



City of Fayetteville

433 Hay Street
Fayetteville, NC
28301-5537
(910) 433-1FAY (1329)

Meeting Agenda - Final City Council Work Session

Monday, April 6, 2026

3:00 PM

Council Chamber

1.0 CALL TO ORDER

2.0 INVOCATION

3.0 PLEDGE OF ALLEGIANCE

4.0 CITY MANAGER REPORT

5.0 APPROVAL OF AGENDA

6.0 OTHER ITEMS OF BUSINESS

6.01 [26-0216](#) Dogwood Festival Production Support Request

Recommendation: Provide further direction to staff.

6.02 [26-0205](#) 2026-2027 Proposed Annual Action Plan for Community Development Block Grant, HOME Investment Partnerships Program, and Emergency Solutions Grants

Recommendation: No action is required. This item is for discussion and to provide feedback in anticipation of the scheduled public hearing and approval at the April 27, 2026 City Council meeting.

6.03 [26-0214](#) School Resource Officer (SRO) Program - MOA Contract Renewal

Recommendation: Staff recommends Option 1 - acceptance of the negotiated renewal terms. The renewed MOA maintains full cost neutrality to the City, provides greater contractual stability through a three-year term, preserves the red light camera funding relationship, and positions the City for future conversations with CCS regarding the OCS program. Staff must notify CCS of Council's decision no later than April 15, 2026.

6.04 [26-0183](#) City Council Policy 120.09 Discussion on Announcements and Recognitions

Recommendation: Approve recommended revisions City Council Policies 120.09 and add to the April 13, 2026 Consent Agenda for final approval.

6.05 [26-0227](#) Telecommunications and Data Storage Facilities (Data Centers)

6.06 [26-0203](#) City Council Agenda Item Request - Blanton Road Speed Reduction - Council Member Haire

- 6.07 [26-0208](#) City Council Agenda Item Request - FAST Amenities - Council Member Jones
- 6.08 [26-0219](#) City Council Agenda Item Request - Compliance Dates & Environmental Court Does Not Work - Council Member Haire
- 6.09 [26-0209](#) City Council Member Agenda Item Request - Sign Ordinance Discrepancies and Temporary Stay of NoV's - Council Member Hondros
- 6.010 [26-0222](#) City Council Agenda Item Request - Peer City Comparison - Council Member Hondros
- 6.011 [26-0223](#) City Council Agenda Item Request - Staff research on City Clerk service under CMO vs. Council - Council Member Hondros

7.0 ANNOUNCEMENTS AND RECOGNITIONS - To begin at 6:15 p.m.

8.0 PUBLIC FORUM

9.0 CLOSED SESSION

10.0 ADJOURNMENT

CLOSING REMARKS

The City of Fayetteville will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Any person who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in any City program, service, or activity, should contact the office of Human Relations at yamilenazar@fayettevillenc.gov, 910-433-1696, or the Office of the City Clerk at cityclerk@ci.fay.nc.us, 910-433-1989, as soon as possible but no later than 72 hours before the scheduled event.

COUNCIL WORK SESSION WILL BE AIRED

April 6, 2026 - 3:00 p.m.

Cable Channel 7 and streamed "LIVE" at FayTV.net



Five Council Strategic Priorities



Ongoing commitment to a comprehensive approach to community safety



Continue the City's commitment to revitalization efforts and housing needs



Increase Parks and Recreation opportunities for youth engagement and interaction



Enhance economic growth throughout the City



Evaluate and expand transportation and other connectivity for residents



City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0216

Agenda Date: 4/6/2026

Version: 1

Status: Agenda Ready

In Control: City Council Work Session

File Type: Other Items of
Business

Agenda Number: 6.01

TO: Mayor and Members of City Council

THRU: Dr. Douglas J. Hewett, ICMA-CM, City Manager

FROM: Ms. Kaylynn Suarez, Dogwood Festival

DATE: April 6, 2026

RE:
Dogwood Festival: Production Support Request

COUNCIL DISTRICT(S):
All

Relationship To Strategic Plan:

Goal IV: The City of Fayetteville will be a desirable place to live, work, and recreate
Objective 4.2: To enhance diverse recreation, leisure, and cultural opportunities

Executive Summary:

Each year, the Fayetteville Dogwood Festival welcomes an estimated 80,000 to more than 200,000 attendees to downtown Fayetteville during the Spring Festival alone. This level of attendance reflects not only the festival’s cultural significance but also its measurable impact on downtown commerce, tourism, and community engagement.

Background:

As economic pressures continue to affect organizations across our community, the Dogwood Festival is not immune to those challenges. At this time, additional financial assistance is essential to ensure the continued success and longevity of this longstanding tradition.

Issues/Analysis:

The Fayetteville Dogwood Festival has been a signature event bringing positive brand recognition to our City for more than 40 years with the last economic impact estimated in 2018 of more than \$8.1 million for our City.

The City has historically provided financial support for the Festival since 2017 in the following amounts:

- November 2023 \$7,000 for the completion of a feasibility study and planning process
- June 2022 \$15,000
- May 2021 \$15,000
- March 2019 \$12,000
- March 2018 \$12,000
- April 2017 \$12,000

In addition, each year the City supports the Festival through a variety of in-kind event support services including Solid Waste, planning, Parks and Recreation support, security, marketing, and volunteers.

Budget Impact:

The Dogwood Festival has provided multiple proposal options to allow flexibility. Those include:

- Legacy Founding sponsorship
 - \$100,000.00
 - Annually with 3-5-year commitment
- Financial Aid for Production of 2026 Core Infrastructure
 - In-Kind support of:
 - Three 20x20 tents
 - Ten 10x10 tents
 - One Scissor Lift
 - Six outdoor light generators
 - Two hundred and fifty folding chairs
 - One mobile stage
 - Large outdoor bleachers
 - One golf cart
 - For the 2026 & 2027 Festivals
- Financial Aid and Support for New Micro Series Event
 - \$30,000.00, plus in-kind support for Police coverage and coordination and equipment to include stage, generator, and tent.
- 2026 Festival Production from Deep South Entertainment
 - \$54,800.00

Options:

Approve and provide further direction to staff.
Provide further direction to staff.
Do not approve.

Recommended Action:

Provide further direction to staff.

Attachments:

Email from Kaylynn Suarez, Fayetteville Dogwood Festival Executive Director
Proposal for Legacy Founding Sponsorship
Financial Aide for Production of 2026 Core Infrastructure
Support & Financial Aide for New Micro Series Event
Proposal for Fayetteville Dogwood Festival 2026 - Production

From: [Doug Hewett](#)
To: [Jennifer Ayre](#); [Jodi Phelps](#); [Deanna Wiuff](#); [Lachelle H. Pulliam](#)
Subject: Fw: [EXTERNAL]Proposal for the Dogwood Festival: Production Support Request
Date: Wednesday, February 11, 2026 3:35:37 PM
Attachments: [Proposal for Legacy Founding Sponsorship.pdf](#)
[Financial Aide for Production of 2026 Core Infrastructure.pdf](#)
[Support & Financial Aide for New Micro Series Event.pdf](#)
[Proposal for Fayetteville Dogwood Festival 2026- Production.pdf](#)

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Kaylynn Suarez <director@thedogwoodfestival.com>
Sent: Tuesday, February 3, 2026 3:10:50 PM
To: Doug Hewett <DougHewett@FayettevilleNC.gov>
Subject: [EXTERNAL]Proposal for the Dogwood Festival: Production Support Request

Good Afternoon, Dr. Hewett,

I hope this message finds you well. I am writing on behalf of the Fayetteville Dogwood Festival to respectfully request consideration for financial support from the City of Fayetteville.

First and foremost, we are deeply grateful for the in-kind services the City continues to provide year after year. That support plays an important role in the success of the festival. However, as economic pressures continue to affect organizations across our community, the Dogwood Festival is not immune to those challenges. At this time, additional financial assistance is essential to ensure the continued success and longevity of this longstanding tradition.

Each year, the Fayetteville Dogwood Festival welcomes an estimated 80,000 to more than 200,000 attendees to downtown Fayetteville during the Spring Festival alone. This level of attendance reflects not only the festival's cultural significance but also its measurable impact on downtown commerce, tourism, and community engagement.

Since stepping into the role of Executive Director, my primary focus has been on sustainability, ensuring that the Dogwood Festival continues to thrive for generations to come. With that mission in mind, I come to the City of Fayetteville with a humble heart and purpose to ask for financial partnership and support.

I am also pleased to share that the Fayetteville Dogwood Festival has formally obtained all required documentation and is now recognized as an official 501(c)(3) nonprofit organization, replacing our previous 501(c)(4) status. This transition reflects our continued commitment to transparency, accountability, and long-term stewardship of the festival, and further positions Dogwood to operate as a community-centered nonprofit with lasting impact.

I have outlined multiple proposal options to allow flexibility, fully understanding that the City may have varying objectives and priorities. I am more than willing to collaborate closely to ensure that any support aligns with both the City's goals and the long-term vision of the festival our organization has.

On a personal note, Fayetteville holds a special place in my heart. I have lived across the United States and overseas, yet Fayetteville has always felt like home. That sense of belonging is a driving force behind my commitment to this role and to the mission of bringing our community together. My hope is that through Dogwood, others can experience and see this city with the same pride and appreciation that I do.

I truly believe that together, we can protect a cherished tradition while continuing to support downtown growth, economic vitality, and community pride.

Thank you for your time and consideration. I look forward to the opportunity to discuss this further and to continue working together in the service of our community.

Warm regards,
Kaylynn Suarez
Executive Director
Fayetteville Dogwood Festival

PS: I have also included a proposal for a possible new event to focus on "home" and local as a partnership.

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Proposal for Legacy Founding Sponsorship

Submitted to: City of Fayetteville

Requested Support: \$100,000 Annually (3-5years)

Purpose: Partnership & Sustainability



The Fayetteville Dogwood Festival respectfully invites the City of Fayetteville to become a **Legacy Founding Sponsor** of the festival through a multi-year partnership designed to ensure the long-term sustainability, quality, and accessibility of one of Fayetteville’s most iconic community events.

This investment would provide predictable funding to stabilize festival operations while creating direct, measurable benefits for the City, local businesses, and the community at large.

Our shared goal is clear: **to protect and grow the Fayetteville Dogwood Festival through its 50th year and beyond.**

Purpose of the Legacy Founding Sponsorship

The Legacy Founding Sponsorship is designed to:

- Ensure consistent, professional production and entertainment quality
- Reduce financial volatility year over year
- Strengthen long-term planning and accountability
- Preserve free and accessible community programming
- Reinvest savings back into Fayetteville-based businesses

This partnership positions the City of Fayetteville as the highest ranking partner of a legacy event, not simply a funder.

Annual Investment & Term

- **Annual Investment:** \$100,000
- **Contract Term:** 3–5 years (negotiable)
- **Annual Review:** Budget, outcomes, and measurable impact reporting provided each year

Proposal for Legacy Founding Sponsorship

Submitted to: City of Fayetteville

Requested Support: \$100,000 Annually (3-5years)

Purpose: Partnership & Sustainability



Use of Funds

City funds would be allocated toward core festival infrastructure, including:

- **Production & Technical Operations**
 - Stage, sound, lighting, and visual production
- **Entertainment & Talent**
 - Regional and national musical acts
- **Logistics & Operations**
 - Site infrastructure, safety coordination, equipment, staffing
- **Marketing & Promotion**
 - Digital, print, outdoor, and regional outreach
- **Public Safety & Accessibility Enhancements**
 - ADA accommodations, lighting, crowd flow improvements
- **Operational Stability Reserve**
 - Ensuring continuity during years of unexpected fundraising shortfalls

This investment allows the festival to plan responsibly without compromising quality or safety while ensuring the growth of our community tradition.

Proposal for Legacy Founding Sponsorship

Submitted to: City of Fayetteville

Requested Support: \$100,000 Annually (3-5years)

Purpose: Partnership & Sustainability



Governance & Advisory Participation

As part of the Legacy Founding Sponsorship, the City of Fayetteville would receive:

- **One (1) non-voting seat on the Fayetteville Dogwood Festival Advisory Council**
 - Provides insight, transparency, and collaboration
 - Ensures alignment with city goals
 - Maintains independence of the nonprofit board while fostering partnership

This role is advisory in nature and carries no fiduciary or voting responsibility.

Branding & Recognition Benefits

The City of Fayetteville would receive top-tier, year-round visibility, including:

- City logo on ALL festival marketing materials, including:
 - Digital ads
 - Social media
 - Website
 - Posters, banners, and signage
 - Press releases and media kits
- Prominent logo placement at the Spring Festival, including:
 - Main stage signage
 - Entrance and wayfinding signage
 - VIP areas
- Verbal recognition during key festival programming
- Recognition as “Legacy Founding Sponsor” in official festival communications
- Recognition will be officially given at the Spring 2026 festival and presented to the City

Proposal for Legacy Founding Sponsorship

Submitted to: City of Fayetteville

Requested Support: \$100,000 Annually (3-5years)

Purpose: Partnership & Sustainability



VIP & Hospitality Benefits

- Twenty (20) VIP tickets annually for the Spring Festival
 - Access to the VIP Tent
 - Hospitality, viewing areas, and networking opportunities
- Ideal for city leadership, partners, and special guests

Direct Community Reinvestment: A Gift From the City

As a formal thank you to the City of Fayetteville, the festival commits to passing savings directly back to the community:

- Reduced vendor or participation fees for future events
- Eligibility limited to **businesses with a Fayetteville address**
- Marketed explicitly as:

“A gift to our local businesses, made possible by the City of Fayetteville.”

This ensures City support creates tangible, measurable economic benefit for Fayetteville-based businesses.

Accountability & Measurables

To ensure transparency and responsible stewardship, the festival will provide:

- Annual Spring Festival Budget Summary
- Clear line-item reporting showing use of City funds
- Attendance estimates and economic impact indicators
- Marketing reach metrics
- Local business participation data
- Annual review meeting with City representatives

These measurables ensure public funds are used efficiently and aligned with agreed-upon goals.

Proposal for Legacy Founding Sponsorship

Submitted to: City of Fayetteville

Requested Support: \$100,000 Annually (3-5years)

Purpose: Partnership & Sustainability



Why This Matters

The Fayetteville Dogwood Festival is:

- A cultural anchor for downtown Fayetteville
- A driver of local economic activity
- A free, inclusive event accessible to all residents
- A reflection of Fayetteville's identity and pride

Reaching the festival's 50th anniversary requires foresight, partnership, and shared responsibility.

