

MEMORANDUM

TO: Mayor Watson and Austin City Council members

FROM: Kaiba White, Public Citizen's Texas office, and Bobby Levinski, Save Our Springs Alliance

SUBJECT: Data Center Zoning Resolution

Public Citizen and Save Our Springs Alliance support defining data centers in zoning and are encouraged by the statements by several members of the Austin City Council indicating a desire to keep larger data centers out of Austin. We're working closely with members of other Texas communities struggling with the impacts of large-scale data center development and we want to avoid those negative consequences in Austin. The resolution for discussion needs amending to align with the stated desire of city council members and the Austin public to keep out larger data centers.

We call on Council to adopt amendments to direct staff to incorporate the following into zoning updates:

1. Prohibit zoning of data centers in all parts of Austin that exceed any of the following:
 - 20 MW energy demand
 - 100,000 square feet of building space
 - 5 acres total site
2. Data centers that constitute less than 15% of a building's square footage should be permitted (i.e., accessory uses); any larger will require a conditional use permit.
3. Conditional use permits should only be granted for facilities that meet the following.
 - Noise should be limited to no higher than 60 decibels at the property line.
 - Set back all structures 200 feet from the property line, and 1,000 feet from any property with any of the following:
 - Residential use;
 - A zoning category which permits residential use;
 - Hospital or health facility with overnight patients;
 - Hotel;
 - School;
 - Daycare facility; or
 - Agricultural use.
 - 0.5-mile minimum separation from any other data center to prevent clustering and bypassing of size limits by using multiple sites.
 - Plant native trees to enhance visual screening, mitigate noise, reduce urban heat island effects and provide shade along adjacent sidewalks and roadways.

4. As part of the conditional use process, the Planning Commission should have clear authority to deny approval based on impacts to public health, natural resources, the environment, and quality of life, and to adopt related conditions.

We also support an amendment to implement a temporary moratorium on all data centers in Austin so that no data centers can get permitted before zoning regulations are established.