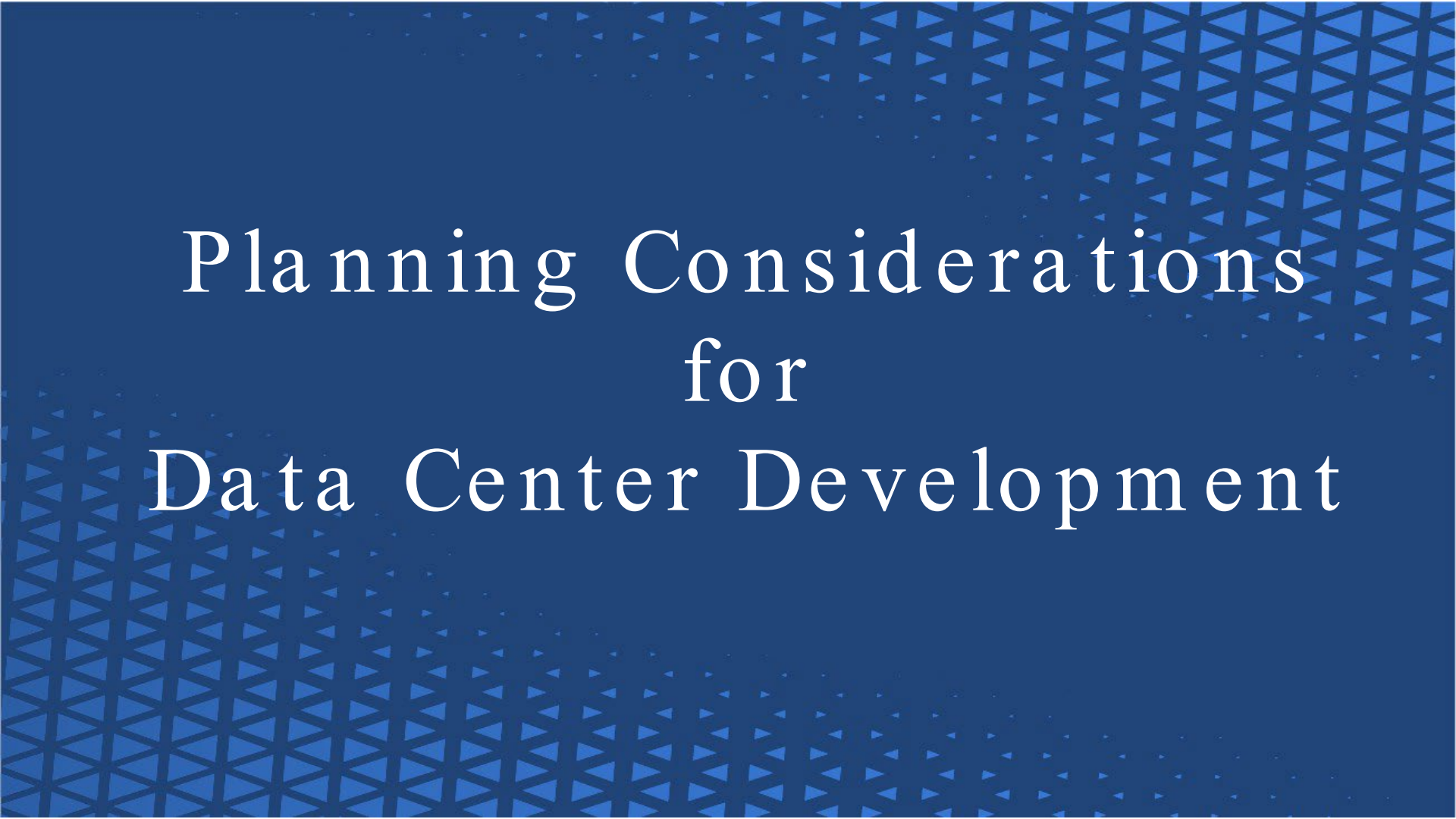




Planning Considerations for Data Center Development

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NDPA Legislative Committee**

Agenda

- 1) Natalie 15-20 minutes
 - Approach to Zoning
 - Data Center Development Impacts
 - Noise/ Sound
- 2) Ladd 15-20 minutes
- 3) Q&A 15 minutes

Zoning Approach

Zoning Approach

- Shape/ guide vs prohibit
- Mitigate impacts
- Consistency across uses
 - Don't single out one land use to regulate



Be Application-Ready

- Ensure up-to-date zoning documents
- Adopt data center use standards
 - Be prepared, not afraid
- Permits benefit the county AND the developer

In the meantime...