This Legacy Founding Sponsorship creates that foundation.

By becoming a **Legacy Founding Sponsor**, the City of Fayetteville secures its place as a long-term partner in one of the city's most beloved traditions, while ensuring transparency, visibility, and direct community benefit.

We are excited about the opportunity to build something lasting together and look forward to discussing this partnership in greater detail.

Sincerely,

Kaylynn Suarez, Executive Director
The Fayetteville Dogwood Festival
Director@thedogwoodfestival.com
Cell: 254-289-4091

Proposal for City of Fayetteville Support

44th & 45th Fayetteville Dogwood Festival

Submitted to: City of Fayetteville

Requested Support: 2026 & 2027 Festival

Purpose: Core Infrastructure, Safety & Accessibility Support



The Fayetteville Dogwood Spring Festival is a long-standing, free community event that brings together residents, families, local businesses, artists, and visitors to downtown Fayetteville. As we prepare for the upcoming Spring Festival, our focus is on safe operations, accessibility, and efficient event flow while remaining fiscally responsible.

To meet these goals, we respectfully request City of Fayetteville in-kind equipment support to cover the bare-minimum infrastructure needed to host a safe and successful festival.

This request focuses strictly on essential equipment, not enhancements, and directly supports public safety, crowd management, ADA accessibility, and operational efficiency.

Requested City Equipment Support

We are requesting the following equipment and usage support from the City of Fayetteville:

Tents & Covered Infrastructure

- **Three (3) 20x20 tents**
Used for operations, first aid, volunteer coordination, and city/public safety needs
- **Ten (10) 10x10 tents**
Used for information booths, nonprofit partners, volunteer check-in, and shade relief

Event Operations & Safety Equipment

- **One (1) scissor lift (usage support)**
Required for safe installation of banners, lighting, and elevated signage
- **Six (6) large outdoor light generators or supplemental lighting units**
Critical for evening safety, walkways, vendor areas, and emergency visibility
- **Two hundred fifty (250) folding chairs**
Used for public seating, seniors, ADA accommodations, and family rest areas

Proposal for City of Fayetteville Support

44th & 45th Fayetteville Dogwood Festival

Submitted to: City of Fayetteville

Requested Support: 2026 & 2027 Festival

Purpose: Core Infrastructure, Safety & Accessibility Support



Staging, Viewing & Crowd Management

- **One (1) large mobile stage**
Primary performance and programming stage
- **Large outdoor bleachers**
Improves sightlines, reduces crowd congestion, and supports accessibility

Transportation & Accessibility

- **One (1) golf cart**
Used for essential transportation of staff, volunteers, accessibility needs, and emergency response

Why This Support Matters

Providing this equipment through City support:

- Enhances public safety and visibility
- Improves ADA accessibility and mobility
- Reduces crowd congestion and bottlenecks
- Allows the festival to remain free and open to all
- Reduces financial strain on the nonprofit organizers
- Ensures efficient coordination with city departments and emergency services

Without this equipment, the festival would face increased rental costs that significantly impact our operating budget and reduce resources available for programming and community engagement.

Proposal for City of Fayetteville Support

44th & 45th Fayetteville Dogwood Festival

Submitted to: City of Fayetteville

Requested Support: 2026 & 2027 Festival

Purpose: Core Infrastructure, Safety & Accessibility Support



Community Impact

The Fayetteville Dogwood Festival supports:

- Downtown economic activity
- Local and small businesses
- Nonprofit and community organizations
- Family-friendly arts and cultural programming
- Safe, inclusive public gathering spaces

City-provided equipment directly supports these outcomes while reinforcing Fayetteville's commitment to accessible community events.

The Fayetteville Dogwood Festival has been a trusted community tradition for more than four decades. With the City of Fayetteville's support in providing essential equipment, we can continue to host a safe, organized, and welcoming Spring Festival that reflects the pride and spirit of our city.

We appreciate your continued partnership and consideration and look forward to working together to ensure another successful festival for our community.

Sincerely,

Kaylynn Suarez, Executive Director
The Fayetteville Dogwood Festival
Director@thedogwoodfestival.com
Cell: 254-289-4091

Proposal for City of Fayetteville Support

Fayetteville Fridays: Downtown Street Dance

Submitted to: City of Fayetteville

Requested Support: In-Kind and Financial

Purpose: Music, Movement, Local Business & Community Engagement



Fayetteville Fridays: Downtown Street Dance is a proposed monthly micro-event series designed to activate downtown Fayetteville through music, movement, and community connection. Hosted in partnership with the Fayetteville Dogwood Festival, this series will highlight downtown Fayetteville while intentionally supporting Fayetteville and Cumberland County businesses *only*.

These events are designed to be smaller-scale, high-impact, and community-focused, creating a consistent reason for residents and visitors to return downtown on the first Friday of the month.

Event Purpose & Goals

The goal of Fayetteville Fridays is to:

- Activate downtown Fayetteville during off-festival months
- Increase foot traffic to downtown businesses
- Create a safe, welcoming, and energetic street-level experience
- Support local musicians, DJs, and entertainers
- Strengthen the City of Fayetteville's commitment to arts, culture, and community engagement

This series also serves as a bridge between major festivals, maintaining momentum and visibility for downtown Fayetteville throughout the summer.

Event Format

- **Event Name:** Fayetteville Fridays: Downtown Street Dance
- **Frequency:** First Friday of the month
- **Proposed Months:** May–July *or* July–September
- **Duration:** Evening event (5PM–9PM, setup from 11AM-4PM)
- **Cost to Attend:** Free and open to the public

Proposal for City of Fayetteville Support

Fayetteville Fridays: Downtown Street Dance

Submitted to: City of Fayetteville

Requested Support: In-Kind and Financial

Purpose: Music, Movement, Local Business & Community Engagement



Each event will feature:

- Live music or DJ-led street dance
- Local entertainment
- Downtown Fayetteville business participation
- Open dance space and community gathering areas for all ages

City of Fayetteville Support Request

To successfully host Fayetteville Fridays, we respectfully request the following City of Fayetteville support:

In-Kind Equipment Support

- **One (1) large mobile stage**
- **One (1) generator**
- **One (1) 20x20 tent** (operations, sound, or city use)

Public Safety Support

- **Police coverage and coordination** during event hours
 - Traffic flow and pedestrian safety
 - Crowd management and visibility
 - Emergency response readiness

Police presence is essential to ensuring a safe, family-friendly environment, supporting both attendees and surrounding downtown businesses.

Proposal for City of Fayetteville Support

Fayetteville Fridays: Downtown Street Dance

Submitted to: City of Fayetteville

Requested Support: In-Kind and Financial

Purpose: Music, Movement, Local Business & Community Engagement



Financial Support

- **\$30,000 in financial support** to cover:
 - Professional production
 - Sound and lighting
 - Entertainment and talent
 - Technical staffing and safety support

This investment ensures a high-quality experience while keeping the event accessible and free to the public. And this financial support covers all three events needs.

Role of the Fayetteville Dogwood Festival

The Fayetteville Dogwood Festival will serve as the event producer and community partner, responsible for:

- Event coordination and logistics
- Vendor and business outreach
- Entertainment booking and scheduling
- Marketing and promotion
- Volunteer coordination
- On-site event management
- Insurance listing the city as a COI

Dogwood's existing infrastructure and experience allow for efficient execution while minimizing cost and operational risk.

Proposal for City of Fayetteville Support

Fayetteville Fridays: Downtown Street Dance

Submitted to: City of Fayetteville

Requested Support: In-Kind and Financial

Purpose: Music, Movement, Local Business & Community Engagement



Community & Economic Impact

Fayetteville Fridays will:

- Drive consistent foot traffic to downtown businesses
- Encourage local spending and small business visibility
- Provide safe, family-friendly evening entertainment
- Strengthen Fayetteville's cultural identity
- Reinforce downtown as a vibrant gathering place

By focusing on micro-events, the City can maximize impact while maintaining manageable costs and staffing needs.

Alignment With City Goals

This event series aligns with the City of Fayetteville's goals related to:

- Downtown revitalization
- Arts and cultural programming
- Economic development
- Public safety and community wellness
- Public-private partnerships

Fayetteville Fridays: Downtown Street Dance offers a sustainable, scalable, and community-driven approach to downtown activation. With the City of Fayetteville's partnership including equipment, police coverage, and financial support... this series can become a signature monthly experience that celebrates local businesses, music, and Fayetteville pride.

We appreciate the City's continued commitment to community engagement and look forward to collaborating on this exciting initiative.

Sincerely,

Kaylynn Suarez, Executive Director

The Fayetteville Dogwood Festival

Director@thedogwoodfestival.com

Cell: 254-289-4091

Proposal

PREPARED FOR:

Fayetteville Dogwood Festival
Attn: Kaylynn Suarez
PO Box 64043
Fayetteville, NC 28306
(910) 323-1934

DSE MUSIC GROUP INTERNATIONAL, INC.

DEEP SOUTH ENTERTAINMENT

2515 Fairview Rd., Suite 206
Raleigh, NC 27608
(919) 844-1515



PROPOSAL FOR:

Fayetteville Dogwood Festival
Dates: April 24-26, 2026
Date Submitted 12/29/2025



Company Overview & Background

Deep South Entertainment is North Carolina's leading talent buyer, concert production company, and artist management firm, proudly based in Raleigh since 1995.

With a reputation for excellence, Deep South Entertainment's talent buying and concert production division has played a pivotal role in shaping North Carolina's most iconic events. The company has produced, co-produced, booked talent, and managed production for high-profile gatherings such as the **North Carolina State Fair, Live After 5, Oak City 7, Raleigh Wide Open, the NC Governor's Inaugural Ball, Carolina Daze, Out! Raleigh Pride, Raleigh Downtown Live, Cuegrass, Thrive NC, La Fiesta del Pueblo, the Got to Be NC Ag Jam, Clayton's OC Fest,** and many more.

Over the years, Deep South Entertainment has secured some of the world's biggest names in music for signature events, including **The Avett Brothers, Chuck Berry, Ben Folds, Rhett & Link, Lainey Wilson, Branford Marsalis, Eric Church, Rhiannon Giddens, Collective Soul, Jewel, Miranda Lambert, Luke Combs, The War & Treaty,** and hundreds of others.

As an artist management firm, Deep South Entertainment has propelled the careers of numerous Grammy Award-winning and Billboard-charting artists, delivering unmatched guidance and industry expertise.

The company's leadership is also deeply committed to the local community, with executives serving on influential boards and organizations such as The Raleigh Convention Center Authority, the VisitRaleigh Board, and Band Together NC.



Experience

Name Of Event	Location	Dates Involved	Average Attendance	Type Of Event	Type Of Entertainment Booked	Deep South's Involvement
Live After 5	Raleigh, NC	2023 - Present	3,000	Series	Spin Doctors, Hard Tuck, Sixpence None The Richer, Kate Rhudy, Blue Cactus, etc.	Talent Booking, Production Services, Production Coordinator
Jazz In The Square	Raleigh, NC	2022, 2023	1,500+	Series	Triangle Area Local Artists / Jazz & R&B	Talent Booking, Audio Production, Lighting, Stage Management, Producer
OC Fest	Clayton, NC	2022 - Present	3,000+	Festival	National & Local Christian Artists	Talent Booking, Audio Production, Lighting, Stage Management
NC State Fair Homegrown Music Series	Raleigh, NC	2015 - Present	200 - 300,000	Festival	North Carolina Artists / Various Genres	Talent Booking, Audio Production, Lighting, Stage Management
Fayetteville Dogwood Festival	Fayetteville, NC	2015 - Present	100,000	Festival	National Recording Artists, Local Original / Tribute Acts, Various Genres	Production Coordination, Audio Production, Lighting, Stage Management
Out! Raleigh Pride	Raleigh, NC	2011 - Present	25,000+	Festival	LGBTQ+ Performing Artists / All Genres	Co-Producer, Talent Booking, Production Coordination, Production
NC Governor's Inaugural Ball	Raleigh, NC	2009, 2013, 2017, 2025	3,000 - 6,000	Special Event	Eric Church, Ben Folds, Vienna Teng, Parmalee, Branford Marsalis, The Avett Brothers	Co-Producer, Talent Booking, Production Coordinator
Cuegrass	Raleigh, NC	2008 - Present	8,000	Festival	Bluegrass & Americana	Talent Booking, Production Services, Production Coordinator
Deep South the Bar	Raleigh, NC	2007 - 2018	100	Music Venue	Local Level Touring Artists / All Genres	Talent Booking, Audio Production, Lighting



Proposed Production Package

Audio Production

Two (2) Professional Digital Consoles for Front of House & Monitors
Twenty-Four (24) RCF HDL30 Line Array Speakers
Twelve (12) Double 18 Subs
Processors, Amplifiers, Monitors & Front Fills as needed
Mic & Cable Package per Rider Requirements

Stage Lighting

Two (2) 39' Truss Systems
Twenty-Four (24) Parcans, Twelve (12) Moving Lights, Four (4) Blinders, and Two (2) Hazers
One (1) Light Console for Main Stage
One (1) Black Blowthrough Backdrop

Stage Decking & Barricade

Two (2) 8' x 8' x 16" Rolling Risers with Carpet, Skirt
Barricade for the Main Stage

Labor Requirements / Stage Hands (All Hand Calls are a 4 hour minimum per shift)

Six (6) Stage Hands for Load-in / out & Show Call Based on Artist Requirements
Two (2) Audio Production Engineers
One (1) Audio Assistant for Patching & Production Support
One (1) Lighting Engineer
One (1) Backline Technician
One (1) On-site & Advancing Production Manager
Two (2) Runners

Additional Miscellaneous Needs

Production Staff / Stagehand Meals, Waters, & Sodas
Two (2) Runner Vehicles
Hotel Accommodations for Production Team
Talent Buyer Services (10% of Talent Fees)
Estimated Artist Backline

Proposal does not include:

Talent Fees, Artist Hotel Accommodations, Dressing Rooms & Hospitality
Special Event Permits
Lift & Power necessary for the Production / Lights
Shore Power (For Artists Buses)
Event Insurance (We will need to be named as additional insured)
Event Staff & Event / Artist Security



Talent Booking Overview

The Fayetteville Dogwood Festival has a strong tradition of booking recognizable national artists that draw broad, multi-generational audiences, most notably within the country and rock genres. As the festival continues to grow and reflect the evolving musical tastes of the region, we see an opportunity to thoughtfully expand national talent offerings to also include R&B and Hip Hop artists with proven festival appeal. We would work collaboratively with the Dogwood Festival team to identify and secure the best possible national talent options within the established budget, balancing audience draw, cultural representation, and overall value.

