation, including requirements for pre- and post-construction noise studies to ensure noise levels generated by the data center are within acceptable levels
- Site design standards addressing:
    - Building placement and orientation
    - Setbacks
    - Screening of mechanical equipment and substations
    - Landscape buffers
    - And other design standards
- Building design standards addressing:
    - Massing and scale
    - Building height
    - Principal facades
    - Fenestration
    - Main building entryways
    - Exterior colors and materials

Also included within the Council agenda materials are two maps that illustrate possible buffer zones on West Marana Road and West Tangerine Road. The draft revisions include an optional paragraph which would prohibit data centers from being located within the buffer zones. Staff seeks Council input on the buffer zones. Additionally, in the draft document staff has highlighted certain language in yellow to bring Council's attention to it. These highlighted areas in particular require Council discussion and feedback.

After tonight's study session, staff will implement any direction or feedback from Council into the document and then schedule public hearings before the Planning Commission and the Town Council for future adoption of the revisions.

Staff Recommendation:

Staff requests feedback and direction from Council on the draft Town Code revisions.

Suggested Motion:

None necessary. Staff will implement any Council feedback or direction and then schedule public hearings before the Planning Commission and Council for future adopting of the Town Code revisions.

Attachments

Revisions to Title 17 re Data Centers

W Marana Rd - buffer zones

E Tangerine Rd - buffer zones

SECTION 1. Section 17-1-6 (Definitions) of the Marana Town Code is hereby revised as follows (with additions shown with double underlining):

17-1-6 Definitions

A. The following definitions are used in this title, unless a different meaning is clearly indicated by the context or by a more specific definition:

[No revisions to subparagraphs 1 through 54]

55. Data center: A facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer or network equipment, systems, servers, appliances and other associated components related to digital data operations. The facility may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at the data center.

[No revisions to existing subparagraphs 55 through 222 which are hereby renumbered as subparagraphs 56 through 223 to conform]

[No revisions to paragraphs B and C]

SECTION 2. Chapter 17-4 "Zoning" of the Marana Town Code is hereby revised as follows (with additions shown with double underlining):

[No revisions to section 17-4-1]

17-4-2 Use matrix

A. Table 2 (use matrix) identifies the permissiveness of uses in all residential zoning groups and zoning districts other than the mixed use districts and the SP zone. (Uses for the mixed-use districts are set forth in the mixed-use zoning district use matrix found at table 8.)

B. The notations in table 2 have the following meanings:

1. "P" means the use is permitted subject to design standards.
2. "A" means the use is permitted as an accessory use located on the same lot with a permitted use.
3. "C" means the use is allowed upon approval of a conditional use permit (see section 17-3-2).
4. "U" means the use is allowed upon meeting the conditions set forth in table 3 below.
5. "T" means the use is allowed upon approval of a temporary use permit (see section 17-3-3).
6. "X" means the use is prohibited.

[No revisions to paragraph C]

Table 2. Use matrix (only amendments to Table 2 are shown; the remainder of Table 2 is unchanged)

Uses	AG	RA	ER	NR	GR	MR	RR	NC	VC	LI	HI
Industrial											
Data center	X	X	X	X	X	X	X	X	X	A	A

[No revisions to sections 17-4-3 through 17-4-7]

17-4-8 Industrial zoning districts

[No revisions to paragraphs A through D]

E. Data centers. Data centers are permitted in the LI and HI zoning districts as an accessory use only and only when all of the following are true:

1. The data center occupies no more than 10% of the site.

2. The data center is used to serve the enterprise functions of the on-site property owner and is not used to lease data storage and processing services to third parties.

3. The data center complies with any applicable development standards for accessory use data centers, as set forth in section 17-6-13.

[No revisions to existing paragraph E which is hereby re-lettered to paragraph F to conform]

[No revisions to sections 17-4-9 through 17-4-15]

17-4-16 Legacy zones

A. The zoning districts set forth in sections 17-4-17 through 17-4-26 below are legacy zones. The legacy zones consist of zoning districts that currently exist within the town limits, but that are intended to be phased out over time. Each of these zoning designations is intended to be deleted when no land in the town has that zoning designation. The town will not rezone land to any of these legacy zone districts.