- Adopt a moratorium
 - Stated purpose
 - Must be making an effort
- Usually will require a rezoning to Industrial
- SUP/ CUP review process for “all other uses”
- Required site plan review, with commission approval, for building permits

Process for Developing Use Standards

- Consultant
- State model ordinance
 - assumes robust, existing code
- Staff develops 1st draft
 - Form a subcommittee
 - Need a robust mix of expertise
 - Public input process

Permitting Options for Power Supply

A. Power generation component is part of application

- I. If project-dedicated/ behind-the-meter power generation facility, must be included in sound study.
- II. If front-of-meter power supply
 - Automatic condition: no site modification until power agreement or written certification from the power provider.

B. Power generation component via separate application

- I. Separate SUP for power generation (approval not guaranteed)

Data Center Development Impacts

Construction Phase

- Noise (more than operations)
- Dust (construction & roads)
- Lots of truck traffic
 - State highways
 - Pre-cast concrete slabs
- Sudden increase in demand for housing & services

Operations Phase

- Noise (fans in cooling systems)
- Dust (construction & roads)
- Emergency response
 - Specialized training for industrial fires

Reclamation Phase

- Require pre -project site condition report, prior to any site alteration
- Reclamation bond requirement?
 - Can the structure be repurposed?
 - Decommission interior components/ HazMat only
 - State decommissioning “insurance” pool?

Positive Impacts

- Economic development
- Tax revenue
 - Buildings are subject to property tax, equipment is not.
 - Use standard/ SUP condition: require point of sale for equipment to be within the permitting jurisdiction

