

**A RESOLUTION OF THE STOKES COUNTY BOARD OF COMMISSIONERS
REGARDING ACTIONS TAKEN ON JANUARY 12, 2026 RELATING TO A TEXT
AMENDMENT AND REZONING REQUEST FOR DATA CENTER DEVELOPMENT**

Whereas, on January 12, 2026, the Stokes County Board of Commissioners considered a request by the Stokes County Planning Department to amend the Stokes County Zoning Ordinance to define “Data Centers” in Article IV, Section 41, and to add “Data Centers” as a permitted use under M2CZ (Heavy Manufacturing Conditional Zoning) in section 92.1 (the “Text Amendment”); and

Whereas, also on January 12, 2026, the Board heard Rezoning Request Case #0884 submitted by DFC Stokes, LLC and DFC Stokes 2, LLC, proposing to rezone approximately 1,844.9 acres from Residential Agricultural (RA) to Heavy Manufacturing Conditional Zoning (M2CZ) at US 311/Tuttle Rd and US 311/Coon Joyce Rd to facilitate construction of a Data Center (the “Rezoning”); and

Whereas, the Board, by formal action, approved the Text Amendment and Rezoning on January 12, 2026; and

Whereas, after further review, the Board of Commissioners has determined that notice provided for the Text Amendment and Rezoning public hearing did not comply in all respects with statutory notice requirements; and

Whereas, the failure to comply with statutory notice requirements appears to have been inadvertent and that good faith-efforts were made to comply with all statutory notice requirements; and

Whereas, legal counsel for the Board of Commissioners have advised the Board that a failure to fully comply with statutory notice requirements, even if accidental, renders the adoption of the Text Amendment and Rezoning *void ab initio* (i.e. void from the beginning); and

Whereas, the Board of Commissioners wishes to resolve any ambiguities as to the legal status of the Text Amendment and Rezoning;

Now, therefore, be it resolved by the Stokes County Board of Commissioners as follows:

1. That the Board’s approval of the Text Amendment to add “Data Centers” to Article IV, Section 41, and to permit that use under M2CZ as reflected in the January 12, 2026, meeting minutes and associated ordinance amendments, is declared to be void and of no effect.
2. That the Board’s approval of the rezoning proposal (Case #0884), rezoning 1,844.9 acres from RA to M2CZ for the stated data center development, is declared to be void and of no effect. All zoning designations, applications, fees, and conditions related to this case are voided.

3. That staff are directed to remove any zoning code language, map amendments, or permit authorizations resulting directly from those January 12 actions.
4. That the Planning Department shall initiate a comprehensive review process regarding all future submissions to the Board of Commissioners to ensure full compliance with all statutory and local ordinance notice requirements.
5. That in accordance with North Carolina law, this Resolution shall be effective immediately upon adoption.

Adopted this ___ day of _____, 2026, by the Stokes County Board of Commissioners:

Commissioners Present & Voting:

- Commissioner _____ — Aye / Nay
- Commissioner _____ — Aye / Nay
- Commissioner _____ — Aye / Nay
- Commissioner _____ — Aye / Nay
- Commissioner _____ — Aye / Nay

Chairman:

Attest:

Clerk to the Board