



Public Notice Resource Center

THE POWER OF TRANSPARENCY

WHEN IT COMES TO

DATA CENTERS



INFORMING
COMMUNITIES



ENCOURAGING
INPUT



ENSURING
ACCOUNTABILITY



PROTECTING OUR
FUTURE

BIG PROJECTS.
BIG IMPACTS
PUBLIC NOTICE
KEEPS YOU
IN THE KNOW.

DATA CENTER

PUBLIC NOTICE

PROPOSED DATA CENTER PROJECT
Notice of Public Hearing



The public is invited to review plans and
provide input on a proposed data center
development in our community.
Your voice. Your community. Your future.

LOCAL NEWS.
LOCAL TRUST.
LOCAL IMPACT.

TRANSPARENCY BUILDS TRUST.

PUBLIC NOTICE BUILDS BETTER COMMUNITIES.

BE INFORMED. BE ENGAGED. BE HEARD.

Presented By:

How Public Notice Informs Citizens about Data Centers

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By Tonda F Rush

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Table of Contents

Introduction 1

Why Newspaper Public Notice is Important 2

The Critical Role of Public Notice in Data Center Development 6

Tales From the Front: How two data center plans were resolved and a third would have benefited from a good public notice 8

Where Do I Look? 13

Types of Notices 14

What about Public Notice? 17

Resources 19



About PNRC
The Public Notice Resource Center is a 501(c)(3) nonprofit organization that provides research and education in support of effective public notice.

Introduction

Public notice in newspapers is a centuries-old legal requirement that helps citizens to hold their public officials accountable.

Public notices are also important because they often alert the public to upcoming and important government actions, e.g., zoning changes, water permits, annual budgets etc. Smart voters pay attention to the public notices in their areas and help their neighbors stay informed.

Such notices are becoming increasingly crucial today regarding the national debate about data centers.

Three years ago, nearly 70 percent of voters in one state where a dispute over a data center occurred said they would be happy with a new center in their midst. Then a proposal for 37 data centers near a historic Civil War Battlefield arose. By 2026, the support had fallen to barely a third. Eventually, the proposal was withdrawn—after a protracted court battle and the clear reversal of public support. The American Battlefield Trust celebrated the end of the project, which would have been near the Manassas Civil War site, outside Washington DC in suburban Virginia. Their story has been mirrored by other communities across America.

Whether data centers are a terrific opportunity for new jobs and economic development or they are a threat to historic properties and utility bills or to the general peace and enjoyment of the community, the way into the debate is often through public notice.



Why Newspaper Public Notice is Important

1. It reaches a broad audience.

Newspapers in print continue to drive much public debate, particularly in local communities. But now, newspapers are in digital forms all over--on desktop computers, laptops and our mobile phones.

In virtually every locality, the notices that were published in the local newspaper are also published on a statewide Internet database.

In Virginia, for example, where the public fight over a data center near the historic battlefield occurred, residents could find any public notice in the state at Public Notice Virginia.

In Illinois, where another dispute over a data center circled around public notice concerns, Public Notice Illinois provides access to the notices run in the state's newspapers.

In Oklahoma, a better public notice could have avoided distrust and confusion. People in that state have unrestricted access to Oklahoma Legal Notices.

All three of these stories, like many unfolding across the nation, shine a light on the need for transparency.

These centralized public notice locations are free. Local newspapers fund them at no cost to taxpayers as a cooperative contribution to public information. Newspapers have made it easy to get to wide spans of notice over whatever period your search may take you to.

2. Once it is in print, it is fixed.

In an age when the public has a high distrust of digital information, the newspaper public notice can't be altered. Once it has run, it is done. In print, it survives as long as one copy of the newspaper—even a photo of the newspaper—is around.

Archivists call it “fixity.”

Consider the work of historian Elizabeth Eisenstein, a professor at the University of Michigan and a consultant to the Library of Congress Center for the Book. She considered the permanent nature of print to be “a basic prerequisite for the rapid advancement of learning.”

Of course, in today's digital world, experts try hard to show that digital copies can be faithful to their origins. It is possible to track changes made to a text and identify digital fingerprints on images and words. Those exercises might unravel the source of a statement—at a cost. But in the end, nothing beats print. It doesn't require you to jump through hoops to prove it happened.

3. It is good evidence in court.

Precisely because it is so easy to change documents, create fakes or doctor images when it is necessary to prove in a legal battle that a notice was published, courts sometimes need evidence that a true copy was created according to the law. Newspapers satisfy this and serve as proof.

