



TA26-01: Telecommunications and Data Storage Facilities (Data Centers)

February 17, 2026

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- **TA26-01 creates a clear, enforceable UDO framework** for Telecommunications and Data Storage Facilities (data centers).
- **Defines the use precisely** (principal vs. accessory; key related terms).
- **Adds the use to the Use Table** with clear entitlements by zoning district.
- **Adopts targeted use-specific standards** focused on likely impacts (residential edge compatibility, equipment placement/screening, noise compliance + verification, utility coordination, 24/7 point of contact).
- **Updates parking/loading ratios** to match data center operations (infrastructure-heavy, low daily staffing).
- **Strengthens Airport Overlay compatibility review** early for height/lighting/FAA notice, cranes, generators/fuel, cooling plumes, and interference risks.
- **Impact-based pathway:** lower-impact proposals get predictable approvals in suitable districts; higher-impact proposals (especially with an on-site Energy Center) are set up for discretionary review and conditions.
- **Outcome:** more predictability, fairness, and enforceability – supports responsible economic development while protecting neighborhood livability and City operations.

- **Aligns with the FY2025 Strategic Plan:** clear, impact-based rules for an emerging, infrastructure-heavy use.
- **Forward-thinking + data-informed governance:** less ambiguity; predictable, transparent review; enforceable standards.
- **Goal I – Safety & Security:** sets verifiable expectations for continuous operations (noise, generators, fuel, high-voltage systems); reduces nuisance conditions and repeat enforcement cycles.
- **Goal II – Diverse & Viable Economy:** improves certainty on what the use is, where it fits, and how it's reviewed; predictable path in suitable districts; discretionary review for higher-impact proposals (e.g., on-site Energy Center).
- **Goal III – City Investment Planning:** requires early utility/infrastructure coordination and clear documentation; support proactive planning and consistent enforcement.
- **Goal IV – Live, Work, & Recreate:** strengthens edge compatibility (noise, outdoor equipment, screening) and adds early airport compatibility review to avoid operational conflicts.
- **Goal V – Financially Sound City:** more efficient and defensible review; reduced interpretive disputes: right-sized parking/loading to avoid overbuilding and long-term maintenance issues.
- **Goal VI – Collaborative Government:** boosts trust through consistent rules, clear triggers/submittals, required points of contact, and coordination with utilities/airport reviews.

- **Goal:** make data centers a distinct, “production-ready” land use with clear entitlements and enforceable standards.
- **Why needed:** current UDO lacks a defined data center use → classification drift, inconsistent approvals, weak enforcement.
- **Working group (cross-department + stakeholders):** Planning/Zoning/Airport/PWC Electric/Fire/Development Services/Public Services/IT/FCEDC + Planning Commission reps.
- **Focus of the work:** confirm entitlement approach; standardize a complete utility coordination framework; handle campus scaling, phasing, aggregation, and impact triggers.
- **Iterative path:** Oct 2025 five-part draft → Jan 2026 working group refinement → streamlined, defensible final package.
- **Scope discipline:** don’t regulate every facility like hyperscale; distinguish incidental internal IT rooms from true data center operations.
- **Precision definitions:** separate accessory “Internal Plant Only” vs “with Dedicated Exterior Plant” (cooling/generators/switchgear/substations).
- **Entitlements tied to impact:** “Telecommunications and Data Storage Facility” + variant “**with Energy Center**” (more fuel/logistics/generator activity) → discretionary review where permitted.

- **Standards target real externalities:** residential-edge equipment placement/screening, acoustical documentation + mitigation, and post-construction verification.
- **“No surprises” calibration:** right-size parking/loading (people-light use); strengthen early Airport Overlay compatibility review (height/lighting/cranes/plume/FAA notice).
- **Peer lesson:** don’t regulate data centers like warehouses – impacts come from exterior plant, operating patterns, and utility commitments.
- **Peer examples:** Northern Virginia emphasizes noise + proximity controls; staff is proposing a proportional model – baseline compliance for all, deeper studies/verification when risk is higher.

- **Creates a full regulatory “chain”** for a previously undefined use: *define* → *entitle* → *standardize impacts* → *verify compliance*.
- **Targets real externalities** (equipment yards, generators, noise, lighting, utilities, complaint response) **without capturing normal IT rooms**.
- **Predictable investment path** in suitable districts + **enforceable guardrails** where conflicts are most likely.

Ordinance-by-ordinance logic

- **Ord. 1 (Definitions):** draws bright lines; prevents overreach (hospitals/offices) and underreach (“accessory” in name only); isolates impact drivers (exterior plant, generator activity).
- **Ord. 2 (Use Table):** clear entitlements by district; **separates higher-impact “with Energy Center”** for discretionary review.
- **Ord. 3 (Use-Specific Standards):** turns compatibility into **measurable, enforceable rules**.
 - **Residential-edge protections:** separation + buffering; solid opaque enclosures; no “screened chain link” as a substitute.
 - **Noise standard:** apply City “Commercial/Business” limits **at the property boundary**; duration-based enforcement.
 - **Generator testing + outdoor activities:** weekday business hours; emergencies; no outdoor amplified sound (except life-safety).
 - **Enforcement backbone:** risk-based **Acoustical Compliance Memorandum** + plan-integrated mitigation + **post-construction boundary testing** (60 days).
 - **Operations + coordination:** exterior lighting compliance; utility coordination documentation; **24-hour responsible contact**.
 - **Energy Center:** universal **Acoustical Study** requirement + verification loop.

