

**Data Center Ordinance Advisory Group**  
**Wednesday, July 16**  
**Virtual -Teams**

**Team Check-in**

- Wade gave the group an update on the process of the updated draft Noise Ordinance and the Basis and Background document. The consultants have been working together to finish the documents.
- Wade provided a summary of the meeting with PD, discussed the need for clarification from the Commonwealth Attorney regarding State Code 19.2-270.7, which is the determination of the audible level of sound with proper equipment.
  - Eric stated he has trained multiple people who are not law enforcement. However, police officers should also be trained to use the equipment and become certified.
- Group discussed the importance of having a noise ordinance that will help build a strong case in court against the Data Center industry.
- Discussed the importance of having a State Statute that references the source of the noise. The current statute only establishes Prime Face evidence of decibel levels and does not identify the source from which the noise is coming.
- Kathy- There should be a way to pinpoint a particular sound.
  - Eric- clarified that there is a way to single out a particular sound and would be regulated; this would also apply to all, for example, schools, hospitals, and local restaurants.
- Wade discussed the challenge of singling out data centers since the current State Code doesn't authorize identifying specific industries.
- Discussed the wording in the noise ordinance that would specify the steady and internal tones.
- Ray- Industrial facilities in the industrial zone can't be charged civilly. This is the reason why criminal charges are important.
- Kathy- Agrees that the noise ordinance should be consistent, and if a building or use is in violation, they should get a citation.
- Dale- Would substations be included? You often hear a crackling noise in the proposed noise ordinance? Eric said it may not be a constant during a period of time.
- Discussed continuing with the current recommended noise scale and lowering it will have many unintended consequences. The main goal is to work on the steady tone the county is experiencing.
- Kathy K expressed concerns about the levels proposed.
- Wade expresses the importance of focusing on the octave band levels, which measure the constant noise.

- Kevin discussed the 70 data centers that are planned to be constructed about a mile from his residential community, and is concerned that the decibel levels will be increased within his community to 60 decibels when the data centers are active. The current ambient levels are in the upper 30 dBAs.
- Discussed the consideration of setting a noise limit at the property line of a facility. This will allow the propagation of the levels for a multiple-facility campus.
- Ray suggested having baseline noise measurements mainly during the nighttime. This would allow the County to be able to enforce excessive increases to ambient noise levels.
  - Inquired about the construction manual that the county could use to regulate building materials being used in data centers.
- Discussed the complex about considering property line limits for facilities abutting residential properties to address noise concerns.
- Wade discussed the importance of the noise model, which would prove they are compliant. This would promote more compliance.
- Michelle referenced how traffic models are used when new projects are proposed. Typically, that last project in may triggers the installation of a signal light of turn lane due to the traffic counts.
- Discussed how requiring noise modeling for a new development would also include By-Right (assuming we can get a State Legislative change approved).
- The group agrees on the importance of having a noise ordinance that effectively manages noise levels.

### **Team check out**

- Kevin C- Expresses that there has been a lot of advancement with the noise ordinance. The county should address the noise compliance to provide relief for its residents.
- Kathy agrees and also expressed that the main part of the problem is the location where these facilities have been approved.
- Eric- expressed gratitude from JMT, David, and Wade for the collaboration in the process.
- Next Meeting Wednesday, July 30
- Wade stated the goal is to get the draft Noise Ordinance to the group on Friday or early next week. Since he will be out of the office next week, he asked the group to review the draft Noise Ordinance and send their comments to him.

### **Meeting adjourned**