
PROPOSED ZONING CONDITIONS

1. Permitted Uses: Permitted uses are limited to the following:

- a) Data Center: A facility, campus of facilities, or array of interconnected facilities used for the primary purpose of storing, retrieving, managing, and/or processing digital data, including associated infrastructure such as servers, data storage equipment, network equipment, power supply systems, backup generators, cooling systems, and related accessory structures. A data center does not include electronic equipment incidental to a business whose primary activity is other than storing, retrieving, managing, and processing digital data (e.g., a retail store, office building, or school).
- b) Accessory uses, facilities, structures, infrastructure, equipment, and technologies associated with the development or operation of the Data Center, including, without limitation, power generation; substations; electrical infrastructure; natural gas infrastructure; fiber optic infrastructure; battery backup and generation equipment; equipment yards; batteries; security facilities; on-site maintenance facilities; container storage; and fuel and water storage.

2. Noise:

- a) Project operations shall not exceed the following noise limits as measured from the exterior property line or, if the property line adjoins a public right of way, then from the nearest property line beyond the right of way:
 - I. Adjacent to property located within a non-residential zoning district¹:
 - 1. A-weighted sound level²: 70 dB(A).
 - II. Adjacent to property located within a residential zoning district³:
 - 1. A-weighted sound level: 60 dB(A) during daytime hours (7:00 a.m. – 10:00 p.m.) and 50 dB(A) during nighttime hours (10:00 p.m. – 7:00 a.m.).

¹ **Nonresidential Zoning Districts**: Any zoning district that is not a Residential Zoning District.

² **A-Weighted Sound Level, dB(A)**: The sound pressure level in decibels as measured on a sound level meter using the A-weighting network, which de-emphasizes low and high frequencies to approximate the response of the human ear. Levels so measured are designated dB(A) or dBA.

³ **Residential Zoning District**: R-A Residential-Agricultural District; R-20 Residential-Low Density; R-15 Residential-Medium Density; R-8 Residential-High Density; R-E Residential – Exclusive; R-R Residential – Restricted; R-M Residential – Mixed; RMF Residential – Multi-family; MHP Manufactured Housing Park.

2. C-weighted sound level⁴: The C-weighted sound level (dB(C)) shall not exceed the corresponding A-weighted sound level (dB(A)) by more than 15 dB at any Measurement Location⁵.
- b) Tone: A tone shall be deemed present when the time-averaged sound pressure level in any one-third octave band⁶ exceeds the time-averaged sound pressure levels of both of the two adjacent one-third octave bands by:
 - I. 15 dB or more in one-third octave bands between 25 Hz and 125 Hz;
 - II. 8 dB or more in one-third octave bands between 160 Hz to 400 Hz;
or
 - III. 5 dB or more in one-third octave bands between 500 Hz to 10,000 Hz.

If the observed Project noise contains a tone as defined herein, the applicable noise limit shall be reduced by 5 dB(A) for purposes of determining compliance.

- c) For purposes of applying the noise limits established by this condition, the residential or non-residential zoning classification of each adjacent property shall be determined and established at the time of conditional rezoning application submission based on the Official Stokes County Zoning Map in effect on that date. The classification so established shall remain controlling for purposes of this condition and shall not be affected by any subsequent amendment to the Official Zoning Map.
- d) Generator Testing: Routine testing and maintenance of emergency generators shall be limited to weekdays between 9:00 a.m. and 5:00 p.m. local time and shall be conducted with all permanent noise attenuation in place.
- e) Exemptions: The limits above shall not apply to (i) actual emergency operation of backup generators during a utility power interruption or other emergency event, (ii) daytime construction activity, and (iii) daytime maintenance activities not including generator testing.
- f) Compliance: The noise limits established by this condition shall apply to continuous noise attributable to project operations, defined as noise sustained for a duration of fifteen (15) minutes or more. Noise compliance

⁴ **C-Weighted Sound Level, dB(C):** The sound pressure level in decibels as measured on a sound level meter using the C-weighting network, which applies minimal frequency weighting and is more responsive to low-frequency sound than the A-weighting network. Levels so measured are designated dB(C) or dBC.

⁵ **Measurement Location:** The exterior property line or, if the property line adjoins a public right of way, then from the nearest property line beyond the right of way.

⁶ **One-Third Octave Band:** For the purpose of assessing tonality, the following third-octave band nominal center frequencies (given in Hz) will be considered, consistent with standard acoustical measurement practice: 25, 31.5, 40, 50, 63, 80, 100, 125, 160, 200, 250, 315, 400, 500, 630, 800, 1000, 1250, 1600, 2000, 2500, 3150, 4000, 5000, 6300, 8000, 10000.

shall be measured using Equivalent Sound Level (“Leq”)⁷ or Statistical Sound Level (“L90”)⁸ sound levels, with the ability to utilize short-duration measurements as brief as 30 seconds to appropriately isolate noise attributable to the project from extraneous site sources. For any measurements shorter than 60 seconds, a minimum of three (3) readings shall be taken at each location and arithmetically averaged (in both dB(A) and dB(C)) for reporting purposes. All measured sound levels should be representative of project operations, excluding any influence from non-relevant site noise. Reasonable adjustments or normalization of the measured frequency spectrum may be applied to account for ambient sounds, such as automotive traffic, wind, wildlife, insects or birds, provided such adjustments are clearly documented and supported with appropriate justification for approval.