This expanded, partnership-driven approach allows the event to honor its legacy while welcoming new audiences and strengthening the festival’s reach and relevance.

Our goal here is to maintain community-forward spirit that defines the Fayetteville Dogwood Festival.

Estimated Proposal Package Pricing

Production & Backline Services	\$24,950
Onsite Management & Production Labor	\$17,850
Talent Booking Services (10% of Talent Fees)	\$5,000
Additional Miscellaneous Expenses	\$7,000
Estimated Proposal Package	\$54,800

*** Pricing will vary based on final schedule, production needs, and artist needs.

*** Overnight Security will be required for the stage & production. This proposal does not include that expense, but we can add and secure this for the event, if needed.



Current Contracts / References

NC State Fair

Reference Contact: Robert Fogle | (919)839-4536 | Robert.Fogle@ncagr.gov

Event Video: <https://www.youtube.com/watch?v=4k50KyHTjP8>

Event Attendance: 200,000 - 300,000

Cuegrass

Reference Contact: Maria Goudy | (910)639-9286 | maria@empireeats.com

Event Video: https://www.youtube.com/watch?v=TB_sxtZFF9U

Event Attendance: 8,000

OC Fest

Reference Contact: Frankie-Gene Ellis | (352)464-3164 | Frankie@onecompassion.com

Event Video: https://youtu.be/5k_9rfkBpvc?si=RGIvmq

Event Attendance: 2,000

Summary

Deep South Entertainment brings decades of experience booking and managing national touring artists across multiple genres, with a strong understanding of routing, agency relationships, and festival logistics. We work collaboratively with event stakeholders to identify high-impact national talent within established budgets, balancing audience draw, reliability, and long-term growth. Our team provides end-to-end artist and production management, ensuring smooth advancing, clear communication, and professional on-site execution. This approach reduces risk, enhances the artist experience, and delivers a polished, memorable event for both audiences and organizers.

We would be honored to support the Fayetteville Dogwood Festival in delivering another memorable community celebration. Deep South will provide the top-level of service and talent that your event deserves.

Thank you for your time and consideration. Please let us know if you'd like us to adjust the scope or provide any additional detail.



(919) 844-1515



DeepSouthEntertainment.com

2515 Fairview Rd, Suite 206
Raleigh, NC, 27608



@deepsouthent





City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0205

Agenda Date: 4/6/2026

Version: 1

Status: Agenda Ready

In Control: City Council Work Session

File Type: Other Items of
Business

Agenda Number: 6.02

TO: Mayor and Members of City Council

THRU: Jodi Phelps, Assistant City Manager

**FROM: Christopher Cauley, MPA - Economic & Community Development
Director
Albert Baker - Assistant Economic & Community Development
Director
Jacqueline Abbott - Community Relations Manager**

DATE: April 6, 2026

**RE:
2026-2027 Proposed Annual Action Plan for Community Development Block
Grant, HOME Investment Partnerships Program, and Emergency Solutions
Grants**

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

- Goal I: The City of Fayetteville will be a safe and secure community.
 - Objective 1.4: To engage citizens in community watch and safety events.
- Goal II: The City of Fayetteville will have a responsive city government supporting a diverse and viable economy.
 - Objective 2.1: To ensure a diverse City tax base.
 - Objective 2.2: To invest in community places to ensure revitalization and increase quality of life.
 - Objective 2.3: To leverage partnerships for job creation and retention, with a focus on local and regional workforce to increase per capita income.
 - Objective 2.4: To sustain a favorable development climate to encourage business growth.
- Goal IV: The City of Fayetteville will be a highly desirable place to live, work and Recreate.
 - Objective 4.2: To enhance diverse recreation, leisure, and cultural opportunities.
 - Objective 4.4: To provide a clean and beautiful community with increase green spaces.
 - Objective 4.5: To ensure a place for people to live in great neighborhoods.
 - Objective 4.6: To reduce poverty and homelessness.
- Goal V: The City of Fayetteville will be a financially sound City providing exemplary City services.
 - Objective 5.1: To ensure strong financial management with fiduciary accountability and plan for future resource sustainability by aligning

resources with City priorities.

Objective 5.3: To promote an organizational climate that fosters an exceptional diverse, engaged, and healthy workforce that delivers excellent services.

Goal VI: The City of Fayetteville will continue to have a collaborative citizen and business engagement base.

Objective 6.2: To ensure trust and confidence in City government through transparency and high-quality customer service.

Objective 6.3: To inform and educate about local government by enhancing public outreach and increasing community dialogue, collaboration, and empowerment.

Executive Summary:

City Council is asked to review and consider the proposed 2026-2027 U.S. Department of Housing and Urban Development (HUD) Annual Action Plan (AAP), which guides the implementation of the Community Development Block Grant (CDBG), the HOME Investment Partnerships Program (HOME), and the Emergency Solutions Grants (ESG) programs. This plan, developed through extensive community outreach, outlines priority needs, funding allocations, and key actions to address community and economic development goals. Staff developed the plan with recommendations from the Fayetteville Redevelopment Commission (FRC), following the Citizen Participation Plan. Additionally, staff consulted with the Fayetteville-Cumberland County Continuum of Care on Homelessness regarding appropriate uses for the City's Emergency Solutions Grants allocation. A Public Hearing will be held before Council considers adoption at the April 27, 2026 regular meeting.

Background:

The City is required to prepare an Annual Action Plan each year to align with the goals and objectives of the Five-Year Consolidated Plan. This plan outlines specific projects, activities, and funding allocations for the upcoming fiscal year, detailing how available federal and non-federal resources will be used to address economic and community development goals. The Consolidated Plan is implemented through these Annual Action Plans, which provides a concise summary of actions, activities, and specific federal resources.

To ensure community involvement in developing the 2026-2027 Annual Action Plan, staff held four citizen participation meetings across various neighborhoods to encourage full engagement. Additionally, staff collaborated with local agencies and city stakeholders to assess needs, gather feedback, and discuss priorities.

A draft of the plan was made available for public review and comment from February 8 through March 10, 2026, online. Comments were also accepted via email at econcommdev@fayettevillenc.gov during the 30-day comment period. A presentation of the proposed budget and activities was shared at public meetings for citizen input. The Fayetteville Redevelopment Commission (FRC) held a public hearing on December 3, 2025 to receive community feedback on needs and funding priorities. The FRC reviewed the plan and formally voted in support of them on April 1, 2026. Council is being presented this plan at the April 6, 2026, Council Work Session for feedback before the

final consideration, after a public hearing, during the April 27, 2026, City Council regular meeting.

Issues/Analysis:

The City has not yet received an award notice from HUD, and so the plan uses the current level of funding. Currently, the CDBG allocation projected for next year is \$1,748,202 and program income is budgeted at \$40,000. The HOME allocation projected for next year is \$882,051 and program income is budgeted at \$710,648 with a required local match of \$220,513. ESG allocation is projected at \$150,188 with a required local match of \$11,264. If allocations are announced prior to the Public Hearing or Budget Adoption, staff will adjust the amounts accordingly. If they are announced after the start of the new Fiscal Year, staff will return with a budget amendment.

Consolidated Plan Strategy Allocations	2026-2027
Affordable Housing	\$2,060,563
Public Services	262,230
Neighborhood Revitalization	334,776
Economic Development	451,000
Nonprofit Capacity Building	55,000
Addressing Homelessness	138,924
Effective Program Management	460,373
Total New Resources	\$3,762,866

Four Low Income Housing Tax Credit (LIHTC) projects were submitted for gap financing. This is a competitive process with one or two projects being awarded tax credits from the North Carolina Housing Finance Agency (NCHFA). The City of Fayetteville’s funds are allocated based on the development’s structure that meets the program guidelines for HOME funding in the amount of \$400,000 @ 1% interest only per project.

Each development is recommended for a conditional commitment of funds and the official City Council action will take place upon award notification from NCHFA. The details of each development can be found on the table below:

Project Name	Council District	Total Development Cost	Number of Units
Aspen Pointe Ph2	District 8	\$19,342,696	90
Victory Pointe	District 7	\$18,849,553	84
Covey Apartments	District 7	\$15,603,880	60
Rosehill Gardens	District 2	\$21,501,563	100

Budget Impact:

The HOME Investment Partnerships Grant requires a matching contribution of \$220,513. The Emergency Solutions Grant (ESG) also requires a 50/50 match, which is primarily passed on to subrecipients of ESG funds. Additionally, ESG administration requires an \$11,264 match, which will be met through expenses allocated to support the Homeless Management Information System (HMIS). These expenses include payments to the HMIS software vendor and the HMIS Data Analyst employed by Cumberland County. The

estimated annual General Fund expenses for HMIS support exceed the local match requirement.

2026-2027 Funding Sources

Community Development Block Grant (CDBG)	\$1,748,202
CDBG Program Income	40,000
HOME Investment Partnership (HOME)	882,051
HOME Program Income	710,648
HOME Local Match	220,513
Emergency Solutions Grants (ESG)	150,188
ESG Local Match	11,264
Total	\$3,762,886

Options:

- Provide feedback regarding the proposed 2026-2027 HUD Annual Action Plan, which guides the implementation of the CDBG, HOME, and ESG programs.

Recommended Action:

No action is required. This item is for discussion and to provide feedback in anticipation of the scheduled public hearing and approval at the April 27, 2026 City Council meeting.

Attachments:

- Program Year 2026-2027 Proposed Annual Action Plan Presentation
- Program Year 2026-2027 Annual Action Plan Summary - Proposed
- Program Year 2026-2027 Competitive Awards - Proposed




2026-2027 Proposed Annual Action Plan

City Council Work Session
April 6, 2026



Grant Overview

- The Community Development Block Grant (CDBG), HOME Investment Partnership, and Emergency Solutions Grants (ESG) are awarded to States, Counties, and Cities.
 - Some Cities get funds from the State (Sub-grantee)
 - Others get funds directly from HUD (Entitlement) 
- Must meet the stated goals of each program:

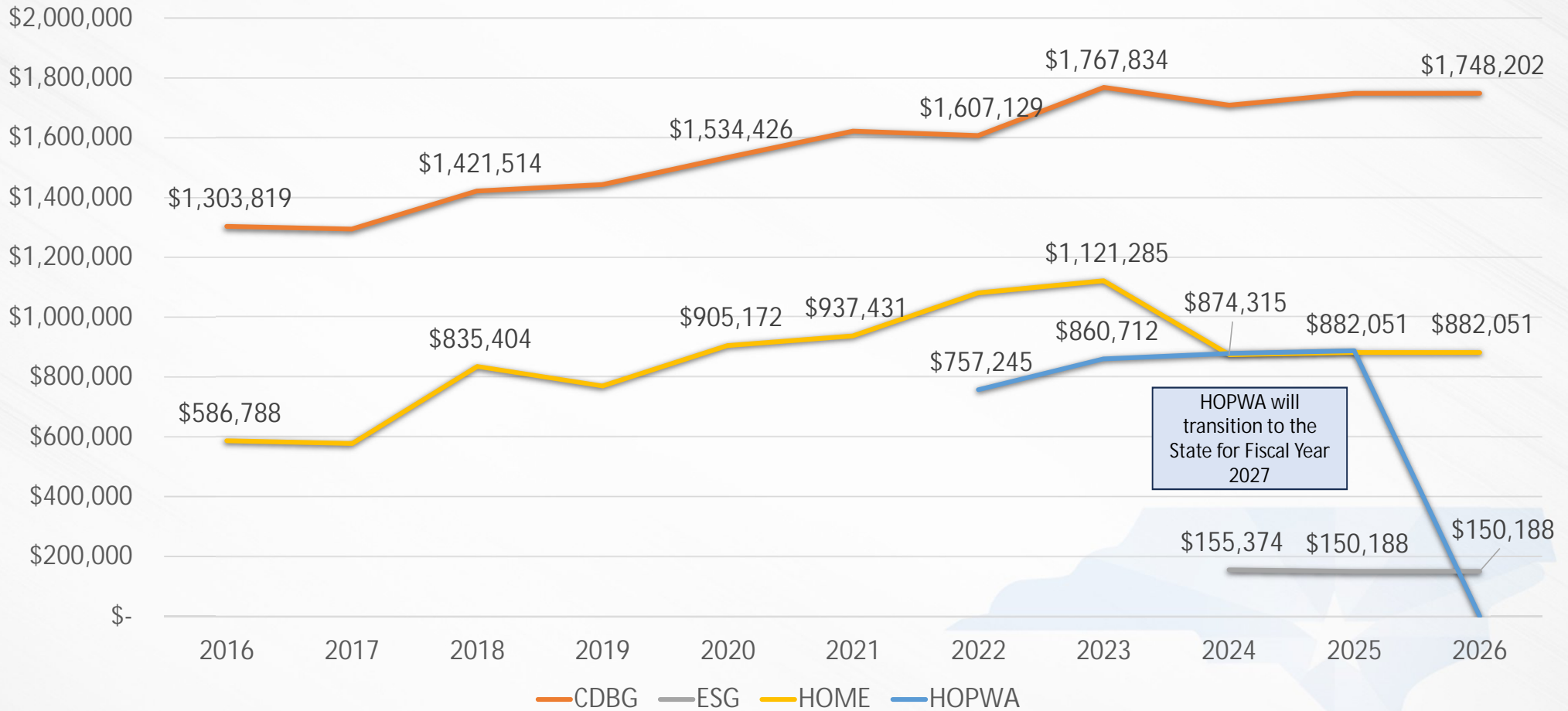
The City of Fayetteville is an Entitlement City.

CDBG
<ul style="list-style-type: none"> • Benefit Low- and Moderate-Income Persons • Reduce Slum & Blight • Urgent Need (Rarely Used)

HOME
<ul style="list-style-type: none"> • To create affordable housing for low-income households

ESG
<ul style="list-style-type: none"> • Assist people with quickly regaining stability in permanent housing after experiencing a housing crisis and/or homelessness.

How Much Money?



