

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING ARTICLE 30-9, DEFINITIONS, OF CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA

Be it ordained by the City Council of Fayetteville, North Carolina, that:

Section 1.

Subsection 30-9. D, Definitions, is amended by adding the following new definitions in alphabetical order:

Accessory Telecommunications and Data Storage Facility, Internal Plant Only. A Telecommunications and Data Storage Facility (Data Center) that is accessory to a permitted principal use and does not include a Dedicated Exterior Plant (as defined herein) serving the Telecommunications and Data Storage Facility.

Accessory Telecommunications and Data Storage Facility, with Dedicated Exterior Plant. A Telecommunications and Data Storage Facility (Data Center) that is accessory to a permitted principal use and includes Dedicated Exterior Plant (as defined herein) serving the Telecommunications and Data Storage Facility.

Adjacent to a Noise-Sensitive Land Use. For the purposes of Telecommunications and Data Storage Facility standards, “adjacent” includes abutting a Noise-Sensitive Land Use and being separated from it only by a public street or right-of-way.

Data Hall. The secured rooms or floors within a Telecommunications and Data Storage Facility (Data Center) that house server racks and related IT equipment. Office and support areas are excluded from the Data Hall.

Dedicated Exterior Plant. External mechanical and/or electrical equipment mainly supporting a Telecommunications and Data Storage Facility (Data Center), including but not limited to cooling towers,

chiller yards, condenser yards, large fan arrays, generator yards, primary switchgear yards, substations, and similar outdoor utility or mechanical installations that support the facility's operation.

Emergency Backup Generator. An internal combustion engine generator set used to supply electrical power during utility outages and for necessary testing/maintenance. It is not intended for routine or continuous operation and complies with applicable federal and state air regulations.

Energy Center. A set of on-site power generation equipment and associated infrastructure designed to operate beyond emergency standby conditions, including prime or continuous operation, peak shaving, microgrid operation, load management during regular utility service, or export of electricity. Energy Center does not include Emergency Backup Generators that run only during utility interruptions and limited testing or maintenance.

Generator Testing / Maintenance Operation. Scheduled operation of an Emergency Backup Generator for maintenance, exercising, commissioning, or reliability testing.

Noise-Sensitive Land Use / Noise-Sensitive Receptor. A property that includes residential units, public parks or open spaces accessible to the public, schools, day care centers, hospitals, nursing or assisted living facilities, or similar uses where people regularly sleep, study, receive care, or engage in outdoor recreation.

Telecommunications and Data Storage Facility (Data Center). A facility primarily used to house computer servers, storage equipment, networking devices, and related mechanical and electrical infrastructure for processing, storing, and transmitting digital information. The use may include equipment yards, cooling systems, electrical gear, uninterruptible power supply systems, energy storage, emergency backup generators, and a limited number of accessory offices, security, and support areas. "Telecommunications and Data Storage Facility (Data Center)" can comprise multiple buildings

operating as a single campus. This term does not include broadcast studios, call centers, general office buildings, or accessory server/IT rooms that are incidental to another permitted use.

Telecommunications and Data Storage Facility, Principal Use. This refers to a Telecommunications and Data Storage Facility (Data Center) that serves as the main purpose of a building, tenant space, or development site.

Telecommunications and Data Storage Facility, Principal Use, with Energy Center. A Telecommunications and Data Storage Facility, Principal Use, that includes an Energy Center (as defined herein).

Typical Building Mechanical/Electrical Equipment. Mechanical and electrical equipment that serves a general building purpose and is customary for similar developments (e.g., standard rooftop HVAC units serving office, retail, or industrial tenant areas), which should not be considered Dedicated Exterior Plant solely because it is located outdoors.

Utility Impact Statement (Data Center). A submittal prepared for a Telecommunications and Data Storage Facility (Data Center) site plan documenting projected peak electrical demand (MVA/MW), anticipated water consumption and wastewater flows by process (potable, cooling, fire reserve), cooling method, number and rating of backup generators, on-site fuel storage type and volume, and any energy storage proposed, with confirmation of coordination with the Public Works Commission or other utility provider.

Section 2.

It is the intention of the City Council, and it is hereby ordained, that the provisions of this ordinance shall become part of the Code of Ordinances, City of Fayetteville, North Carolina, and the sections of this ordinance may be renumbered to achieve this purpose.

ADOPTED this the _____ day of _____, 2026.

CITY OF FAYETTEVILLE

MITCH COLVIN, Mayor

ATTEST:

JENNIFER AYRE, City Clerk