Newspapers are required to provide proof that notices were run according to the law. With each publication, they create an affidavit saying:

- that the notice appeared
- on specified dates
- exactly as printed
- and in a publication qualified under the law to provide the notice.

The affidavit stands as proof of the publication.

4. It is not hard to find.

Sometimes people say they miss public notices because the notices are in the back of the newspaper, in fine print, or in legalese that they don't understand. Sometimes they say you must have a subscription to read the notices.

But in today's world, it doesn't take much effort to see the notices.

Most newspapers put their notices into a digital version on their websites.

For people who really want to see the fixed, printed version, the public library is usually a good place to look.



Consider, by comparison, the challenges of following a controversy by continually searching on a city or county website. And, of course, that depends upon the city or county keeping up its end of the bargain by providing accurate and current information.

The Pew Research Center in 2024 said the localities are not so great at doing that. They accuse localities' public information websites as contributing to "digital decay."

- **21% of government webpages** contained at least one broken link.
- **City government webpages had the highest rate of broken links among** all levels of government.
- **29% of city webpages** and **27% of county webpages** contained at least one broken link.

Websites and webpages are not free. They require continuous updating, monitoring, programming and formatting. The small cost of a newspaper notice offers accessibility and reliability.



5. Public notice is part of the 3-legged stool for accountability.

Public records, public meetings and public notice form a triad of tools for citizens to hold their governments accountable. In recent data center disputes, for example, citizens in Illinois used public records demands to discover that—contrary to what appeared on the surface, the staff of their village had been in discussions with a developer for 18 months. And it was the notice that alerted the public to a hearing.

In Virginia, in a protracted dispute over a major data center development, the county government planned a hearing. The public meetings law required it to provide copies of agenda items to the public at the same time it provided them to voting officers.

But the public notice law went beyond that requirement. It required the information to reach the public 14 days before the meeting. When the notice failed, the county argued that the public received documents when the voting board received them. But, no, said the court. The public notice required notification much earlier than that. Notices help the public to get into the debate.



Data Centers and Public Notice Are Important Companions

Data Centers can offer welcome development to some communities. They create jobs. They also can lead to the ancillary smaller businesses that surround any community where people need services – eateries, dry cleaners, insurance agents, hair salons and the like. General economic updrafts can be a shot in the arm to lagging local economies.

But sometimes there are trade-offs. Locating near densely-populated areas creates concern. Though land may be spacious in some areas, arable land or land with access to utilities may be more precious. People care about what sorts of uses are proper in some areas. In America, land use is generally a topic for public debate. Where data centers are proposed, people must agree that the centers are more of a boon than a bane. To participate in a decision, people need to know what is being considered.

So, first, what is a data center? And why has it become a topic of contention in some communities?

IBM, one of the traditional experts in computing, provides a good summary of a data center.

“A data center is a physical room, building or facility that houses IT infrastructure for building, running and delivering applications and services. It also stores and manages the data associated with those applications and services.” (See: What Is a Data Center?) Resource List....



Many of the largest cloud data centers—called hyperscale data centers—are run by major cloud service providers (CSPs), such as Amazon Web Services (AWS), Google Cloud Platform, IBM Cloud and Microsoft Azure. These companies have major data centers in every region of the world. For example, IBM operates over 60 IBM Cloud Data Centers in various locations around the world.”

IBM notes that these centers require massive amounts of electricity. It also says that developers have a strong interest in developing energy sources that minimize environmental impact and provide sustainability. It quotes Gartner Research and Goldman Sachs Research in saying 87 percent of business leaders plan to invest in sustainability in coming years as demand for power ratchets up by 160 percent by 2030.

Communities resist them if they believe data centers increase residents’ utility costs. Sixty-six percent of Americans told Harvard University, in a poll, that data centers would increase their electric costs.

But they also said data centers could be good for economic growth. And jobs. So, it is a mixed bag. Sometimes the public says: data centers are ok. But over there in an industrial park, not here on farmland.

Nonetheless, more than 300 of them are being built in 2026, according to Bloomberg.

No wonder the discussion over the proposal to build a new data center can be fraught.

And that is exactly why public debate is not only healthy, but also essential.

Tales From the Front: How two data center plans were resolved and a third would have benefited from a good public notice

The Manassas Data Center Project Was Affected by Public Notice

A modern-day public notice drama played out over the past decade in a suburb about 40 miles west of Washington, DC.