Entitlement: Grant funds made available to a jurisdiction directly from the U.S. Department of Housing and Urban Development (HUD)

Program Income: Funds produced from grant-funded activities, such as loans

HOME Match: Required 25% local match for HOME grants

ESG Match: Requires \$1:\$1 match for ESG funds

Funding Source	CDBG Funds	HOME Funds	ESG Funds	Total Budget
Entitlement	\$1,748,202	\$882,051	\$150,188	\$2,780,441
Program Income	\$40,000	\$710,648	-	\$750,645
Match	-	\$220,513	\$11,264	\$231,777
Total New Resources	\$1,788,202	\$1,813,212	\$161,452	\$3,762,866

All projections contained herein are based on current funding levels for PY25



Each grant comes with its own set of rules and guidelines that limit how the funds can be used.

CDBG

- 20% for Administration
- 15% for Public Services (Social Service Activities)

HOME

- 10% for Administration
- 15% for Community Housing Development Organizations (CHDO)

ESG

- 7.5% for Administration

Required Set Asides	Amount
CDBG Admin Cap (20%)	\$349,640
CDBG Public Services Cap (15%)	\$262,230
HOME Admin Cap (10%)	\$88,205
HOME CHDO Set Aside (minimum 15%)	Minimum \$132,307
ESG Admin Cap (7.5%)	\$11,264

All projections contained herein are based on current funding levels for PY25

The Action Plan Process



- Fayetteville Redevelopment Commission
 - Held public hearing in December 2025 to begin Citizen Participation
 - One resident participated
 - Held a public meeting in April 2026 to approve the recommended Annual Action Plan
- Citizen Participation for PY2026-2027
 - Four meetings held across the City
 - Massey Hill, Smith, Westover, and EE Miller Recreation Centers
 - Total attendance of approximately 50 residents



CDBG Allocation Strategy

Consolidated Plan Strategy Allocations (CDBG Only)	2025-2026	2026-2027	% Change	Notes
Affordable Housing	\$300,000	\$335,556	+11.85%	Increase includes salary so more funding goes to direct services
Public Services	\$268,980	\$262,230	-2.51%	Decrease due to not using projected program income in cap calculation
Neighborhood Revitalization	\$460,582	\$334,776	-27.31%	Funding moved to Eco. Dev. to support creation of new programs
Economic Development	\$300,000	\$451,000	+50.33%	Increase due to new programs and increased interest
Nonprofit Capacity Building	\$105,000	\$55,000	-47.62%	Will use prior year funds to cover deficit
Effective Program Management	\$358,640	\$349,640	-2.51%	Decrease due to not using projected program income in cap calculation
Total New Resources	\$1,793,202	\$1,788,202	0%	

All projections contained herein are based on current funding levels for PY25

- Of the 32 applications submitted, 24 were for CDBG funding.
 - Out of 24 applications, 5 were incomplete and could not be scored.
 - Incomplete applications were allowed additional time post-deadline to be considered.
- 19 completed applications were considered.
 - 7 applications did not meet the minimum score threshold to be eligible for funding or requested funding for programs that were not aligned with CDBG National Objectives.
- The remaining 12 applications had a total funding request of \$742,392. The estimated CDBG Public Services cap is \$262,320, leaving a \$480,072 deficit in requested funding.

CDBG Recommendations

Name	CDBG Funding Requested	CDBG Funding Allocated
City of Fayetteville Workforce Readiness Program	\$30,000	\$30,000
Combined Unified Services	\$20,000	\$20,000
Better Health of Cumberland County	\$20,000	\$20,000
Myrover-Reese Fellowship Homes	\$20,000	\$20,000
Connections of Cumberland County	\$95,000	\$30,000
Legal Aid of North Carolina	\$104,511	\$30,000
ROOTS Mentoring	\$16,000	\$16,000
FTCC Foundation	\$9,450	\$10,000
Action Pathways	\$200,000	\$31,230
Communities in Schools	\$167,431	\$20,000
Fayetteville Urban Ministry	\$15,000	\$15,000
Cumberland HealthNET	\$40,000	\$20,000
Total Resources	\$742,392	\$262,230

\$480,162 separates current funding from total nonprofit requests.

All projections contained herein are based on current funding levels for PY25

HOME Recommendations

HOME Allocations (Affordable Housing Strategy)	2025-2026	2026-2027	% Change	Notes
Affordable Housing Development	\$837,403	\$1,175,007	+40.32%	Increase in program income received
Homeownership Assistance	\$200,000	\$400,000	+100%	Increased funding due to the success of the program
HOME CHDO Set Aside (Community Housing Development Organization)	\$150,000	\$150,000	0%	Same as Last Year
Administration, Planning, and Management	\$88,205	\$88,205	0%	Same as Last Year (Until Updated)
Total New Resources	\$1,275,608	\$1,813,212	+42.14%	Increase in program income received

All projections contained herein are based on current funding levels for PY25

Low-Income Housing Tax Credit (9% LIHTC) Applications

Project Name	Total Development Cost	Request	Developer	Population Served	Construction Type	# of Units
Aspen Pointe (phase 2)	\$19,342,696	\$400,000	SEML Development, LLC	Family	New Construction	90
Victory Pointe	\$18,849,553	\$400,000	SEML Development, LLC	Family	New Construction	84
Covey Apartments	\$15,603,880	\$400,000	Park Development Group	Family	New Construction	60
Rosehill Gardens	\$21,501,563	\$400,000	Laurel Street	Family	Rehab	100

Note: LIHTC is part of the Five-Year Consolidated Plan's Affordable Housing Strategy. As LIHTC is a competitive state process, only one or two developments will be funded.

Low-Income Housing Tax Credit (9% LIHTC) Location Map



ESG Recommendations

ESG Allocations (Addressing Homelessness Strategy)	2025-2026	2026-2027	% Change	Notes
ESG Program (Street Outreach, Homelessness Prevention, Rapid Re-Housing, and/or Emergency Shelter)	\$138,924	\$138,924	0%	Same as Last Year (Until Updated)
Administration, Planning, and Management	\$11,264	\$22,528	+100%	Increase due to the inclusion of the City's 1:1 match
Total New Resources	\$150,188	\$161,452	+7.5%	Increase due to the inclusion of the City's 1:1 match
Prior Year Unallocated Funds		\$38,924		
Total Resources (Excluding 7.5% Admin Cap)		\$177,848		

All projections contained herein are based on current funding levels for PY25

ESG Recommendations

Name and ESG Component	ESG Funding Requested	ESG Funding Allocated
Fayetteville Urban Ministry – Homelessness Prevention	\$50,000	\$50,000
Myrover-Reese Fellowship Homes – Street Outreach	\$40,000	\$40,000
Cumberland HealthNET – Street Outreach	-	\$20,000
Total Requested Resources	\$90,000	\$110,000
Total Available Resources		\$177,848
Total Unallocated Resources		\$67,848

After utilizing remaining prior year funds, there is approximately \$60,000 in available ESG funds for Emergency Shelter and Street Outreach. No additional eligible nonprofits applied for this funding.

All projections contained herein are based on current funding levels for PY25

Next Steps and Timeline

Events	Dates
City Council Work Session	April 6, 2026
City Council Public Hearing/Adoption	April 27, 2026
Plan Submitted to HUD	Action Plan due by May 15 th or 60 days after allocation letter received, whichever comes first.





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2026-2027 Annual Action Plan

Project Name	Amount	Description
CDBG - Administration	\$349,640	No more than 20% of entitlement funds and 20% of annual program income will be used to administer the CDBG activities.
CDBG - Public Services	\$262,230	Funds will be used to provide supportive and human services assistance for low- and moderate-income residents.
CDBG- Nonprofit Capacity Building	\$55,000	Activities that enhance the capacity and ability of nonprofits to carry out community development and affordable housing activities that benefit low-income persons.
CDBG - Neighborhood Resources	\$334,776	Neighborhood services for low-and moderate -income residents to include outreach, engagement, blight removal, and neighborhood revitalization activities.
CDBG - Rehabilitation	\$335,556	Funds will be used for housing rehabilitation activities for people who are below 80% AMI and are elderly, disabled, or experiencing emergent needs. Project delivery costs are included.
CDBG - Special Economic Development	\$451,000	Activities that support job retention or creation for low- and moderate-income residents.
HOME - Administration	\$88,205	HOME funds used for administration will consist of no more than the allowable 10% of the grant award to support activities related to increasing and preserving affordable housing.
HOME - Affordable Housing Development	\$1,325,007	Development through new construction or rehabilitation of affordable housing.
HOME- Homeownership Assistance	\$400,000	Direct financial assistance for first-time homebuyers.
ESG- Program	\$138,924	Emergency funding and services to assist residents facing homelessness.
ESG- Administration	\$22,528	ESG funds used for administration will consist of no more than the allowable 7.5% of the grant award to support activities for residents facing homelessness.
<i>Subtotal New Resources</i>	\$3,762,866	

Competitive Awards Funding Recommendations

Proposed for PY 2026-2027

Name	CDBG Funding Requested		CDBG Funding Approved	
COF Workforce Readiness Program	\$	30,000.00	\$	30,000.00
Combined Unified Services	\$	20,000.00	\$	20,000.00
Better Health of Cumberland County	\$	20,000.00	\$	20,000.00
Myrover-Reese Fellowship Homes	\$	20,000.00	\$	20,000.00
Connections of Cumberland County	\$	95,000.00	\$	30,000.00
Legal Aid of North Carolina	\$	104,511.00	\$	30,000.00
ROOTS Mentoring	\$	16,000.00	\$	16,000.00
FTCC Foundation	\$	9,450.00	\$	10,000.00
Action Pathways	\$	200,000.00	\$	31,230.00
Communities in Schools	\$	167,431.00	\$	20,000.00
Fayetteville Urban Ministry	\$	15,000.00	\$	15,000.00
Cumberland HealthNET	\$	45,000.00	\$	20,000.00
Public Services Subtotal	\$	742,392.00	\$	262,230.00
Not Funded				
Employment Source	FRA Global Impact		Carolina Crew	
North Ramsey St. Church of God House of Bread	Fayetteville Animal Protection Society		LIAM Outreach and Community Support Center	
Zenaida Cranford Mentor Mentee Mentorship Program	Gary B. McLaurin Ministries		Fortitude Family Services	
OnTrack Wellness	Juliangle Foundation		YouthTHRIVE	

Name	ESG Funding Requested		ESG Funding Approved	
Fayetteville Urban Ministry	\$	50,000.00	\$	50,000.00
Myrover-Reese Fellowship Homes	\$	40,000.00	\$	40,000.00
Cumberland HealthNET	-		\$	20,000.00
ESG Subtotal	\$	90,000.00	\$	110,000.00
Not Funded				
Youth First Development Group	LIAM Outreach and Community Support Center			



City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0214

Agenda Date: 4/6/2026

Version: 1

Status: Agenda Ready

In Control: City Council Work Session

File Type: Consent

Agenda Number: 6.03

TO: Mayor and Members of City Council

THRU: Douglas J. Hewett, ICMA-CM, City Manager

FROM: Dr. Andrew Mansell, Special Projects

DATE: April 6, 2026

RE: School Resource Officer (SRO) Program - MOA Contract Renewal

COUNCIL DISTRICT(S):

ALL

Relationship To Strategic Plan:

GOAL I: The City of Fayetteville will be a safe and secure community

- Objective 1.3: To ensure low incidence of property and violent crime

Goal IV: The City of Fayetteville will be a desirable place to live, work, and recreate

- Objective 4.5: To ensure a place for people to live in great neighborhoods

Executive Summary:

The City of Fayetteville and Cumberland County Schools (CCS) have maintained a Memorandum of Agreement (MOA) governing the School Resource Officer (SRO) program, currently in its FY26 term (July 2025-June 2026). The current MOA expires June 30, 2026, and staff must notify CCS of the City's intent by April 15, 2026. Staff negotiated renewal terms that keep the program completely cost neutral to the City, extend the contract to a three-year term (replacing the prior annual structure), establish a 12-month notice of non-renewal, preserve the prior red light camera funding relationship with CCS, and open the door for future conversations about incorporating the Office of Community Safety (OCS) program as an alternative safety position. The decision to renew rests with City Council.

Background:

The City of Fayetteville has partnered with Cumberland County Schools (CCS) to provide School Resource Officers in CCS schools under a formal MOA. Under the agreement, 18 SROs are deployed across 9 high schools, 6 middle schools, and 3 floating district assignments. CCS reimburses the City for all actual SRO salary and benefit costs on a quarterly invoice basis, making the program fully cost-neutral to the City. The FY26 available salary and fringe budget totals approximately \$930,121. In addition to SROs, CCS maintains 65 of 70 authorized Traffic Control Officers (TCOs) to support school safety operations. The program operates under a clear MOA framework: SROs remain under the FPD chain of command at all times, enforce criminal law rather than school disciplinary rules, and serve as positive community role models connecting students to mental health and other resources.

Issues/Analysis:

Renewal Terms Negotiated by Staff- Staff negotiated the following key terms in the proposed MOA renewal, which Council is asked to consider:

Full Freight / Cost Neutral- The renewal ensures the program remains a full freight service, completely cost neutral to the City for both SROs and TCOs. CCS continues to reimburse the City for all actual salary and benefit costs on a quarterly basis.

Three-Year Contract Term- The renewed MOA extends the contract from an annual term to a three-year agreement, providing greater stability for both the City and CCS. Either party may terminate with 12 months' written notice of non-renewal.

Red Light Camera Funding Relationship- As the red light camera program is reestablished in the City, the renewal preserves the same funding relationship with CCS that existed previously: all program proceeds and funds will be paid to CCS, and CCS will pay the vendor fees directly.

Office of Community Safety (OCS) Integration- During renewal discussions, CCS expressed openness to future conversations about potentially incorporating the OCS program as an alternative safety position as OCS continues to grow and develop over the coming years. This is not a commitment, but a recognized area for future dialogue.

SRO Program Overview and Current Deployment.

The SRO program currently deploys 18 officers across Cumberland County Schools: one SRO per each of the 9 high schools (EE Smith, Westover, Terry Sanford, Douglas Byrd, 71st, Reid Ross, Massey Hill Classical, Ramsey Street Alternative, and Alger B. Wilkins), 6 officers assigned to middle schools (Douglas Byrd MS, Howard Learning Academy, Max Abbott, Lewis Chapel, Luther Nick Jerald, and Westover MS), and 3 floating SROs covering the Campbellton, Cross Creek, and Central districts. Three middle schools (New Century, Anne Chesnutt, and 71st Classical) currently have no dedicated SRO assignment. The program is supervised by Sgt. Chris Kempf and Sgt. Michael Tackema. SROs remain FPD employees under the Chief's chain of command at all times and are prohibited from enforcing school disciplinary rules or taking direction from school administrators in law enforcement matters.