B. Notwithstanding any language in sections 17-4-17 through 17-4-26 permitting commercial and industrial uses in the legacy zones, data centers are not permitted in any of the legacy zones.

[No revisions to sections 17-4-17 through 17-4-26]

SECTION 3. Chapter 17-6 "General and Miscellaneous Development Regulations" of the Marana Town Code is hereby revised by adding new section 17613 (Data centers) as follows:

17-6-13 Data centers

A. Data centers are not permitted to operate in the town as a principal use unless approved in a specific plan (SP) explicitly created for the purpose of data center development and adopted through the rezoning process set forth in section 17-3-1 and as described in section 17-4-15 (Specific plan (SP)).

B. [OPTIONAL] Data centers shall not be located within the following buffer zones, measured from the right-of-way centerline on both sides:

1. West Marana Road – Interstate 10 to North Luckett Road: 1/2 mile
2. West Tangerine Road – Interstate 10 to West Twin Peaks Road/North Dove Mountain Boulevard: 1/2 mile

C. In addition to the requirements of section 17-4-15(C), an application for a specific plan created for the purpose of data center development shall include the following information:

1. The baseline noise study and noise contour exhibit required by paragraph G below.
2. Approval from the electric utility provider for the site.
3. An assessment of future energy needs for the site.
4. An estimate of annual water consumption for the site.
5. The intended source of water for the development.
6. Anything else?

D. The minimum requirements of this section shall apply to any data center operated as a principal use. In addition to these minimum requirements, the town may impose additional site-specific requirements or regulations during the rezoning process.

E. The minimum requirements of this section shall apply to any data center operated as an accessory use only where indicated.

F. The provisions of this section are intended to supplement the requirements of this code. If any provision of this section is found to be in conflict with any other provision of this code, the provision that establishes the higher or more restrictive standard shall prevail.

G. Noise Attenuation. The developer of a data center to be operated as either a principal or an accessory use must conduct a noise study performed by a third-party acoustic engineer to document baseline sound levels in the area of the proposed data center and to produce a noise contour exhibit depicting the anticipated noise levels to be generated by the data center.

1. The data center must be designed and built to incorporate sound mitigation methods sufficient to prevent the sound levels emanating from the data center, as determined by a third-party acoustic engineer, from exceeding the noise levels set forth in the noise contour exhibit. Design specifications for the required sound mitigation must be provided to the town before building permit approval.
2. Before issuance of a certificate of occupancy or certificate of completion, whichever occurs first, the data center operator must conduct a post-construction noise study performed by a third-party acoustical engineer to document noise levels emanating from the data center measured at the property line of the nearest property to the data center property that is planned or zoned for residential land uses, or other noise sensitive use as reasonably determined by the zoning administrator, during peak operation of the data center mechanical equipment. The post-construction noise study must demonstrate that noise levels do not exceed those shown on the noise contour exhibit. If noise levels exceed the levels shown on the noise contour exhibit, the town will issue a temporary certificate of

occupancy until the data center operator demonstrates that the required sound mitigation is achieved. If the data center operator is unable to demonstrate compliance with the sound mitigation requirements before expiration of the temporary certificate of occupancy, the town will not issue a permanent certificate of occupancy.

3. The data center operator must also conduct an additional noise study, as measured at the property line of the nearest property to the data center property that is planned or zoned for residential land uses, or other noise sensitive use as reasonably determined by the zoning administrator, annually during peak operation of the data center mechanical equipment for five years after completion of the initial post-construction noise study. The data center operator must provide the results of the noise study to the town within 30 days of the anniversary of the date on which the certificate of occupancy or certificate of completion was issued by the town. If noise levels exceed the levels shown on the noise contour exhibit, the data center operator shall take appropriate steps to achieve the required sound mitigation.