The Manassas National Battlefield Park is part of the National Park Service. It preserves the site of two major Civil War battles: the First Battle of Bull Run and the Second Battle of Bull Run. It is where Confederate General Thomas Jackson acquired his nickname: Stonewall.

Surrounding the Battlefield are bucolic acres that lead to the foothills of the Blue Ridge mountains. The area has traditionally been agricultural, with Washington's suburban sprawl growing out to meet the quiet hills.

Into this peaceful environment came a proposal by QTS Data Centers to build as many as 37 data centers on a 2,100-acre complex zoned for agricultural use. The Prince William Digital Gateway ran into almost immediate opposition from landowners as well as the battlefield's Historic Trust.

Over two years, the sides squared off before the Prince William Board of Supervisors and then in court. About the time America was celebrating its 250th birthday, QTS reportedly ended its quest to build the centers, after the local government signaled it was finished fighting for the project.

In the center of the dispute was a public notice.

To build, QTS needed to rezone the property. So, a series of rezoning ordinances was presented to the Prince William Board of Supervisors (the county's governing body.) A public hearing was needed.

Virginia's public notice law, revisited as recently as 2023 by the Commonwealth's legislature, required notice of the proposed ordinances to be published in a local newspaper for two consecutive weeks, at least twice and with at least six days between publications and to be concluded at least 14 days before a hearing.

Among state requirements for the notice was information telling the public where in the locality the full plans could be reviewed.

The Board submitted its first notice of a public hearing to the Washington Post in time for the planned hearing and it received a quote for the publication and a request from the Post staff to confirm that the Board wanted to run the notice. The clerk for the board was reminded later that same day that for the notice to reach



the public 14 days before the hearing—as required—the board would have to confirm the publication before the newspaper’s deadline. The Board did not confirm that it wished to insert the publication. The notice did not run when originally planned.

But the board decided to go ahead with its hearing anyway. Instead, it ran a series of notices three times during the week before the intended hearing—not six days apart, but about two days apart. The last in that series ran just three days before the hearing.

There was a problem with the information provided in the notice. Whereas the state law required the supervisors to state where the plans could be reviewed, the local ordinance required more than that. The local law required publication of the full text of the ordinance.

The supervisors didn’t comply with either requirement, according to the Virginia Court of Appeals. The notice specified that the plans would be in the office of the Clerk of the Board—but the plans were not available there until the day of the final notice. And the notice did not publish the full ordinance, as Prince William’s local rules required.

Virginia is generous to local governments when newspaper notices fail because of a newspaper’s errors. Those do sometimes occur. The Virginia law allows a governing body to proceed under certain circumstances when the newspaper messes up. But in this case, the court ruled, it was the governing body that failed to secure the publication at the proper time.



Nonetheless, the notice did tease out some comment on the project. Neighbors complained about the noise from a 24/7 operation and disruption from construction. Witnesses discussed the impact upon a family involved in home schooling and upon an autistic child in one home and the colony of bees living in another. They said property values would be affected, because “who wants to live next to that?” one neighbor said.

The supervisors were not unanimous in their approval of the project, but it was approved.

The neighbors, formed into a plaintiff class called the Oak Valley Homeowners Association, took the county to court.

The Court of Appeals ruled in the homeowners’ favor. The developers briefly signaled that they would continue the fight before the Virginia Supreme Court. But then the notice of appeal was withdrawn and the case was over.

The public notices were run in this case, but not in the way the Virginia state law required. The notices did their job, nonetheless, by introducing public debate into the process. Ironically, if the governing body had taken the public input more seriously and followed the intent of the law by telling voters exactly what was proposed and following the prescribed schedule for notice, the data center proposal might have survived. At least the proponents, as well as the opposition, would have had their fair shot at making the case.

But because the public’s right to know was given short shrift, this economic development project was derailed.



In Hoffman Estates, Illinois, the lack of public notice left residents puzzled.

A similar dispute arose in 2026 in the suburbs of Chicago.

HE Holdings, which owned an area called Plum Farms, wanted to construct a data center on a 186-acre tract.

Data centers are not unpopular in the area. Ironically, two other centers are already underway, being built in areas zoned for manufacturing.

But when a sign appeared on the Plum Farms property announcing a public hearing by the village's Plan Commission board, residents were concerned. Data centers are ok, some said—but not here.