School Safety Staffing Context

SROs operate as one layer within a broader school safety ecosystem in Cumberland County. CCS currently employs 158 school counselors (projected to drop to 144), 36 active school nurses (with 9 vacancies), and 23 Safe School Coordinators. Current staffing ratios fall below recommended standards across counselors, nurses, social workers, and psychologists. SROs complement - rather than replace - these support staff, providing law enforcement presence, early intervention, and direct community connections for at-risk students.

The FY26 MOA budget totals approximately \$930,121 in available salary and fringe

funding. This includes base salaries of \$578,300, FICA/Social Security of \$44,240, retirement contributions of \$95,420, health insurance of \$28,915, and additional fringe benefit components. CCS invoices the City quarterly and remits payment within 30 days. If a funding shortfall occurs, staffing levels are adjusted; the agreement does not automatically terminate. The non-appropriation contingency allows termination only if funds are entirely unavailable.

Budget Impact:

The SRO program is cost neutral to the City. CCS reimburses all actual SRO salary and fringe benefit costs. The FY26 available budget under the MOA is approximately \$930,121. No additional City appropriation is required for renewal under the negotiated terms. Any future expansion of SRO positions (e.g., to cover the three currently unassigned middle schools) would require a separate budget discussion.

Options:


1. Accept the contract renewal as negotiated and authorize staff to notify CCS by April 15, 2026.
2. Identify additional factors or conditions required prior to committing, and direct staff accordingly before the April 15, 2026, deadline.
3. Allow the MOA to lapse and discontinue the SRO program upon expiration of the current agreement on June 30, 2026.

Recommended Action:

Staff recommends Option 1 - acceptance of the negotiated renewal terms. The renewed MOA maintains full cost neutrality to the City, provides greater contractual stability through a three-year term, preserves the red light camera funding relationship, and positions the City for future conversations with CCS regarding the OCS program. Staff must notify CCS of Council's decision no later than April 15, 2026.

Attachments:

Proposed MOA Renewal - Draft Agreement
PowerPoint Presentation



School Resource Officer

Office of the City Manager
School Resource Officer Program Overview

Program



FY26

Active MOA
Jul 2025 – Jun 2026

City of Fayetteville &
CCS

Program Goals

- Minimize potential for crimes and violence on school campuses
- Reduce conflict among students in schools
- Provide assistance to faculty and staff on safety and violence prevention
- Increase communication between law enforcement and the school community
- Build positive, trust-based relationships between FPD officers and students

Key Structure

- SROs remain FPD employees – under Chief's chain of command at all times
- CCS reimburses City for actual salary and benefits of assigned SROs
- 18 SROs cover 9 high schools, 6 middle schools, and 3 floating districts
- Parties meet over next 12 months to revise MOA toward Wake County model
- Either party may terminate with 90 days written notice

SRO Role, Boundaries & Accountability

SROs serve as law enforcement partners – not school disciplinarians – within a clear chain of command

SROs refrain from school discipline

MOA Section 3.6

Their Role

- Enforce criminal law on school campuses
- Build trust and serve as positive role models for students
- Connect students to mental health and community resources
- Remain under FPD chain of command at all times

Clear Boundaries

- SROs do not enforce school disciplinary rules – only criminal law
- Principals may not direct SROs – authority flows through FPD only
- Searches must be independently justified – not directed by school staff
- Classroom instruction remains the exclusive domain of educators

Current SRO Deployment & Assignments

Deployment overview, school assignments, and TCO staffing

18

Active SROs
deployed

Plus 65 TCOs
(authorized 70)

High Schools – 1 SRO Each (9)

- EE Smith High School
- Westover High School
- Terry Sanford High School
- Douglas Byrd High School
- 71st High School
- Reid Ross High School
- Massey Hill Classical
- Ramsey Street Alternative High School
- Alger B. Wilkins High School

Middle Schools & Floating

- Assigned (6): Luther Nick Jerald, Westover, Douglas Byrd, Lewis Chapel, Howard Learning Academy, Max Abbott
- Open/uncovered (3): New Century, Anne Chesnutt, 71st Classical
- 3 Floating: Campbellton, Cross Creek, Central Districts

Assigned Officers (by school)

Supervisors: Sgt. Kempf, Sgt. Tackema
Terry Sanford: Ofc. Walcott | Douglas Byrd HS: Ofc. Mitja | Massey Hill: Ofc. King
Alger B. Wilkins: Ofc. Skidmore | 71st HS: Ofc. Shivers | Ramsey St.: Ofc. Crockett
Reid Ross: PS Galbreath | Westover HS: Ofc. Nash | EE Smith: Ofc. Curva
Douglas Byrd MS: Ofc. Ray | Howard Learning: Ofc. Majors | Max Abbott: Ofc. Van Etten
Lewis Chapel: Ofc. Linford | Luther Nick Jerald: Ofc. Jones | Westover MS: Ofc. Wheeland
Floating: Ofc. Fulton (Campbellton), Ofc. Torres (Cross Creek), Ofc. Armstrong (Central)

CCS reimburses the City for all SRO salary and benefit costs on a quarterly invoice basis

\$930K

Available Salary
& Fringe Budget

FY26 Jul-25 period
actuals

How Reimbursement Works

- CCS reimburses actual salary and benefits – not a flat fee
- City invoices quarterly; CCS remits within 30 days
- Budget subject to Board funding, City funding, and state grant funding
- If funding shortfall occurs, staffing levels adjusted – agreement does not terminate
- Non-appropriation contingency: agreement terminates if funds not available

FY26 Budget Components

- Base salaries: \$578,300
- FICA/Social Security: \$44,240
- Retirement contributions: \$95,420
- Health insurance: \$28,915
- Other fringe benefits: \$76,914 + \$84,384
- Additional components: \$15,615 + \$3,825 + \$108
- Total available: \$930,121

Why We Are Here – Contract Renewal Decision

Council must decide whether to renew the MOA with CCS – notice required to CCS by April 15, 2026

APR 15

Deadline to notify CCS

Decision is up to Council

The Renewal – What We Negotiated

- Full freight service – completely cost neutral to the City for both SROs and TCOs
- Extended to a 3-year contract (replacing annual) with a 12-month notice of non-renewal
- Red light camera funding: as program is reestablished, same funding relationship with CCS as previously (all proceeds paid to CCS; CCS pays vendor fees)
- CCS open to future conversations about potentially incorporating the OCS program as an alternative safety position as OCS continues to grow

The Decision

- The current MOA expires June 30, 2026
- Staff must notify CCS of intent by April 15, 2026
- Staff has negotiated renewal terms – it is up to Council to decide

Current MOA expires June 30, 2026 – notice required by April 15, 2026 to change terms

Council Options

- A** Accept the contract renewal as negotiated
- B** Determine additional factors or conditions required prior to committing
- C** Let the contract lapse and discontinue the SRO program

Key Date

- 1** April 15, 2026 – staff must notify CCS of Council's direction



 **FAYETTEVILLE** ^N_C
AMERICA'S CAN DO CITY

FayettevilleNC.gov

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

AGREEMENT

THIS AGREEMENT, made and entered into this 10th day of October, 2023, by and between the CITY OF FAYETTEVILLE, hereinafter called "CITY", and the CUMBERLAND COUNTY BOARD OF EDUCATION, hereinafter called "BOARD", both of the State of North Carolina.

WITNESSETH:

WHEREAS, the official agencies of the CITY and the BOARD are mutually interested in an adequate program of community recreation under the auspices of the Fayetteville-Cumberland County Parks and Recreation Department; and

WHEREAS, the BOARD made available to the CITY community recreation activities in all school areas and facilities located in their schools situated in areas of Cumberland County served by the Fayetteville-Cumberland County Parks and Recreation Department; and

WHEREAS, the track at Reid Ross Classical Middle/High School located at 3200 Ramsey Street, Fayetteville, NC 28301, needs to be resurfaced; and

WHEREAS, in the interest of providing the best service with the least possible expenditure of public funds, full cooperation between the CITY and the BOARD is necessary.

NOW, THEREFORE, in consideration of these premises, the CITY and the BOARD do now agree pursuant to N.C.G.S § 160A-460, et seq., to enter into an Agreement as follows:

1. **Purpose:**

(a) The BOARD will contribute and pay to the CITY \$200,000.00 for the Reid Ross resurfacing project ("the Project").

(b) The CITY will contribute \$249,905.00 towards the Project, oversee the Project, and be responsible for the maintenance costs of the track.

2. **Term:**

This Agreement shall terminate when the Project is completed.

3. **Payment:**

The BOARD will make one lump sum payment to the CITY prior to the beginning of the Project. The CITY will provide copies of the contract and invoice to the BOARD at the completion of the Project.

4. **Governing Law:**

The Parties expressly agree that if litigation is brought in connection with this Agreement and (1) the litigation proceeds in the Courts of the State of North Carolina, the Parties agree that the appropriate venue shall be in Cumberland County (Twelfth Judicial District of North Carolina); or (2) the litigation proceeds in a federal court, the Parties agree that the appropriate venue shall be the United States District Court for the Eastern District of North Carolina.

5. **Force Majeure:**

Neither party shall be deemed to be in default of its obligations hereunder if and so long as it is prevented from performing such obligations by an act of war, hostile foreign actions, adverse governmental actions, nuclear explosion, earthquake, hurricane, tornado, or other catastrophic natural event or act of God.

6. **Morality Clause:**

If, in the sole opinion of the CITY, at any time BOARD or any of its owner(s) or employee(s) or agent(s) (collectively referenced as an "Actor") engages in any one or more actions that bring disrepute, contempt, scandal, or public ridicule to the Actor or subject the Actor to prosecution or

offend the community or public morals or decency or denigrate individuals or groups in the community served by the CITY or are scandalous or inconsistent with community standards or good citizenship or may adversely affect the CITY's finances, public standing, image, or reputation or are embarrassing or offensive to the CITY or may reflect unfavorably on the CITY or are derogatory or offensive to one or more employee(s) or customer(s) of the CITY, the CITY may immediately upon written notice to BOARD terminate this Agreement, in addition to any other rights and remedies that the CITY may have hereunder or at law or in equity.

7. **Amendment:**

This Agreement may be amended at any time by written consent of both Parties.

8. **State Auditor Access to Persons and Records:**

Pursuant to N.C.G.S. § 147-64.7(a)(4), the Parties agree that the State Auditor and the State Auditor's authorized representatives shall have ready access to persons and may examine and copy all books, records, reports, vouchers, correspondence, files, personnel files, investments, and any other documentation of or derived from or under his Agreement.

9. **Non-Appropriation:**


Notwithstanding any other provisions of this Agreement, the Parties agree that payments due hereunder from the CITY are from appropriations and monies from the City Council and any other governmental entities. In the event sufficient appropriations or monies are not made available to the CITY to pay the terms of this Agreement for any fiscal year, this Agreement shall terminate immediately without further obligation of CITY.

10. **Entire Agreement:**

This Agreement constitutes the entire agreement between the Parties.

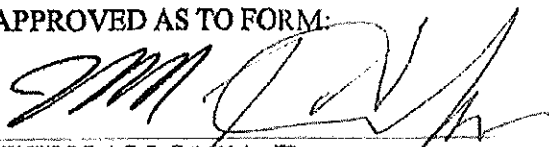
IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed on their behalf.

CUMBERLAND COUNTY BOARD OF EDUCATION

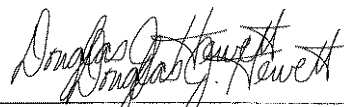
BY: 

KEVIN COLEMAN
Associate Superintendent for Auxiliary Services

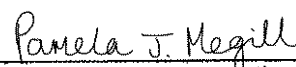
APPROVED AS TO FORM:


NICKOLAS J. SOJKA, JR.
Board Attorney, Cumberland County Schools

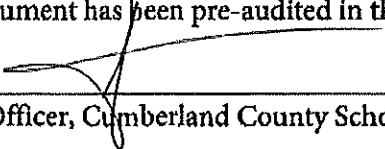
CITY OF FAYETTEVILLE

BY: 
DOUGLAS J. HEWETT, ICMA-CM
City Manager

ATTEST:


PAMELA J. MEGILL, City Clerk

This instrument has been pre-audited in the manner required by the School Budget and Fiscal Control Act


Finance Officer, Cumberland County Schools

10/24/23
Date



THE ULTIMATE
SURFACE EXPERIENCE

Reid Ross Athletic Complex

Sourcewell Breakdown Contract #031622-FTU

Proposal Date:

7-Jul-23

Sourcewell Line #	ITEMS ON FIELDTURF Sourcewell CONTRACT:	MRSP	9% Sourcewell Discount	Sourcewell Base Price	QTY	Unit	Total Extended	Additional Discount	Final Cost to Customer
99	BSS-1000 13 mm Running Track Surface	121.00	9%	110.11	5,657	SY	\$ 622,892	-172,987.27	\$ 449,905.00
	TOTAL						\$ 622,892	-172,987.27	\$ 449,905.00

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City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0183

Agenda Date: 4/6/2026

Version: 1

Status: Agenda Ready

In Control: City Council Work Session

File Type: Other Items of
Business

Agenda Number: 6.04

TO: Mayor and Members of City Council

THRU: Jodi Phelps, Assistant City Manager

FROM: Jennifer Ayre, MMC, City Clerk

DATE: April 6, 2026

RE:

City Council Policy 120.09 Discussion on Announcements and Recognitions

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Goal III: A city invested in Today and Tomorrow

Executive Summary:

On February 9, 2026, City Council revised City Council Policy 120.9 - Public Forum to remove Announcements and Recognitions from the second Monday Regular Meeting and instead place them on the first Monday of the month at 6:15 p.m. following the Work Session.

Council has since expressed interest in ensuring that residents receiving Announcements and Recognitions are included in televised meetings. Currently the Announcements and Recognitions are on the first and fourth Monday's.

Background:

City Council Policy 120.9 - Public Forum was revised on February 9, 2026. The revisions included removal of the Announcements and Recognitions for the second Monday of the month and moved it to the first Monday of the month beginning at 6:15 p.m.

There is interest of Council to ensure that residents that are recipients of any announcements and recognitions are included in the televised meetings, requiring the transition of Announcements and Recognitions back to the 2nd and 4th Monday Regular meetings at 6:30 p.m. This will require an addition revision to City Council Policy 129.09.