H. Site Design Standards. The site design standards in Table 2 (Site design standards for data center development) apply to the development of land that will accommodate data centers, as well as the placement of buildings on a given site. The standards are intended to help minimize the physical, environmental, and visual impacts of data centers on adjacent development.

Table 2. Site design standards for data center development

Site design standard	Requirements
Building placement and orientation	Buildings shall orient principal façades, including visitor, staff and administrative entrances, to primary adjacent roads. Loading docks and service entries of buildings shall not face or be visible from public rights-of-way. When possible, existing buildings may be used to screen loading docks. Where building locations do not offer screening, and in the case of phased development plans, screening of loading docks and service entries shall be accomplished by existing or proposed landscaping, fencing, walls, or similarly effective methods.[Δ] Loading docks are permitted on only one side of the building. [Δ] Refuse collection areas must be fully screened on all sides. [Δ]
Lighting [Δ]	Must comply with the town of Marana lighting code.
Setbacks	Any data center building, equipment for cooling, ventilating, or otherwise operating the facility, power generator, or other power supply equipment must be located at least [50-400 feet] from the property line of any adjacent property that is planned or developed with any use other than industrial uses.
Generators [Δ]	Data centers shall use only tier IV or newer backup generators.

Table 2. Site design standards for data center development

Site design standard	Requirements
	Except for generator testing or commissioning activities, generator use is limited to backup/emergency use only. Generator testing shall be limited to weekdays between 8:00 a.m. and 5:00 p.m.
Screening of mechanical equipment and substations[Δ]	To provide visual screening and reduce noise levels, all equipment necessary for cooling, ventilating, or otherwise operating the facility, including power generators or other power supply equipment, must be fully enclosed within a building, except where determined by the town council to not be mechanically feasible. Substations and mechanical equipment that cannot feasibly be enclosed within a building shall be screened from public and private rights-of-way and from adjacent properties using one or multiple of the following methods of screening: • Existing vegetation that will remain on the property • A visually solid fence, screen wall or panel, parapet wall, or other visually solid screen that shall be constructed of materials compatible with those used in the exterior construction of the principal building; these features shall be at least ten feet in height; chain link fencing with slats is not permitted to satisfy this requirement Ground mounted mechanical equipment is prohibited in front yards. Solid screening walls must be constructed with a design, materials, details, and treatment compatible with those used on the nearest principal façade of a building, but may include perforated surfaces as needed for ventilation of mechanical equipment. Mechanical equipment shall be located and screened with materials that provide appropriate levels of noise attenuation to reduce sound impacts on surrounding properties. On properties adjacent to residentially zoned/planned properties mechanical equipment must be screened on all four sides by an acoustical barrier. For purposes of this section, "acoustical barrier" is defined as an exterior solid or louvred wall containing sound-proofing materials designed to absorb noise and protect neighboring properties from noise pollution.

Table 2. Site design standards for data center development

Site design standard	Requirements
	Electric power lines, except electrical transmission lines carrying 48 kV or more, shall be located underground.
Landscape buffers	A landscape buffer is required to screen the data center from adjacent properties. Δ In lieu of the landscape buffer requirements in section 17-11-7(F) (Landscape buffer standards), any side or rear yard abutting property that is planned or developed with any use other than industrial uses shall include one of the following: • Commercial zoned/planned properties: A minimum 50-foot buffer. This may be achieved through existing mature landscaping or a landscaped earthen berm that screens the site. Berms shall have a slope no steeper than 2:1 with a minimum height of six feet and planted with a minimum of 320 plant units* per 100 feet of right-of-way or property line. • Agricultural, residential, or mixed use zoned/planned properties: A minimum 100-foot buffer. This may be achieved through existing mature landscaping or a landscaped earthen berm that screens the site. Berms shall have a slope no steeper than 2:1 with a minimum height of ten feet and planted and planted with a minimum of 320 plant units* per 100 feet of right-of-way or property line. Notwithstanding the requirements of this section, use of natural topography and preservation of existing vegetation, supplemented by new vegetation, if needed, or on the outside of a six-foot-tall solid fence, may be substituted for the above requirements when found by the zoning administrator to provide visual screening from adjacent land uses at the density, depth, and height equivalent to the landscape buffer with earthen berm. To protect the landscaping and the preservation of open space, linear co-location of utilities shall not be located within the buffer.
Fencing Δ	Fencing of the property is permitted; however chain-link fencing, with or without slated inserts, and barbed wire fencing are prohibited along public or private street frontages.