Neighboring villages were also concerned about water and power use, according to public reports.

A local resident started Freedom of Information Act queries (an open-records exercise) of the village staff, learning that conversations about a new data center had been ongoing for 18 months. The village manager said that was not unusual, but that he could not guarantee what the village governing body might do.

By early July that year, the village announced that a petition for rezoning the area had been withdrawn. That led to public statements of relief by opponents, but the residents noted that it had required a significant amount of investigation for them to be heard.

Resident Amanda Pollard, who was one of the organizers of opposition, told local media, "I can't imagine that they would pull out without seeing all the community pushback, and it gives me hope that what we do matters," Pollard said. "So many people were telling me, 'It's going to go through no matter what. These politicians, they don't listen to us.' And this shows that we can make a difference, and we do have a say in our community."

Perhaps proper public notice could have saved all parties time and money. At least one state senator thinks so. Sen. Darby Hills, a Republican in neighboring Barrington Hills, said she was introducing SB 1050 in the legislature to require better public notice and give neighboring jurisdictions a say in changes that would affect them.



Muscogee Nation Turns Away a Proposal but Tribal Members Object to NDAs

In 2025, the Muscogee Nation centered in Okmulgee, OK, considered siting a data center on 5,500 acres of tribal land. The National Council ultimately rejected the proposal, but not before rancor arose within the community.

Siting the project would have required a rezoning in an area that activists said had been purchased to allow hunting and provide food security.

A member of the National Council complained that it was hard to gather information about the proposal because the developers seek nondisclosure agreements from Council administrators that limit what the tribal governments are allowed to say.

After organizing town halls to promote discussion of the centers, two tribal members persuaded the Council to halt the project.

A solid public notice could have avoided the secrecy and the extraordinary efforts to educate tribal members about the project. A notice requiring disclosure of key information prior to rezoning consideration would have overcome secrecy agreements. The tribe has had a local newspaper, the *Mvskoke News*, since 1970.



Where Do I Look?

The discussion about data centers is not one-sided. The proposals often stand to offer significant economic benefits to communities. Many stories indicate that the public review process tends to motivate supporters as well as opponents.

Local Chambers of Commerce, business community leaders, labor organizations and others might find opportunities to argue for development. Environmental advocates, neighbors of the proposed site and opponents of artificial intelligence tools might take the other side.

It all depends upon letting people know what's being proposed. And that is where public notice comes in.

A good public notice tells people what is proposed, where it is proposed and how it will be considered. Notice that does less than that is performative. In other words, it is just pretending to give people an opportunity to be heard.

That is why members of the public need to understand where notices happen. And what's in them.



Types of Notice

Land Use Rules.

Most states delegate decisions to local governing bodies on how real estate is used in local communities. After all, who knows the land better than its residents?

Those people, in turn, elect or appoint governing and advisory boards to set out planning maps on how various sectors of their areas can be used: residential, commercial, light industrial, heavy industrial, agricultural and so forth.

A data center generally will need to be in an industrial area. If land is purchased by a developer in any other type of zoned-parcel—say in an agricultural or residential area—a zoning change will be needed before a permit can be issued.

In large cities, city governments oversee zoning permits. In smaller communities, control may center in a village or even a county. And in most of these places a zoning board and staff will take a first look at a proposal to make recommendations to the governing body.

So, the first step is to figure out which governing body oversees a parcel of land and what sorts of staff/advisory board processes are involved in getting to a change.

A good place to start is with your county. Try its website. Search under “zoning” or “land use.” In the Resources Section of this book, you will find a link to the zoning authority’s website in Prince William County, Virginia, where the data center lawsuit erupted, to show how one jurisdiction invites the public into the process. There you can find lists of hearings scheduled, plans submitted and other oversight tools, like inspections and approvals. Likely the zoning body in your jurisdiction does business in much the same way.

If you can’t figure out how your county works, or it doesn’t have a website (or the website is not up to date), try your state attorney general. Because counties are all subdivisions of states and attorneys general are responsible for seeing to it that the laws of the state are followed, most AG offices have resource desks that can help guide you.

Once you locate the government body that oversees land use, you can examine the requirements for a variety of permits that might be required for a new industrial development:

- Rezoning
- Special uses
- Site approvals
- Building permits
- Grading permits
- Electrical, mechanical and plumbing permits
- Historical impact (or your area might have a separate board to oversee uses of historic properties and areas)

Environmental Impacts

The US Environmental Protection Agency governs some uses of water, wetlands and so forth. But it also delegates much of its power to local governments. This is where public input on new projects has the greatest impact.