Issues/Analysis:

City Council Policy 120.-9 - Public Forum

If approved, Announcements and Recognitions will move from being held during the first Monday of every month after the Work Sessions back to the second and fourth Monday during the regular Council Meeting

Budget Impact:

N/A

Options:

1. Approve recommended revisions City Council Policies 120.09 and add to the April 13, 2026, Consent Agenda for final approval.
2. Do not approve recommended revisions City Council Policies 120.09 and provide staff with further direction.

Recommended Action:

Approve recommended revisions City Council Policies 120.09 and add to the April 13, 2026 Consent Agenda for final approval.

Attachments:

City Council Policy 120.09

Proposed Revised City Council Policy 120.09

SUBJECT – CITY COUNCIL Public Forum	Number 120.9	Revised 3-13-06 5-12-08 1-27-14 05-08-23 01-08-24 02-09-26	Effective Date 1-9-06	Page 1 of 2
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In compliance with N.C.G.S. § 160A-81.1, the City Council establishes the following policy for a public comment period which shall be known as the Public Forum.

1. The Public Forum shall be held on the first Monday of every month beginning at 6:15 p.m. after the announcements and recognitions. The Public Forum shall last no longer than one hour. Any remaining speakers on the Public Forum list that did not get an opportunity to address the City Council will have the option to have their name placed at the beginning of the next scheduled public forum list of speakers.
2. City Residents shall be placed before all non-residents on the sign-up sheet.
3. Each speaker shall have up to 3 minutes to address Council on issues related to the City of Fayetteville. Speakers will provide their name at podium, but providing their address is not required. No time will be yielded to any speaker by another speaker.
4. Speakers will address Council in the order in which their name appears on the sign-up sheet. Speakers shall address Council from the podium and shall not otherwise physically approach Council. Any written comments and/or supporting documents shall be left with the City Clerk.
5. Speakers will be courteous in their language and presentation and shall refrain from personal attacks. The Mayor or other designated presiding officer reserves the right at all times to maintain order and decorum during the Public Forum.
6. Speakers shall not discuss the following matters during the public forum: personnel, litigation, property acquisition, attorney-client privilege, confidential and matters that are the subject of public hearings. Speakers desiring to speak on any of the aforementioned will be directed on the proper procedure for discussing those matters. Speakers will not discuss matters regarding the candidacy

SUBJECT – CITY COUNCIL Public Forum	Number 120.9	Revised 3-13-06 5-12-08 1-27-14 05-08-23 01-08-24 02-09-26	Effective Date 1-9-06	Page 2 of 2
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of any person seeking public office, including the candidacy of the person addressing the Board.

7. No dialogue shall occur between the speaker and Council. At the conclusion of the Public Forum, the Mayor, City Manager or City Attorney may provide rebuttal to any statements made during the Public Forum.
8. Anyone desiring to speak or provide written comments may sign up in advance beginning the day after the last public forum and no later than 5:00 p.m. on the day of the meeting by in person with the City Clerk in the City Manager’s Office Suite, City Hall, 433 Hay Street, Fayetteville, NC; by email at PublicComments@fayettevillenc.gov; by phone (910) 433-1992; or by the website form . Speakers with handouts for the City Council may be submitted to the Office of the City Clerk prior to 5 p.m. on the day of the meeting.
9. Individuals unable to attend in person, may mail written comments or email PublicComments@fayettevillenc.gov. Written comments will be summarized by the City Clerk during the meeting.

SUBJECT – CITY COUNCIL Public Forum	Number 120.9	Revised 3-13-06 5-12-08 1-27-14 05-08-23 01-08-24 02-09-26 XX-XX-26	Effective Date 1-9-06	Page 1 of 2
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SUBJECT – CITY COUNCIL Public Forum	Number 120.9	Revised 3-13-06 5-12-08 1-27-14 05-08-23 01-08-24 02-09-26 XX-XX-26	Effective Date 1-9-06	Page 2 of 2
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City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0227

Agenda Date: 4/6/2026

Version: 1

Status: Agenda Ready

In Control: City Council Work Session

File Type: Other Items of
Business

Agenda Number: 6.05

TO: Mayor and Members of City Council

THRU: Jodi Phelps - Assistant City Manager
Dr. Gerald Newton, AICP - Development Services Director

FROM: Willie L. Henry, CGCIO, Chief Information Officer
Demetrios Moutos, AICP - Planner II
Craig Harmon, CZO - Senior Planner

DATE: April 6, 2026

RE:
Telecommunications and Data Storage Facilities (Data Centers)

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

The history and evolution of data centers are closely connected to the City of Fayetteville's FY2025 Strategic Plan, presenting both opportunities and challenges. Modern data centers advance the Plan's focus on economic diversity, strategic growth management, innovation, and data-driven governance. As these facilities have transitioned from small, specialized computer rooms to major infrastructure assets, they have become integral to the modern economy. This progression aligns most directly with Goal II: Diverse and Viable Economy and Goal III: City Investment Planning, as data centers can broaden the nonresidential tax base, attract substantial private investment, and necessitate coordinated planning for land use, utilities, broadband, and long-term infrastructure capacity.

Data centers are most consistent with the Strategic Plan when recognized as major infrastructure uses that require comprehensive land-use review, fiscal discipline, utility coordination, and transparent public engagement. The historical development of data centers thus supports the Plan's objectives but underscores the importance of balancing economic opportunities with long-term public service, infrastructure, and community impacts.

Executive Summary:

Data centers have transitioned from small, internal computer rooms serving government, research, and corporate institutions to large, standalone facilities supporting cloud computing, digital communications, and artificial intelligence. As this transformation has occurred, data centers have become major physical infrastructure, requiring substantial power, cooling, fiber connectivity, security, and long-term site planning. North Carolina now reflects this broader national trend, with recent investments demonstrating that data centers are no longer a niche land use. For local governments, this historical context is

significant because it necessitates viewing data centers not as generic office or warehouse space, but as a distinct development type whose siting, infrastructure requirements, and community impacts can influence land-use decisions for decades.

TA26-01 addresses this shift by closing a gap in the Unified Development Ordinance (UDO). The current UDO does not define data centers as a distinct land use, requiring staff to classify proposals on a case-by-case basis and resulting in inconsistent entitlements, review standards, and long-term enforcement. The proposed amendments introduce a clearer and more predictable framework by distinguishing incidental server rooms from principal-use data centers, aligning approvals with operational intensity, and focusing regulation on external effects that most significantly impact surrounding properties and City systems, such as exterior equipment, generator activity, noise, utility coordination, screening, and airport compatibility. The proposal was developed through cross-departmental review and informed by peer-community experiences, which indicate that generic industrial classifications often fail to address the impacts most associated with modern data centers.

The evolution of data centers underscores the need for a balanced and pragmatic approach by the City. These facilities can generate substantial private investment, expand the nonresidential tax base, and enhance economic competitiveness. However, as infrastructure-intensive and low-employment developments, their fiscal and community value extends beyond capital investment alone. The benefits of data centers depend on effective revenue capture, strategic planning for infrastructure and utility demand, and long-term compatibility with surrounding areas. Collectively, the industry's history, the proposed text amendments, and broader local government experience indicate that data centers require a more precise and enforceable regulatory framework than traditional zoning categories can provide.

Background:

In late summer 2025, the Development Services Department began receiving inquiries about data centers, mainly concerning zoning districts and regulatory standards. In response, staff initiated research to evaluate how this use could be incorporated into the City's existing Unified Development Ordinance (UDO) framework.

Through this analysis, staff found that the current Use table did not adequately address the classification, location, or regulation of data centers. As a result, staff began developing potential regulatory approaches, drawing from ordinances in other North Carolina jurisdictions and nationwide best practices.

Staff advised interested third parties of two paths forward: (1) allow time to develop and adopt new ordinance standards through the legislative process, or (2) submit a request for a formal interpretation to determine how the use could be classified under the existing ordinance. A formal interpretation would follow the City's established process, including review by the City Manager and the opportunity for appeal to the Zoning Commission.

The applicant group chose to defer pursuing a formal interpretation and instead await the development of specific ordinance standards.

In October 2025, a preliminary draft proposal was presented to the Planning Commission for initial review. In January 2026, a working group of technical experts reviewed the proposed amendments. Based on this collaboration, a refined set of more comprehensive and enforceable standards was developed and presented to the Planning Commission in February 2026. These standards introduced a tiered system for defining and regulating data centers, as summarized below.

The framework aligns regulatory measures with real-world impacts by identifying four primary use types: (1) internal-only accessory facilities, defined as minor server rooms located within another principal use; (2) accessory facilities with dedicated exterior plant, where support equipment generates external land-use effects; (3) principal data centers, in which data storage and processing constitute the primary site use; and (4) principal data centers with an Energy Center, where on-site power generation results in a more intensive operational profile. This categorization enables the UDO to distinguish between minor server rooms and hyperscale campuses, while establishing clearer standards as facility scale, equipment, and operations begin to impact adjacent properties and municipal systems.

Issues/Analysis:

The Evolution of Data Centers

Data centers did not emerge solely because of artificial intelligence. They represent the latest phase in a longstanding transformation of how the United States stores, processes, and transmits information. A data center is a dedicated facility housing computing equipment along with the power, cooling, networking, and security systems needed for continuous operation. Initially, these centers were isolated rooms for large government and research computers. Over time, they developed into a nationwide network of commercial facilities supporting banking, logistics, communications, cloud services, streaming, and artificial intelligence. Today, local governments and AI policy organizations see this infrastructure as fundamental to the modern economy. As a result, data centers have become increasingly important in land-use and infrastructure planning.

Early Computing: Dedicated Machine Rooms

The earliest precursor to the modern data center was not a large warehouse filled with servers but a dedicated computer room. In the 1940s and 1950s, computers like ENIAC were large, power-intensive machines designed for military and scientific calculations. Introduced in 1946, ENIAC occupied more than 1,500 square feet, weighed about 30 tons, and used 18,000 vacuum tubes. Machines from era required specialized rooms, controlled environments, continuous maintenance, and restricted access. Thus, even before the term “data center” became common, the foundation was set: critical computing equipment needed a purpose-built physical environment.

Mainframes, Time-Sharing, and the Development of the Computer Center

Between the 1950s and the 1970s, computing expanded beyond military and scientific

uses into government agencies, universities, banks, insurers, and large corporations. Mainframes formed the foundation of administrative and business computing. IBM's System/360, introduced in 1964, was significant because it unified a family of machines under one architecture, allowing organizations to expand without discarding existing software. At the same time, time-sharing allowed multiple users to access a central machine via remote terminals. This model spread throughout the 1960s and 1970s in sectors like banking, insurance, and retail. During this era, the "computer room" evolved into the "computer center," a centralized, climate-controlled facility where institutions concentrated their most critical computing operations.

This period also transformed Americans' perceptions of data. In the mid-1960s, scholars and federal officials proposed establishing a U.S. "National Data Center" to centralize access to machine-readable records for research and planning. Although this proposal was never implemented, it revealed two enduring concepts that continue to influence data-center politics. First, institutions increasingly sought centralized data infrastructure to facilitate analysis, forecasting, and administration. Second, the public rapidly recognized that centralized data systems could concentrate power and pose risks to privacy. Historians Dan Bouk and Christopher Loughnane, along with William Aspray, demonstrate that the origins of modern data-center politics extend beyond hardware considerations. From the outset, the centralization of computing and records prompted questions regarding not only efficiency, but also governance, control, and public trust.

By the late 1960s and early 1970s, large computing centers had become prominent enough to attract political attention. Max Larson's research on campus computer-center sabotage indicates that university computing facilities were occasionally targeted during antiwar and racial justice movements, as students saw them as symbols of institutional power, military research, and administrative authority. While these facilities were not equivalent to contemporary commercial data centers, their significance shows that large computing sites had already acquired social and political meaning well before cloud computing.

Evolution from In-House Computer Rooms to Commercial Data Centers

During the 1980s and 1990s, personal computers and client-server systems decentralized computing within organizations. Offices no longer relied solely on a single mainframe. However, this change did not eliminate the need for centralized infrastructure; it transformed its nature. As organizations connected local machines to broader networks, secure backend facilities remained essential for hosting applications, storing records, and managing telecommunications. This shift led to the rise of the commercial data center industry, providing facilities for shared hosting, interconnection, and outsourced services beyond a single company's internal use. Studies show many third-party facilities clustered in urban areas to stay close to customers, networks, and exchange points.

Two key developments accelerated this transition. First, virtualization allowed multiple computing environments to run on the same physical hardware, greatly improving server utilization. Second, there was growing emphasis on reliability standards. By the late twentieth century, data centers were judged not only on functionality but also on their ability

to stay operational during maintenance, equipment failures, or disruptions. The Uptime Institute's tier framework formalized these expectations. As a result, data centers evolved into engineered systems designed for redundancy, high uptime, and continuous service rather than just rooms housing computers.

Cloud Computing and the Emergence of Hyperscale Infrastructure

A major transformation occurred in the 2000s, when cloud computing allowed data-center capacity to be rented on demand instead of owned by individual customers. According to Amazon, AWS launched in 2006 to reimagine IT infrastructure, first offering S3 for storage and later EC2 for computing. This change fundamentally altered the computing business model. Organizations no longer needed to build and maintain their own server rooms. They could acquire storage and processing power remotely as needed. As a result, the industry shifted toward much larger campuses run by major cloud providers.

This transition also affected the geographic distribution and ownership of facilities. Shane Greenstein and Tommy Pan Fang note that third-party data firms and cloud providers use different locations strategies: third-party firms favor urban areas, while cloud providers focus on fewer, lower-density locations to achieve greater scale. Daniel Greene adds that many core physical internet assets are now controlled not only by technology firms but also by commercial real estate owners. Their colocation buildings and interconnection facilities have become part of a broader property market. In short, data centers evolved from back-office equipment to a specialized form of infrastructure, utility demand, and real estate investment.

The Local Turn: Land, Tax Policy, and Physical Infrastructure

As data centers have grown, their local impact has become more significant. Jenna Burrell's study of Facebook's Prineville, Oregon, facility shows that establishing a large data center rarely results from a single corporate decision. Instead, it depends on years or decades of groundwork involving land acquisition, electricity, fiber infrastructure, tax policy, and local economic development strategies. Burrell argues rural leaders often prepared for such investments long before a specific company arrived, even if these efforts seemed incomplete at the time. This is important for local governments: data centers do not simply appear without context. They are built where physical infrastructure, policy decisions, and market conditions align.