* See Table 3 (Plant unit equivalents)

[Δ] Requirement applies to data centers operated as accessory uses

Table 3. Plant unit equivalents

Plant type	Plant unit(s)
1 large deciduous or evergreen tree	10
1 medium, small, or compact deciduous or evergreen tree	5
1 shrub	2
1 ornamental grass	1
1 perennial	0.25

I. Building Design Standards. The building design standards in Table 4 (Building design standards for data centers) are intended to guide the development of data center buildings and associated equipment. The goal of the standards is to ensure more visually appealing and welcoming data center developments that also minimize negative impacts in the built environment.

Table 4. Building design standards for data centers

Building design standard	Requirements
Massing and scale	Buildings shall use broad, large-scale architectural gestures to provide variety and modulation in façade and massing as seen from public rights-of-way. Variation at the ground plane shall be provided to create transitions in scale and mass as viewed from public rights-of-way. Additive and subtractive shifts in the building footprint shall be provided to reduce mass and scale and to provide outdoor amenity spaces for employees and visitors.
Building height	A maximum building height of 55 feet is allowed, with an additional 10 feet permitted for rooftop mounting of mechanical equipment.
Principal façade	Principal façade requirements apply to all building façades that face adjacent existing or planned public roads or that face properties with any existing or planned use other than industrial uses. Principal façades must incorporate differentiated surfaces at horizontal linear intervals that may vary in frequency but must be no less frequent than every 150 horizontal linear feet or no less frequent than three times the average height of the

Table 4. Building design standards for data centers

Building design standard	Requirements

	building, including:
	• Fenestration; and
	• A change in one of the following design elements:
	  ○ Building material;
	  ○ Pattern;
	  ○ Texture;
	  ○ Color; or
	  ○ Accent materials.
	Principal façades must include building step-backs or recesses, which shall be a minimum of two feet in depth.
	When a building has more than one principal façade, the principal façades must be consistent in terms of design, materials, details, and treatment.