- **Ord. 4 (Parking/Loading):** right-sizes parking to demand (shift + office/support + capped visitor spaces); loading = **1 per principal building**; max parking tied to minimum.
- **Ord. 5 (Airport Overlay):** closes procedural gap by applying compatibility checks to **new development (not just rezonings)**; FAA notice documentation; height disclosure; controls for lighting/visibility/EMI/wildlife risks.

Future Land Use Plan Alignment

- **Direct intensity to serviced areas:** primarily employment/industrial districts + early utility coordination (LU-1/LU-2).
- **Protect neighborhoods + transitions:** equipment placement/screening + noise + generator-hour limits + 24/7 contact (LU-4/LU-6/LU-7).
- **Reduce avoidable secondary impacts:** parking maximums limit over-paving; earlier infrastructure planning reduces late disturbance (LU-3/LU-8-10).
- **Protect critical operations:** earlier airport compatibility review + FAA/height referral process (LU-11-13).

- **Adds the core definitions** in UDO Article 30-9.D so “data center” is a **named, enforceable land use** (not an interpretation fight).
- **Draws bright lines on what the use is/is not:** defines **Telecommunications and Data Storage Facility (Data Center)** and excludes typical offices, call centers, broadcast studios, and incidental IT rooms.
- **Separates principal vs. accessory forms:**
 - **Principal Use** (main purpose of building/tenant/site).
 - **Accessory – Internal Plan Only vs Accessory – with Dedicated Exterior Plan** (captures “accessory in name, data-center impacts in reality”).
- **Defines the impact drivers neighbors actually experience: Dedicated Exterior Plant** (cooling/generator/switchgear/substation yards, etc.) + “Typical Building Mechanical/Electrical Equipment” guardrail so normal HVAC doesn’t trigger data center standards.
- **Creates the higher-impact operating model trigger: Energy Center** (beyond standby) + **Principal Use, with Energy Center;** distinguishes from **Emergency Backup Generator** and defines **Generator Testing/Maintenance** for enforceable limits later.
- **Locks in clear compatibility triggers:** defines **Noise-Sensitive Land Use/Receptor** and **Adjacent** (includes separation by street/ROW) so edge protections can’t be avoided.
- **Standardizes utility review content:** defines a **Utility Impact Statement (Data Center)** (electric demand, water/wastewater, cooling method, generators, fuel storage, energy storage, coordination confirmation).
- **Bottom line:** Ordinance 1 is the foundation – prevents overreach and loopholes, and sets up clean triggers for the Use Table + standards.

- **Adds a named Use Table row for “Telecommunications and Data Storage Facility”** to stop “classification drift” and make entitlements predictable.
- **Creates two principal-use rows** based on impact:
 - **Principal Use** (baseline data center)
 - **Principal Use, with Energy Center** (higher operational intensity).
- **Baseline Principal Use entitlements: Permitted by-right** in BP-4, LI, HI; **Special Use Permit** in OI, CC, DT-1, DT-2, UC.
- **Neighborhood/context protections: Prohibited** in NC, LC, MU, PD-R (keeps the use out of neighborhood-scale and residential PD contexts).
- **Energy Center variant = SUP-only** in **every conventional district where allowed** (including BP-4, LI, HI) to ensure discretionary review for the higher-impact operating model.
- **Planned Development consistency:** both variants are allowed in PD-EC and PD-TN **only through the Master Plan (MP) process** (no separate by-right pathway).
- **Closes loopholes + ties to standards:** notes clarify that **only the listed districts apply (all others prohibited)** and the Use Table row points to **new use-specific standards (30-4.C.5)**.

- **Adds enforceable operating + site-design standards** for principal centers (including phased campuses), while **excluding ordinary accessory server rooms inside other permitted uses.**
- **Closes residential-edge loopholes:** “abuts residential” includes either **residential zoning** or a **lawfully established residential use.**
- **Hard compatibility requirements at residential edges:**
 - **Setbacks for generators/mechanical yards: 150 ft. (Principal Use)/200 ft. (With Energy Center).**
 - **Type D perimeter buffer** when abutting residential.
- **Equipment placement + visual controls:** locate major outdoor equipment **to the side/rear; fuel tanks not between building and street; screening required** and **chain-link slats don’t count;** protect sight triangles.
- **Residential-edge service orientation:** loading/service openings **must not face** the shared residential edge (or must be screened/minimize noise if constrained).
- **Near-edge enclosure trigger:** if generators/cooling/mechanical yards are **within 250 ft.** of a residential abutting lot line → **solid/opaque fence/wall** (up to 8 ft. unless approved via security plan); chain-link slats prohibited.