This local aspect helps explain mixed responses to data centers. Supporters often highlight increased tax revenue, construction spending, and enhanced regional prestige. Critics point to limited permanent jobs, high utility demands, land use, and public costs tied to incentives. Materials from the National League of Cities now describe data centers as a local governance issue because their benefits and burdens are most visible at municipal and county levels, even when serving national or global markets. Thus, the history of data centers shows how local governments have realized "the cloud" is not intangible. It is physical, territorial, and heavily dependent on public infrastructure.

The AI Era and the Reemergence of Physical Constraints

The current expansion of artificial intelligence has increased awareness of physical infrastructure needs. While modern data centers still store and process conventional digital traffic, AI training and inference require much larger facilities with substantial power and cooling demands. According to the U.S. Department of Energy, data centers used about 4.4% of total U.S. electricity in 2023 and are projected to consume between 6.7% and 12% by 2028. This explains why discussions now focus more on substations, transmission, backup power, water use, and utility cost allocation. Recent developments in data center operations confirm a longstanding fact: although computing seems virtual to users, it depends on physical buildings, machinery, and public infrastructure.

North Carolina's Role in the National Data Center Landscape

North Carolina is now firmly part of the latest phase of data center development. The state emerged early as a destination for major cloud infrastructure, with Google announcing its Lenoir data center in 2007 and Facebook opening its Forest City facility in 2012. North Carolina also offers targeted sales and use tax exemptions for qualifying data centers, showing a deliberate strategy to attract this industry. More recently, the state announced Amazon's planned \$10 billion artificial intelligence and cloud campus in Richmond County, illustrating the market's shift from initial cloud facilities to much larger AI-focused projects. The accompanying materials document this path, highlighting the move from early western North Carolina campuses to broader statewide expansion and growing infrastructure demand.

Collectively, this historical progression reveals a distinct pattern. Data centers have evolved from specialized machine rooms serving a limited number of large institutions to centralized computer centers, to outsourced commercial facilities, and ultimately to hyperscale campuses that support cloud and artificial intelligence services. Each phase has increased the power and accessibility of computing, while also amplifying the significance of the supporting infrastructure. For local governments, this evolution underscores the need to view data centers not as a narrow technological application, but as a critical form of physical infrastructure. Their siting, utility requirements, environmental impacts, and fiscal arrangements can influence communities for decades.

Regulatory Response

As data centers evolved from internal computer rooms into large standalone campuses, land-use questions changed. Older zoning codes often absorbed small server rooms under broader office, institutional, or industrial categories because the equipment was mostly internal and off-site effects were limited. Modern data centers are different. Often, the most consequential parts are not the server halls but the exterior plant and support systems that enable continuous operation. These include cooling yards, generator yards, substations, switchgear, fuel systems, and other utility infrastructure. Routine generator testing, noise, screening, utility demand, airport compatibility, and campus-scale phasing are now common planning issues. This is why local regulations must evolve with the industry.

That shift also explains why treating data centers as generic industrial or warehouse uses is often insufficient. A conventional industrial classification may indicate where a use is allowed, but it often does not address the questions residents and staff face once a project is proposed. How close can major equipment come to homes? When can generators be tested? What information should be provided about utility demand and site operations? How should large exterior equipment areas be screened? What gets reviewed up front, and what gets verified after construction? Peer communities, including high-growth data-center markets, have learned that if these questions remain unresolved, review becomes inconsistent, applicants face uncertainty, and enforcement becomes harder over time.

TA26-01 is intended to respond to that broader change in a measured way. It starts from a basic point: not every room with servers is a data center in the land-use sense. Hospitals, offices, studios, and similar uses may contain individual server rooms, but they do not function like principal-use data centers with dedicated exterior plant and campus-scale infrastructure. The amendments, therefore, tries to draw a clearer line between minor, internal IT functions and full-scale data-center development, so the code regulates the uses that actually create distinct land-use impacts without unintentionally sweeping in ordinary buildings with back-of-house technology.

The amendments also reflect how these facilities operate. Data centers are typically infrastructure-heavy and people-light. They often require far more power, mechanical equipment, and service coordination than their employment numbers suggest. Some include on-site power-generation components that change their operating profile by adding fuel logistics, more intensive equipment areas, and greater nuisance potential. That is why the draft distinguishes between a baseline principal facility and a more intensive variant with an Energy Center. It focuses on measurable external effects rather than treating all data centers as if they operate the same way.

Modern data centers are zoning issues, but also utility coordination, operational, airport compatibility, and long-term enforcement issues. The proposed text amendments aim to give the City a more predictable framework before proposals become more frequent or complex.

In that sense, TA26-01 is best understood not as a departure from the history of data centers but as the next step. As these facilities have become larger, more specialized, and more consequential to surrounding areas, local codes can no longer rely on loose analogies to older industrial forms. The ordinance aims to bring the UDO into closer alignment with what data centers have become: a distinct land use with recognizable public benefits and identifiable off-site impacts that require clearer rules, earlier coordination, and more reliable long-term administration.

Budget Impact:

The budget impact of data centers has changed as the industry evolved. Earlier computing facilities were often small, internal rooms within government, university, or corporate buildings, so their local fiscal footprint was modest. Modern data centers are different. The industry shifted toward large standalone campuses built around cloud

computing and AI. Local governments now see them not as ordinary office support space but as major physical developments tied to land, power, water, fiber, and long-term infrastructure planning. The National League of Cities describes data centers as a local-governance issue because they bring tax revenue, jobs, and improved digital connectivity while also creating pressure on energy demand, water use, and land use. DOE reports that U.S. data-center electricity use rose from 58 TWh in 2014 to 176 TWh in 2023, showing how much larger and more infrastructure-intensive these facilities have become.

Historically, the most important positive budget effect for local governments has been revenue, especially where data centers are taxable as land, buildings, and equipment. In Virginia's mature data-center localities, JLARC found data-center revenue ranged from less than 1 percent to 31 percent of total local revenue, with Loudoun County at 31 percent and Prince William County at 7 percent in FY23. JLARC also found a single data center with \$150 million in taxable computer equipment could generate very different local revenue over five years depending on local tax policy, from about \$10.8 million to \$0.4 million. Data-center equipment is expensive and often replaced on roughly five-year cycles, so the local tax stream can be substantial where the tax structure captures it. Local officials in those Virginia jurisdictions reported data-center revenue helped lower real-estate tax rates, build reserve funds, support an affordable-housing trust fund, and construct new schools.

That said, the historical record shows the budget upside is not simple. Data centers are often promoted as job creators, but economic benefits mainly come from construction rather than ongoing operations. JLARC found most of the industry's economic benefits in Virginia came from construction, not day-to-day operations. Industry representatives reported construction peaks can bring about 1,500 workers on site, which differs greatly from the lower staffing levels once operations stabilize. This pattern matters for local budgets because communities may see large upfront investment and construction activity without equally large long-term operating employment. In other words, data centers can be strong tax-base projects even if they are not major permanent-job generators.

The historical cost side has become more visible as facilities have grown. Modern data centers require local governments to spend more time on planning, zoning, permitting, and coordinating with utilities and state regulators. They can also create indirect fiscal pressure when growth in electricity, water, and land demand affects public systems or community expectations. The National League of Cities advises local leaders to address sustainability, zoning, and infrastructure concerns proactively. It also notes that city leaders increasingly need to coordinate with utilities, regulators, and technology companies when these facilities are proposed. This pattern reflects the broader evolution of the industry. Once data centers became large, utility-dependent campuses rather than back-office rooms, their budget impact expanded from simple tax questions to broader issues about infrastructure readiness, public-service capacity, and long-range growth management.

Overall, the historical local-government budget impact of data centers is mixed but potentially significant. They can strengthen the tax base, generate substantial property-

and equipment-related revenue, and provide bursts of construction-related economic activity. At the same time, their benefits vary widely based on local tax structure. Their permanent employment footprint is usually smaller than their capital investment suggests. Their growing infrastructure demands can create indirect public costs that local governments must manage. As a result, the budget story of data centers is not simply that they are fiscally positive or negative. Over time, they have become large and infrastructure-intensive enough that their local fiscal effects depend heavily on how well a community captures revenue, plans for utility and land-use impacts, and aligns approvals with long-term public-service capacity.

Options:

Next steps determined at Council's direction.

Recommended Action:

Attachments:

- Data Center Evolution - PowerPoint
- Telecommunications and Data Storage Facilities - Data Centers - PowerPoint
- Planning Commission February 17, 2026, Agenda Packet
- Planning Commission February 17, 2026, Draft Minutes
- Data Centers Presentation from FCEDC to the County Commissioners on February 19



THE EVOLUTION OF

DATA CENTERS

From Room-Sized Mainframes to Hyperscale Powerhouses

A Journey Through Computing History & North Carolina's Rise



WHAT IS A DATA CENTER?



A data center is a dedicated physical facility that houses computing systems, storage devices, and networking equipment — along with supporting infrastructure such as power supplies, cooling systems, and security measures — designed to store, process, manage, and distribute data and applications.



Compute

Processing millions of transactions per second



Storage

Petabytes of critical business data



Networking

High-speed connectivity and distribution



Security

Physical and cyber threat protection

DATA CENTER TIER CLASSIFICATIONS

Established by the Uptime Institute — the international standard for data center performance

TIER I	Single path power & cooling, no redundancy Small business, dev/test	99.671% uptime	28.8 hrs/yr downtime
TIER II	Single path with some redundant components (N+1) Mid-size organizations	99.741% uptime	22 hrs/yr downtime
TIER III	Multiple paths, concurrently maintainable Enterprise & commercial	99.982% uptime	1.6 hrs/yr downtime
TIER IV	Fully fault tolerant, 2N+1 redundancy Mission-critical / hyperscale	99.995% uptime	26 min/yr downtime

THE COMPUTING THAT PUT US ON THE MOON



Apollo Guidance Computer (1969)

Processor Speed	0.043 MHz
RAM	32 KB
Storage (ROM)	72 KB
Weight	70 lbs
Transistors	~12,300

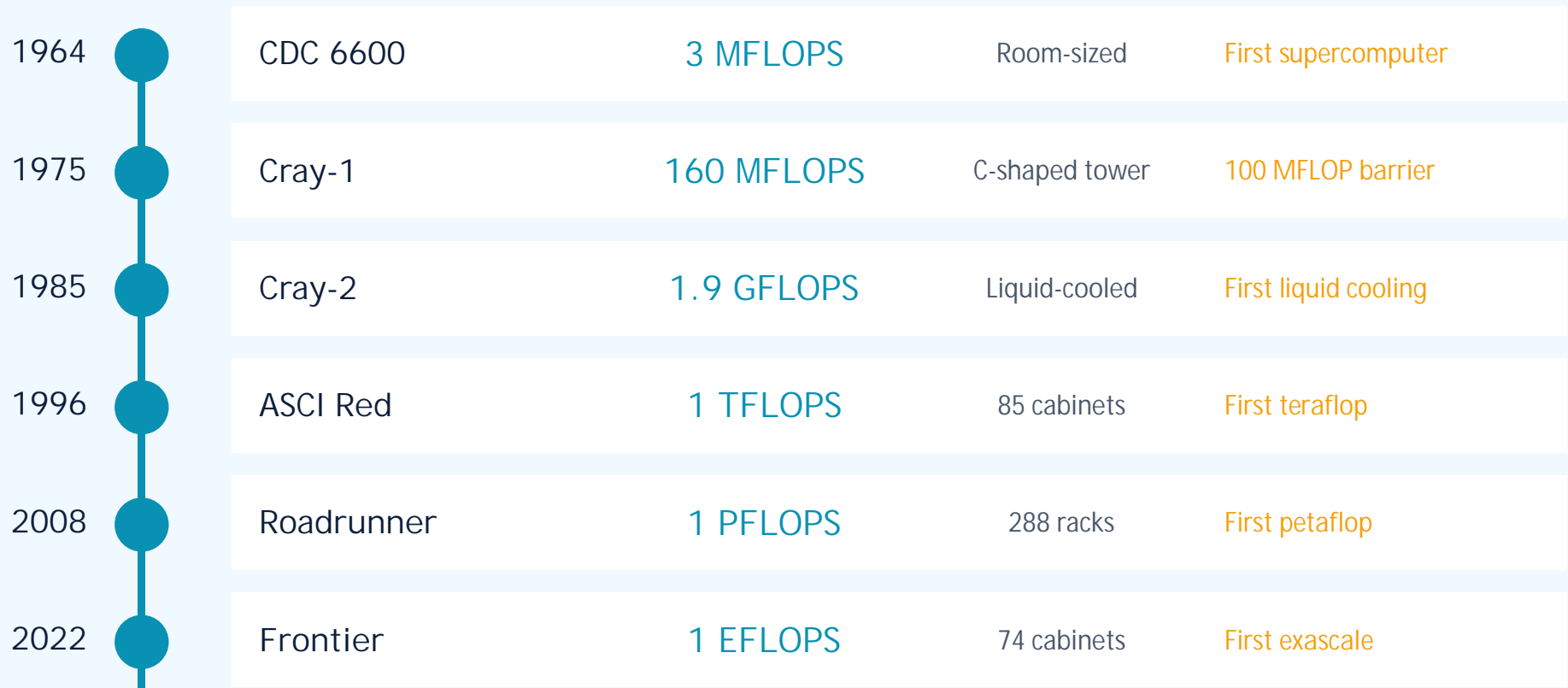


Modern Smartphone (Today)

Processor Speed	~3,000 MHz
RAM	8-16 GB
Storage	256-1,000 GB
Weight	~6 oz
Transistors	~16 Billion

100,000x more processing power in your pocket today than what landed humans on the moon