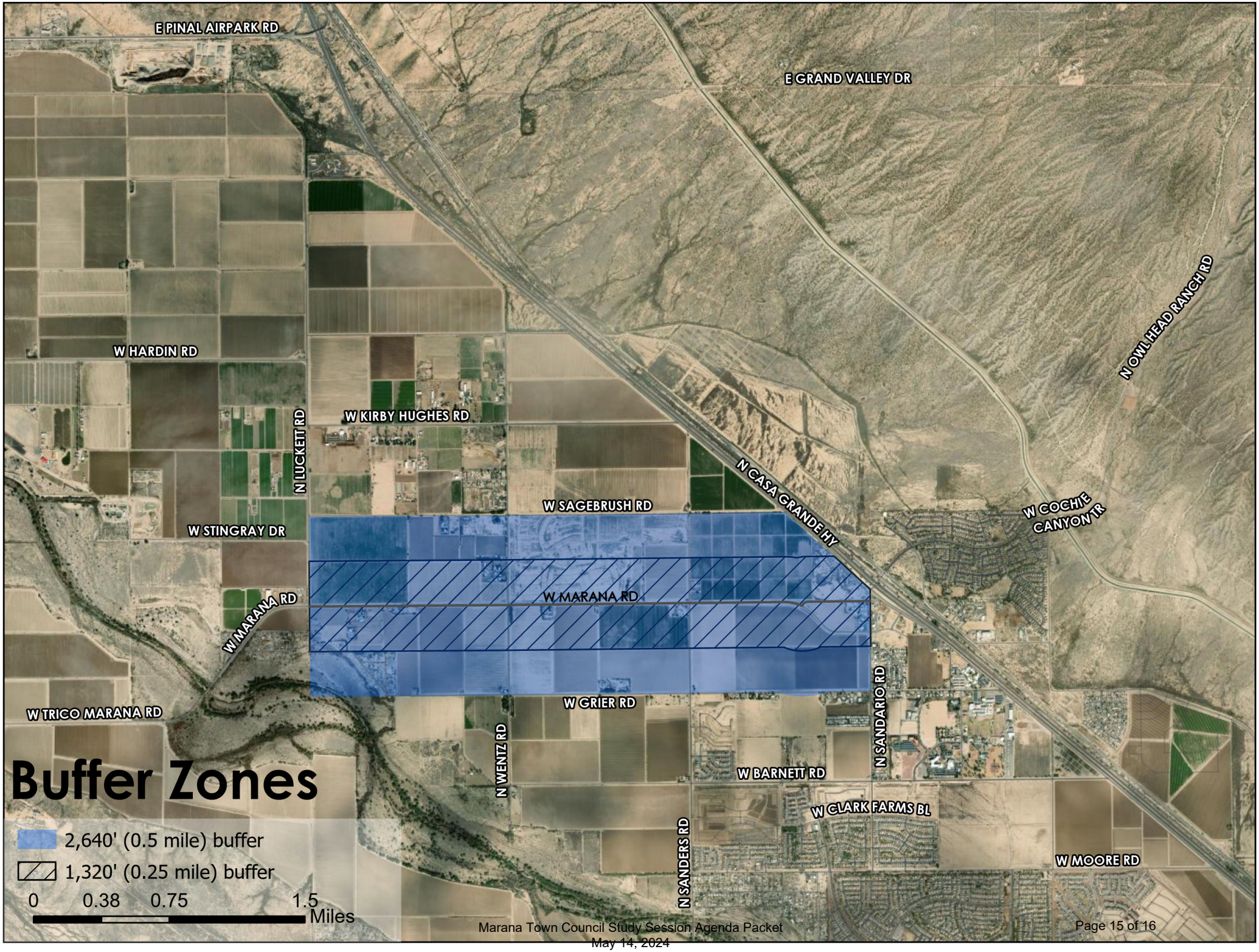
Fenestration	Each principal façade must include fenestration as follows:
	• Fenestration must comprise at least 30% of the total surface coverage area of the principal façade.
	  ○ Fenestration provided to meet the 30% total surface coverage area must be located in separated, individual placements or clustered bays; and
	  ○ Each placement or bay may count towards no more than 7.5% of such total surface coverage area.
	• The placement pattern of individual or clustered bays of fenestration must be distributed horizontally and vertically across the principal façade.
	The fenestration must be compatible with the other design, materials, details, and treatment used on the same principal façade.

Main building entryways	A data center building must include a main entrance feature that is differentiated from the remainder of the building façade by a change in building material, pattern, texture, color, or accent material. The entrance feature must also either project or recess from the adjoining building plane.
Exterior colors and materials	Primary building facades shall use a neutral color palette and avoid high-contrast colors. [Δ] Accent colors shall be selected to complement the dominant

Table 4. Building design standards for data centers

Building design standard	Requirements
	building color, and any color change shall occur where changes in the building plane or recesses are provided. [Δ] Colors shall not act as advertisements or billboards. [Δ] Building exteriors shall use materials with texture and character. [Δ] Changes in materials shall be reflected in massing or offsets. The number of disparate materials shall be limited to a maximum of three primary materials to avoid a busy appearance. [Δ] Design elements shall be used to enhance the overall expression of data center buildings, with an emphasis on the pedestrian experience, particularly at entryways. All buildings shall include at least five of the following architectural features: • Overhang • Canopy or portico • Recesses or projections • Arcade • Raised corniced parapets over the entrance • Tower elements • Variation in the roof line