Noise/ Sound

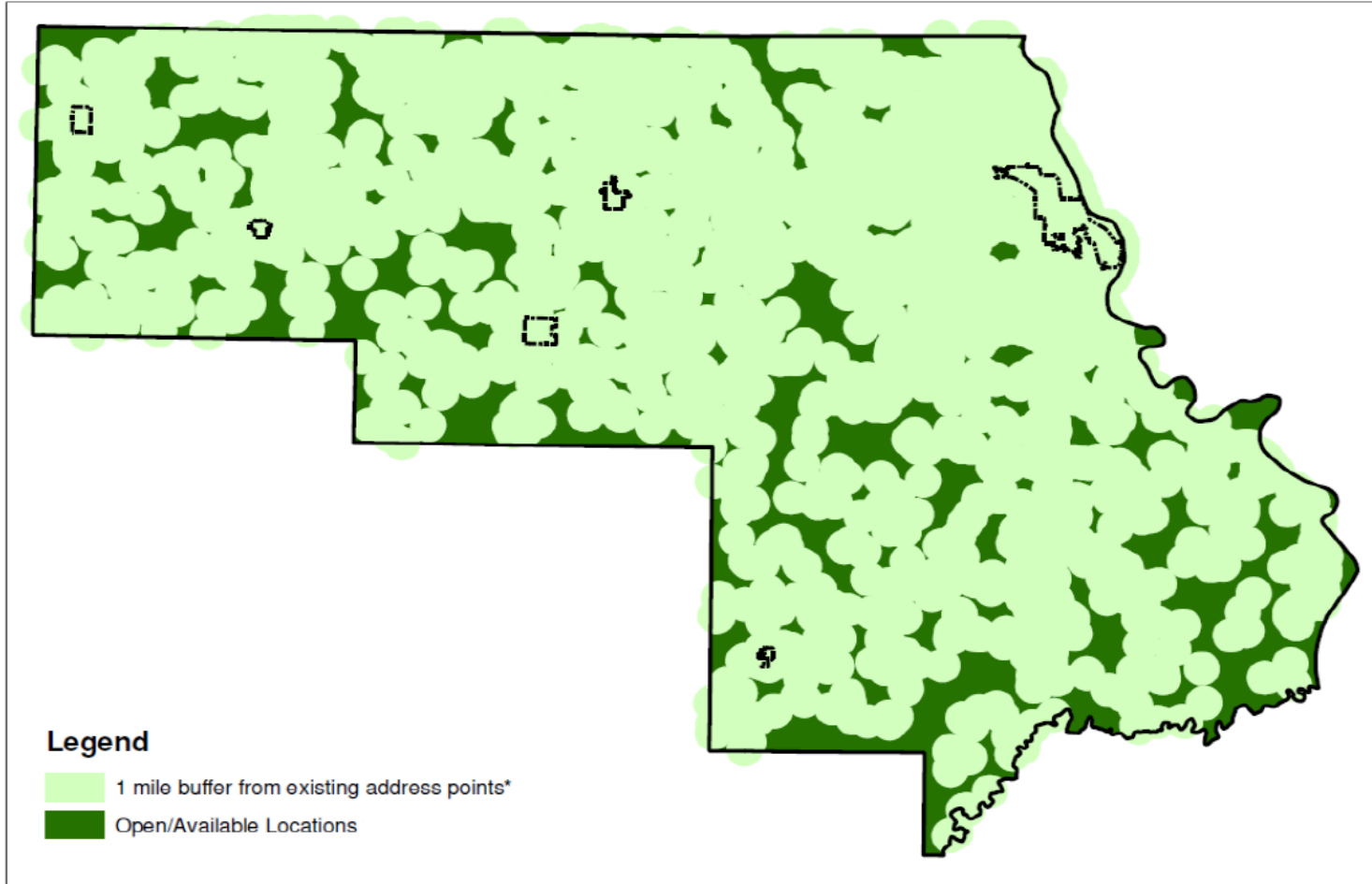


Approach 1: Static Setback

- Building/equipment setbacks from sensitive receptors
- Benefits:
 - Simple, standard approach.
 - Perhaps more legally defensible
- Cautions:
 - Standard must be based on sound reasoning or convention
 - Standard can't be "13 miles" / regulatory taking