So, it is important to identify the state and county governing bodies empowered to protect the environment. Your county might require special oversight of environmental impacts.

Permits could be required for:

- Stormwater management
- Erosion and sediment runoff
- Wetlands protections
- Floodplain impacts

And there might be a public utility body that requires approvals for:

- Water and sewer usage
- High voltage electrical connections
- Natural gas permits
- Easements to construct utilities.



Historic Properties

All 50 states have State Historic Preservation Offices to identify, evaluate and protect historic properties. One federal agency, is the Advisory Council on Historic Preservation (ACHP), helps to guide their work.

Local historic trusts and boards assist in this work. Identifying the body in your area that might care about new development is important. This body might be part of the county's planning or land use departments, or it might be separate.

Regardless of their office situations, they usually have public hearings when major events or changes are being considered. Start with your county government to find out which public bodies are charged with historic preservation. Like the residents near Manassas Battlefield, you might find that a historic impact should be considered as part of a land use or zoning change.



What about Public Notice?

Now the important part. How will you know when something is happening with one of these permits or land use changes?

First step is to identify the public body whose deliberation you wish to influence. Some local governments post their notices on their own websites. But don't count on it. They forget or are understaffed or can be reluctant to disclose their work until they are certain of outcomes. That is why state legislatures require the use of the newspaper.

At www.pnrc.net, the website of the publisher of this booklet, you can find a statewide database for every state.

There you can click on the state's database and enter your query.

Each state has its own set of rules and parameters for public notice. They don't all have the same content or even the same timing for disclosures. They all have the same force of law and intent. They are designed to help citizens be part of the discussion.

But with a little effort on your part, you can be the citizen in the know. Using the public notices gets you on the inside of the decision. And that is where you want to be.



Resources

Opinions about Data Centers:

<https://www.washingtonpost.com/business/2026/04/15/data-centers-poll-virginia/>.

<https://salatainstitute.harvard.edu/on-data-centers-local-vibes-matter-more-than-electricity-prices-poll/>

About Elizabeth Eisenstein, advocate of print

From her study on the impact of printing on Western society and development of thought. The Journal of Modern History, Vol 1, No 1 (1968).

Pew Research Center on disappearing government websites

Link Rot and Digital Decay on Government, News and Other Webpages | Pew Research Center

The Three-Legged Stool of Public Accountability

The Battle for Public Notices - Columbia Journalism Review

What is a Data Center?

<https://www.ibm.com/think/topics/data-centers>.

How Many Are Being Built?

AI Data Center Build Advances at Full Speed: Five Things to Know | BloombergNEF

About the Manassas Data Center:

Virginia Public Notices:

[https://www.publicnoticevirginia.com/\(S\(4r5gnf5cxnzks0nfjdf1zaki\)\)/default.aspx](https://www.publicnoticevirginia.com/(S(4r5gnf5cxnzks0nfjdf1zaki))/default.aspx).

The Virginia Zoning Notice Law:

§ 15.2-2204. Advertisement of plans, ordinances, etc.; joint public hearings; written notice of certain amendments

The Court of Appeals case

Oak Valley Homeowners Association, Inc., et al. v. Prince William County Board of Supervisors :: 2025 :: Virginia Court of Appeals - Published Opinions Decisions :: Virginia Case Law :: Virginia Law :: U.S. Law :: Justia

The County Land Use website:

Land Development Division.

About the Hoffman Estates dispute:

Public Notice Illinois:

Public Notice Illinois | Illinois Press Association - Springfield, IL

Chicago Tribune:

Data center developer reverses course in Hoffman Estates

NPR:

Developer withdraws rezoning request for controversial data center in Hoffman Estates | NPR Illinois.

Village of Hoffman Estates:

Petitioner withdraws rezoning application for Plum Farms property.