[Δ] Requirement applies to data centers operated as accessory uses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W GRIER RD
N SANDARIO RD
N WENTZ RD
W BARNETT RD
W CLARK FARMS BL
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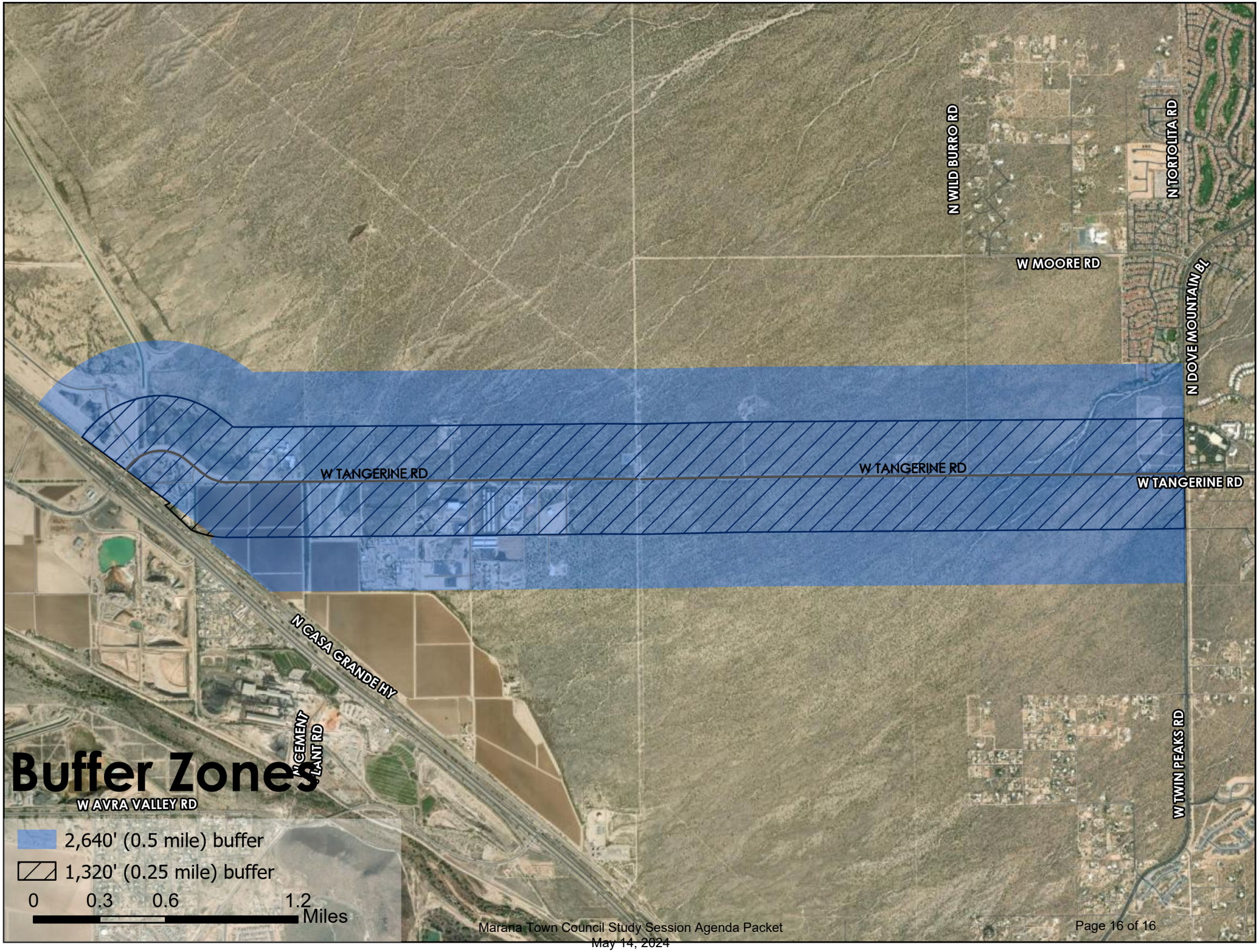
Buffer Zones
2,640' (0.5 mile) buffer
1,320' (0.25 mile) buffer
0
0.38
0.75
1.5
Miles


Buffer Zones
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1,320' (0.25 mile) buffer
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