Developable Sites Assuming 1 - Mile Setback

Morton
County

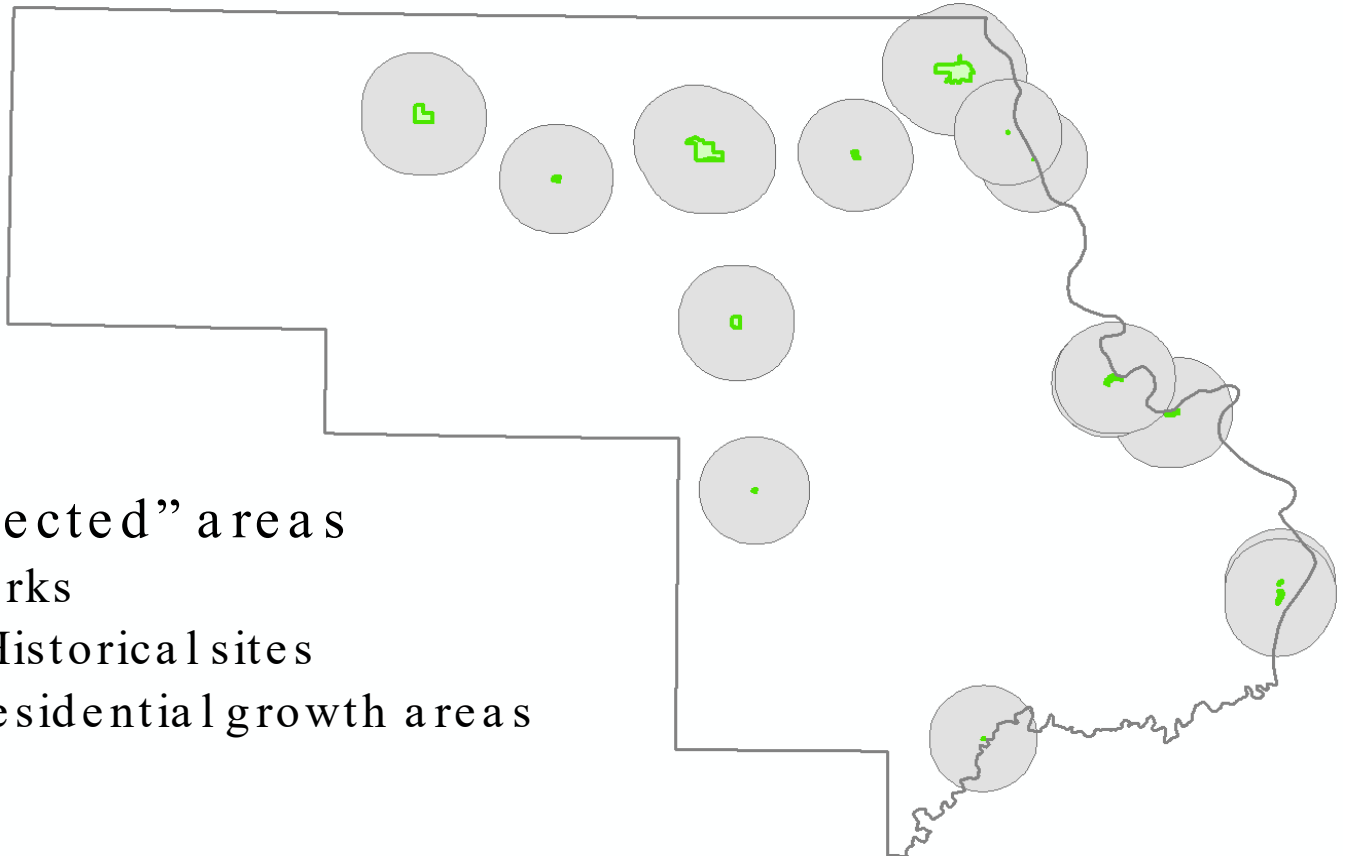


Approach 2: Overlay District

- Define allowable areas

OR

- Define “protected” areas
 - County Parks
 - Cultural/ Historical sites
 - Planned residential growth areas



Approach 3: Increase Over Ambient Level

Ambient baseline noise study + project noise model/analysis

Table 2. Long-term Noise Measurement Setup Pictures

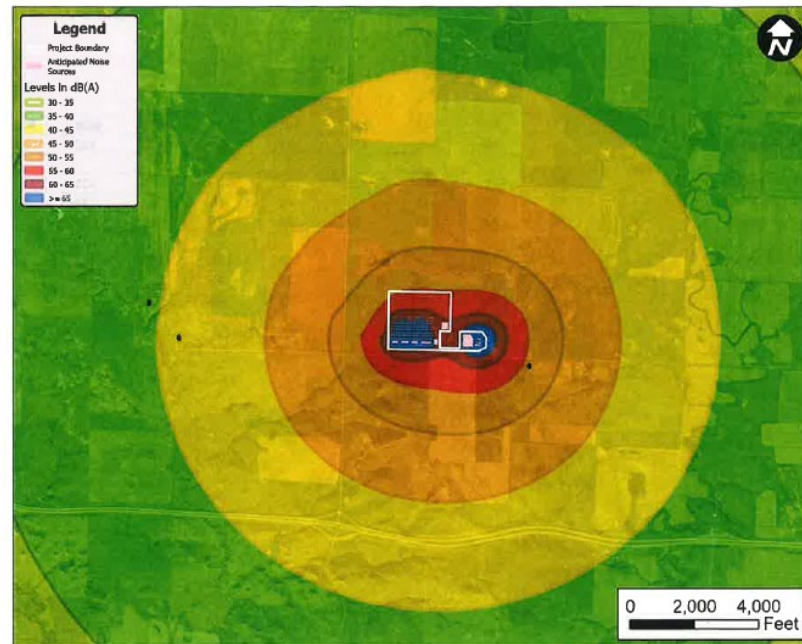


Table 1. Long-term Noise Measurement Data

Setup	Location Description	Measurement Time	Overall L_{eq} Noise Level [dB(A)]	Average Daytime L_{eq} Noise Level [dB(A)]	Average Nighttime L_{eq} Noise Level [dB(A)]
LT1	Near the middle of the southern property boundary	9:30 AM (7/8) to 12:00 PM (7/9)	37.3	36.8	31.2
LT2	Near southwest corner of the property	9:30 AM (7/8) to 12:00 PM (7/9)	39.9	40.9	29.5

*All values were calculated without the airplane noise

Figure 3: Operational Noise Contours



Challenges

- Sound studies rely on assumptions
(quality data-in, quality outputs)
 - Can be difficult to round up quality specs from manufacturers
- Don't regulate what you don't want to/ can't enforce
 - Who is paying for acoustic investigations?
 - Spell out steps in enforcement process

Additional Considerations

- Phased approvals
- May need to contract out building permit inspections

For more populated areas:

- Consult road network plan during site plan review
- Have a camping ordinance in place or shuttles for workforce

Save Questions