Muscogee Nation debate:

Native News:

<https://nativenewsonline.net/currents/two-muscogee-women-featured-on-cover-of-time-for-leadership-on-ai-data-center-fight/>

Mother Jones:

In Indian Country, Data Centers Come with a Familiar Threat of Colonialism. These Organizers Are Fighting Back. – Mother Jones

Public Radio:

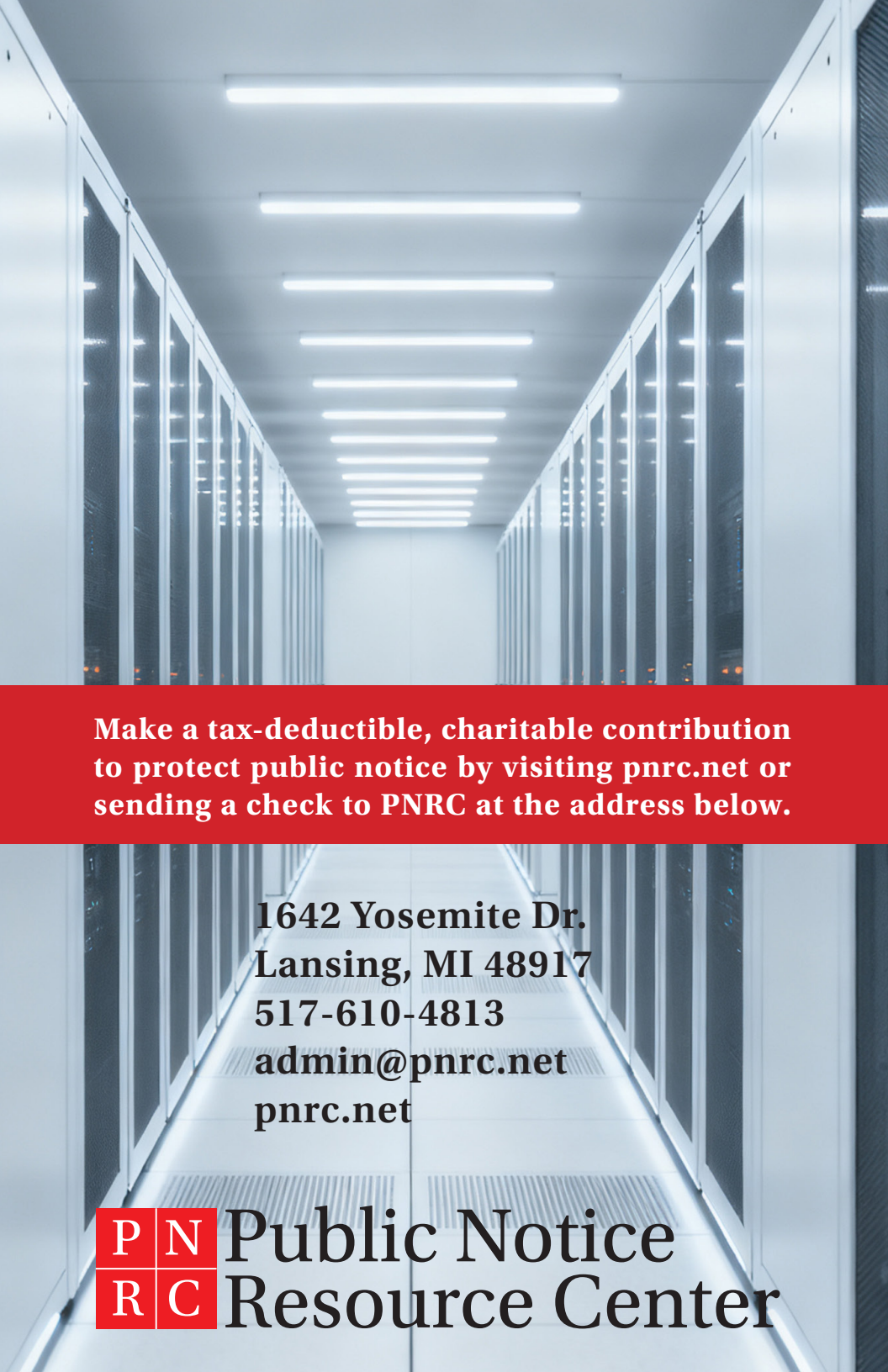
<https://www.publicradiotulsa.org/local-regional/2025-10-07/indigenous-environmental-advocates-say-data-centers-risk-water-culture-and-informed-consent>

Governing Historic Properties

Advisory Council on Historic Properties www.achp.gov

About the Author

Tonda F Rush is a journalist and lawyer living in the Washington DC area. She was one of the founders of the Public Notice Resource Center. She writes about First Amendment topics and civic engagement.



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**1642 Yosemite Dr.
Lansing, MI 48917
517-610-4813
admin@pnrc.net
pnrc.net**



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