g) Noise Assessments:

- I. Qualified Consultant: All required noise assessments (including studies and surveys) shall be completed, at no cost to the County, by an independent third-party licensed sound engineer Board Certified by the Institute of Noise Control Engineering (INCE).
- II. Pre-Construction Existing Ambient Sound Survey: Prior to building permit approval, the Developer⁹ shall have a pre-construction sound survey performed to establish baseline ambient sound levels¹⁰ at any Measurement Location. The survey shall document measured¹¹ A-weighted and C-weighted sound levels for a period of at least 24 hours. The pre-construction survey shall be submitted to the County prior to issuance of a building permit. The documented baseline ambient sound level shall be considered for compliance and reasonable adjustments.
- III. Pre-Construction Noise Modeling Study: Prior to the issuance of a building permit for each Major Improvement¹², the Developer shall submit a noise study to the County for review and approval. The study shall demonstrate that the Major Improvement, together with all

⁷ **Equivalent Sound Level (Leq):** The steady-state sound level which, over a stated measurement period, contains the same acoustic energy as the actual time-varying sound level during that period.

⁸ **Statistical Sound Level (L90):** The sound level exceeded during ninety percent (90%) of the measurement period. The L90 is commonly used to represent the sustained or background component of a time-varying sound environment.

⁹ **Developer:** The owner of the Property or any person or entity authorized by the owner to develop the Property, including successors and assigns.

¹⁰ **Ambient Sound Level:** The composite sound level at a given location resulting from all sources near and far, excluding sound attributable to project operations. The ambient sound level constitutes the normal or existing sound environment at that location.

¹¹ **Sound Level Meter:** An instrument used to measure sound pressure levels, including a microphone, amplifier, output meter, and frequency weighting networks, meeting or exceeding the requirements for a Type 1 or Type 2 instrument under ANSI S1.4.

¹² Each building phase constitutes a “Major Improvement.” A Major Improvement also includes any material change to noise-generating equipment, operations, noise-control measures, generation capacity, or on-site conditions that could objectively affect compliance with the applicable noise limits. Routine maintenance or replacement with equipment having equal or lower sound output is excluded.

previously approved or completed portions of the Project, will comply with the applicable noise limits under representative operating conditions as defined herein.

- IV. Post-Construction Noise Compliance Survey: For each Major Improvement, the Developer shall submit a post-construction sound survey to the County. The survey shall demonstrate compliance with the applicable noise limits based on cumulative noise from the Major Improvement and all previously completed portions of the Project.
 - V. Subsequent Surveys and Studies: A previously approved noise assessment may be updated or supplemented, and a single assessment may satisfy the applicable pre-construction or post-construction requirements for multiple Major Improvements permitted, completed, or placed into service concurrently.
- 3. Power Generators: Power generators shall not be permitted within 300 feet of the exterior property boundary.
 - 4. Cooling Systems and Water Infrastructure:
 - a) Open-loop water cooling systems are not permitted.
 - b) Acceptable systems include, but are not limited to, closed-loop cooling, air-cooled systems, liquid cooling systems, or other efficient technologies.
 - c) The Project shall be prohibited from direct withdrawal from streams, rivers, lakes, ponds, reservoirs, groundwater wells, aquifers, or other private surface-water or groundwater sources.
 - 5. Floodplain: Within the floodplain areas designated on the Federal Emergency Management Agency ("FEMA") Flood Insurance Rate Maps ("FIRMs") for Stokes County, North Carolina, Map Nos. 3710696200K and 3710696400K, effective June 10, 2026, development and uses shall be limited to infrastructure improvements and recreational, agricultural, conservation, preservation, and open space uses. Except as expressly provided above, no other development shall be permitted within the designated floodplain areas.
 - 6. Lighting: All exterior site and building lighting shall be directed downward and shall utilize full cutoff or fully shielded fixtures, designed and installed to prevent glare, light spillover, or direct illumination onto adjacent properties, unless otherwise required by state and federal law.
 - 7. Height: The maximum height of the principal building(s) shall be eighty (80) feet. Antennas, communication equipment, mechanical equipment, screening, utility infrastructure, lightning protection systems, and other similar appurtenances may extend above the 80-foot building height limit.

8. Buffer Areas:

- a) Buffers shall be provided and maintained as follows and as generally depicted in the “Buffer Zone Exhibit” attached hereto and incorporated by reference.
- b) Buffers shall be achieved through existing vegetation, supplemental plantings, berms, or other comparable measures, alone or in combination.
- c) Infrastructure improvements, including, but not limited to, utilities, fences, mailboxes, roads, streets, access drives, drainage facilities, retaining walls that can accommodate landscaping, signage, lighting, security features, access-control features, and similar minor encroachments, provided such improvements are located and designed to minimize disturbance to existing vegetation, shall be permitted to cross or encroach upon buffer areas.