- **Noise + operations controls (core enforcement tools):**
 - Must meet **City “Commercial/Business” noise limits** in Chapter 17 **at/over the property boundary**.
 - **Routine generator testing/maintenance: Mon-Fri, 9am-5pm**, excluding City Holidays (emergencies exempt).
 - **No outdoor amplified sound** (except life-safety) + **weekday-hour limits** for routine powered outdoor maintenance.
- **Acoustics documentation + “make it real” verification:**
 - **Trigger-based Acoustical Compliance Memorandum** for higher-risk contexts (SUP; abuts res; within 500 ft. of res district; equipment within 250 ft. of any lot line).
 - Must include mapped sources, manufacturer data, boundary predictions, compliance demonstration, and **plan-integrated mitigation**.
 - **Mitigation must be on approved plans, installed before CO, and maintained.**
 - **Post-construction boundary sound test** within **60 days** of continuous operations; mitigation + retest if noncompliant.
- **Energy Center = higher standard: Acoustical Study is required for all “with Energy Center” facilities** (not trigger-based), plus the same mitigation + post-testing loop.
- **Operational coordination basics:** exterior lighting compliance (full cut-off + Fort Bragg protections where applicable), documented utility coordination, air-quality disclaimer, and **24-hour on-site complaint contact** posted/provided.

- **Adds a dedicated parking + loading standard for Telecommunications and Data Storage Facility (Principal Use), with or without Energy Center in Article 30-5.A.**
- **Why this change:** data centers are **infrastructure-heavy but people-light**; typical floor-area-based ratios would **overbuild parking** (pavement, stormwater, heat, visual impacts) or force case-by-case negotiation.
- **Minimum parking (demand-based):**
 - **1 space/1,000 sf of accessory office/support area**
 - **+1 space per employee on the largest shift**
 - **+visitor parking: 3 per site + 1 per principal building, capped at 10 visitor spaces per site.**
- **Maximum parking: 2x the minimum, unless an Alternative Parking Plan is approved (flexibility without default overpaving).**
- **Loading standard: 1 loading space per principal building (supports service/deliveries without warehouse-level overbuilding).**

- **Makes APO safety standards apply to *all new development* in the overlay** – not just rezoning – so airport-compatibility review can't be bypassed by a site/plan permitting pathway.
- **Strengthens “Structures” rules to match real projects:** counts rooftop equipment/screens, antennas, exhaust stacks, light poles, and similar appurtenances; requires **FAA Form 7460-1 acknowledgement earlier** (prior to site plan approval, where site plan review applies) and clarifies **temporary cranes** must meet FAA notice requirements.
- **Improves site plan content + early coordination:** site plans must show **maximum heights above grade**; Administrator must refer plans to the **Airport Director** when features include **generators, fuel storage \geq 1,320 gallons, plume-generating cooling systems, lighting $>$ 25 ft.,** or any Part 77 notice trigger.
- **Tightens operational hazard standards:** prohibits lighting/glare that misleads pilots; bars operations that impair visibility (smoke/steam/dust/particulates), create **electromagnetic interference**, or **attract birds/waterfowl** in ways that increase strike risk.
- **Bottom line:** earlier, enforceable, location-based risk-management – fewer late redesigns, fewer avoidable hazards, and a cleaner review path for modern industrial projects (including data centers).

- **No direct City capital cost and no automatic General Fund expenditure** from adoption.
- **Regulatory changes only:** defines/classifies the use, sets entitlements, and adds standards handled through existing review/enforcement.
- **Primary short-term impact = staff time**, mainly for:
 - **SUP processing** where the use is “S” (incl. “**with Energy Center**” SUP-only where permitted).
 - **Acoustical review + compliance** (memo/study review, post-construction boundary testing, follow-up mitigation if needed).
 - **Utility coordination documentation** during site plan review.
- **Airport Overlay cases:** added coordination steps (FAA notice documentation, APO site plan details) → workload increase, but **within existing workflows**.
- **Parking/loading updates:** adjust plan review standards to match operations; **no separate appropriation needed**.

The Planning Commission, by a majority vote of quorum present, shall adopt a written recommendation for one of the following actions, based on the standards in Section 30-2.C.2.e, Text Amendment Standards:

1. Adoption of the amendments as written.
2. Adoption of revised amendments.
3. Rejection of the amendments.
4. Table to a later, specified date.



The Professional Planning Staff recommends that the Planning Commission suggest adopting Option 1, which involves the approval of the amendments as written.

- **Creates a clear, defensible framework for an emerging use** by defining what a data center is (and isn't), setting predictable entitlements by district, and reducing “classification drift” and interpretive disputes.
- **Directly regulates the impacts that drive complains and enforcement** – especially noise and generator operations – through measurable standards, risk-based acoustical submittals, and post-construction verification with required mitigation if needed.
- **Improves citywide compatibility and public safety implementation** by right-sizing parking/loading for a people-light use and closing the Airport Overlay gap with earlier FAA documentation and development-stage airport compatibility review triggers.



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