SUPERCOMPUTERS: SMALLER SIZE, BIGGER POWER

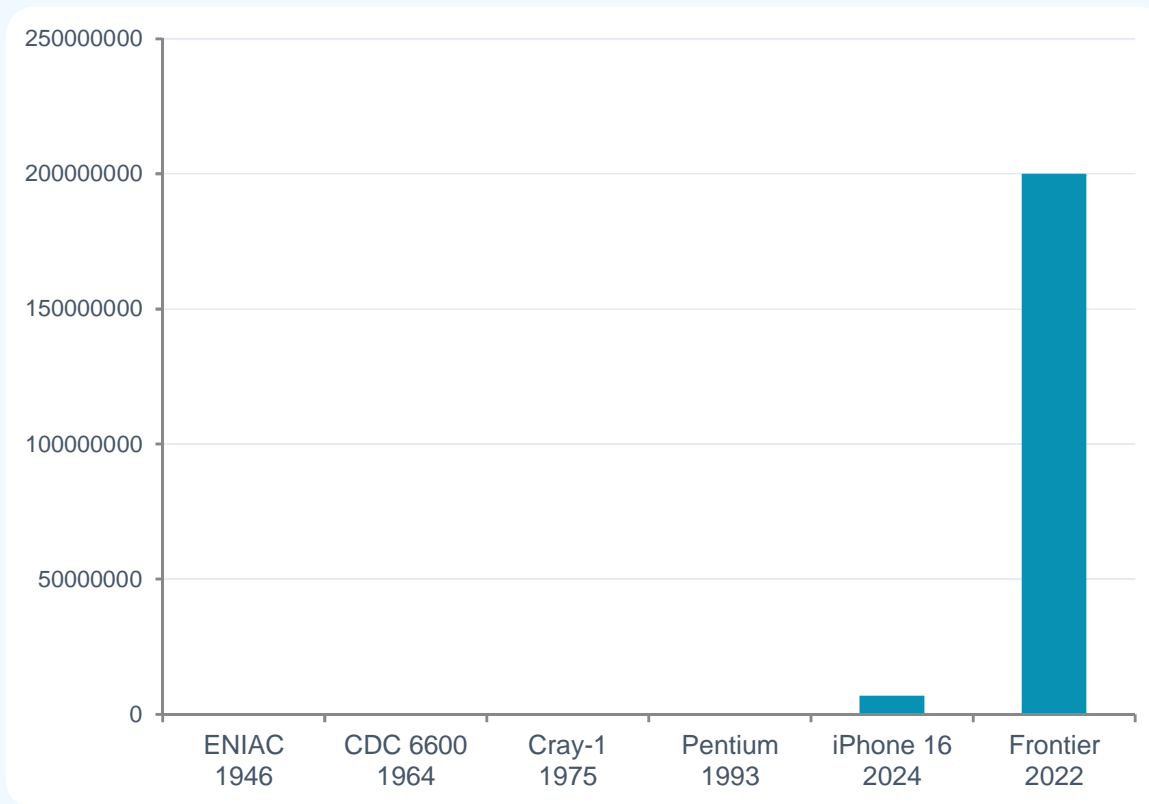


A vertical timeline on the left side of the table, consisting of a teal line with circular markers at each year: 1964, 1975, 1985, 1996, 2008, and 2022.

1964	CDC 6600	3 MFLOPS	Room-sized	First supercomputer
1975	Cray-1	160 MFLOPS	C-shaped tower	100 MFLOP barrier
1985	Cray-2	1.9 GFLOPS	Liquid-cooled	First liquid cooling
1996	ASCI Red	1 TFLOPS	85 cabinets	First teraflop
2008	Roadrunner	1 PFLOPS	288 racks	First petaflop
2022	Frontier	1 EFLOPS	74 cabinets	First exascale

From 3 million ops/sec (1964) to 1 quintillion ops/sec (2022) — a 333 TRILLION-fold increase

PROCESSING POWER GROWS AS DEVICES SHRINK



Moore's Law: transistor count doubled every ~2 years for five decades



A smartphone is 100,000x faster than Apollo 11's guidance computer



Today's \$10 microcontroller rivals 1960s supercomputers



Apple M1 chip: 2.6 TFLOPS — matching a 1990s supercomputer

THE ORIGINS OF DATA CENTERS



1940s-1950s

The Mainframe Era

ENIAC (1946) — 30 tons, 1,800 sq ft, 18,000 vacuum tubes, 150 kW. The Pentagon, CIA, and West Point build dedicated computer rooms. Military secrecy demands physical security and environmental controls.



1960s-1970s

Corporate Computing

IBM builds the first official data center. Transistors replace vacuum tubes, cutting size by 90%. IBM System/360 becomes the enterprise backbone. Temperature/humidity control becomes standard.



1980s-2000s

PC & Internet Revolution

Client-server architecture replaces mainframes. The dot-com boom drives massive facility construction. VMware introduces virtualization (1999). Uptime Institute creates the tier classification system.

THE NEED FOR DATA CENTERS

402.74 million

TERABYTES OF DATA CREATED EVERY DAY



Always-On Reliability

99.995% uptime for mission-critical ops



Scalable Compute

Instantly scale from 1 to 1,000+ servers



Security & Compliance

Physical, cyber, and regulatory protection



Global Connectivity

Low-latency access for billions of users



Disaster Recovery

Geographic redundancy protects data



AI & Cloud Power

Enabling AI training, cloud, and IoT

TODAY'S DATA CENTER REQUIREMENTS



Massive Power

Hyperscale facilities need 100-400 MW — like powering a small city. Data centers consumed 4% of U.S. electricity in 2023, projected to double by 2030.



Cooling & Sustainability

Advanced liquid cooling, free-air economizers, water-efficient systems. Operators pursue carbon-neutral operations and renewable energy.



Fiber Connectivity

Dense fiber-optic networks, carrier-neutral interconnection. Low-latency to major internet exchanges and cloud on-ramps.



Physical Security

24/7 surveillance, biometric access, mantrap entry, perimeter fencing. SOC 2, ISO 27001, and HIPAA compliance.



Skilled Workforce

Electrical engineers, HVAC technicians, network architects, security specialists with mission-critical experience.



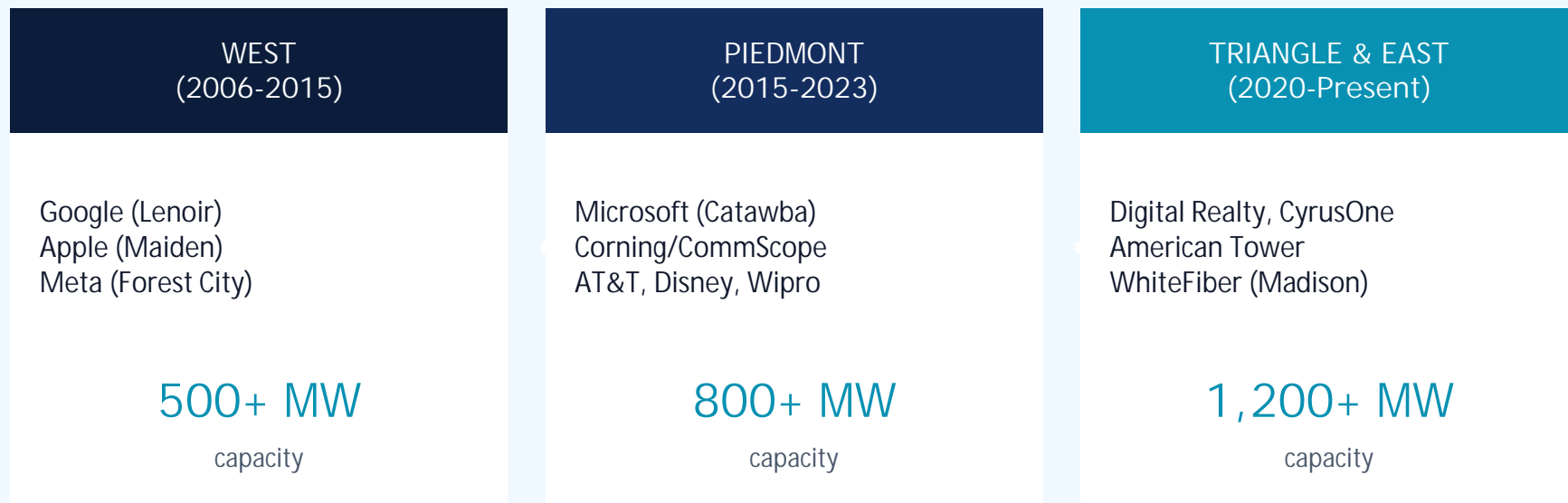
Strategic Location

Low natural disaster risk, available land, proximity to fiber routes and power, pro-business regulatory environment.



NORTH CAROLINA: THE NEW DATA CENTER CAPITAL

How Data Centers Spread Across North Carolina



EASTWARD EXPANSION: Amazon \$10B in Richmond County | \$19.2B campus in Tarboro | Microsoft's 1,385-acre Person County megasite | Power demand projected to double from 3 GW to 6 GW



WHY NORTH CAROLINA? THE COMPETITIVE EDGE



Reliable Power Infrastructure **4.5 GW**

Duke Energy contracts grew from 3 GW to 4.5 GW. Access to 2.24 GW power plants. Utility commitment to supporting growth.



Fiber Optic Leadership **3,700 mi**

NCREN spans 3,700 miles of fiber. CommScope and Corning produce 40% of world fiber supply. Dense carrier connectivity.



Pro-Business Economy **Top 10**

Top 10 state for business tax climate. Electricity ~15.76% below national avg at ~8.5c/kWh. Special data center tax incentives.



World-Class Talent **250+**

RTP: 7,000 acres, 250+ companies. Duke, UNC, NC State produce top-tier engineering and IT graduates.



Low Natural Disaster Risk **Zone 1-2**

Low seismic zone rating. Inland locations avoid major storm damage. Favorable climate reduces cooling costs.



Abundant Land & Infrastructure **1000s acres**

Massive tracts for hyperscale campuses. Strong highway, rail, airport, and deep-water port access.

BILLIONS POURING INTO NORTH CAROLINA

Amazon Web Services

\$10B

Richmond County

1,200 acres, 20 buildings, 3.7M sq ft near 2.24 GW Duke Energy plant

Microsoft

\$1B+

Person & Catawba Counties

1,385-acre megasite in Person County; 4 new Catawba facilities

Google

\$1.2B

Lenoir, Caldwell County

Ongoing expansion of flagship NC campus, one of Google's earliest

Meta (Facebook)

\$750M+

Forest City, Rutherford Co.

Three data center buildings with continued multi-building expansion

Apple

\$175M

Maiden, Catawba County

237,600 sq ft expansion to 500,000+ sq ft flagship campus

Energy Storage Sol.

\$38B

Tarboro & Fayetteville

Twin 900 MW campuses, 24 phases, 1,000+ employees each

DEPENDENCIES FOR CONTINUED GROWTH



Power Infrastructure Expansion

Duke Energy must scale from 4.5 GW to 6+ GW. New substations, transmission lines, and generation capacity critical. Operators pledging not to increase consumer electricity prices.



Workforce Development

Apprenticeship programs adding data-center-focused electrical and HVAC tracks. Community college partnerships near major sites. Siemens adding 350+ jobs in the Carolinas.



Community & Government Partnership

Balancing rapid development with community needs. Environmental impact assessments, water management, transparent engagement. Streamlined permitting while maintaining standards.



Sustainable Energy Solutions

Commitment to renewables and carbon-neutral operations. Heat-recovery, energy-efficient building envelopes, on-site renewable infrastructure. NC's 2025-2029 strategic plan includes sustainability.



THE FUTURE IS BEING BUILT IN NORTH CAROLINA

From room-sized mainframes to hyperscale campuses worth billions, data centers are the infrastructure of our digital future — and North Carolina is leading the charge.

\$50B+

Invested in NC

40+

Operating Facilities

6 GW

Projected Demand



Data Centers

February 19, 2026

For Discussion

- The rapid growth in quantity and scale of Data Centers
- Site & Utility Requirements
- Cumberland County Existing Industrial Sites & Infrastructure
- Factors limiting the size & type of Data Centers that would consider Cumberland County
- Economic Benefits
- Operational Characteristics in comparison to other operations
- Concerns and potential impacts
- Items recommended for follow-up action

Data Centers – Evolution & Types



AIT – Downtown
Fayetteville, NC



Apple Campus –
Maiden, NC



Segra Data Chambers –
Kannapolis, NC

Site & Infrastructure Requirement

- For now – Searches start with electrical infrastructure and capacity – “large” centers start around 100 MW
- Size of desired site scales with capacity and availability
- Depending on cooling technology, water capacity is often the next question asked
- Back up generation can be provided by varying means
- Some are proposing on-site power generation, reducing grid reliance
- Cumberland County has existing industrially zoned properties, with adequate utilities that are attractive to Data Centers

Limiting factors

- Existing Infrastructure and available capacity cannot accommodate the largest of data centers
- Substantial increases in generation capacity, at a utility level, are many years out
- Smaller centers exist and are likely
- These issues are driving increased conversations around onsite generation and energy storage

Economic Benefits

- Projects range in investments from a hundreds of millions of dollars to multiple billions
- At the current tax rate, each \$1B = \$5million in property tax revenue
- Jobs pay very well, but would be on the order of dozens to 100+ per project
- Incentives are not required
- Provides needed IT infrastructure and can lead to growth in the technology sector

Operational Characteristics - Common

- Water Usage – similar to other large industrial operations that utilize water for equipment cooling
- Waste Water – also similar to other large industrial operations that utilize water for equipment cooling
- Equipment Noise – Cooling equipment can generate substantial and consistent noise, similar to large textile facilities or other industrial operations
- Air emissions – largely tied to onsite back up power generation

Operational Characteristics – Uncommon

- 24-7 operations without interruption
- Potential large amounts of fuel or battery storage and regular operation of back up generators
- Growing interest in self generation
- Exponential power demand

Recent policy changes regarding electric service NC

- Substantial upfront charge for system modeling studies
- Customer must own the land and have it zoned / entitled for Data Centers
- Project must fund transmission costs upfront (typically \$30-100 MM)
- Customer must agree to interrupt service 100 hours / year
- NC Policy Discussions and Potential Legislative Action

Legitimate concerns raised from other places – but not necessarily transferable to Cumberland

- Evaporative Water Usage
- Immediate proximity to
- Uncontrolled discharge of cooling water
- Impact on ground water
- Direct costs to surrounding rate payers for infrastructure or electricity
- Brownouts / power availability

Primary Local Impacts

- Noise – from operations and when back generation occurs
- Emissions from backup generation
- Vibration and/or harmonic resonance
- Stress on the power grid
- Available capacity for other uses
- Impact on electrical rate payers – (policy issue)

Large Data Centers should be scrutinized as you would any other very large industrial process

- Adopt regulations to protect neighbors and surrounding property owners from potential negative impacts
- Add definitions that clearly define the different types of data centers and where they would be allowed
- If there is any proximity to residential use or zoned property – require noise modeling and verification of compliance
- Add use specific requirements regarding screening & buffering where they back up to other zoning districts
- Consider limiting non-utility power generation facilities to “special use” only (not back up)

Questions?

CITY COUNCIL WORK SESSION

Telecommunications and Data Storage Facilities (Data Centers)

April 6, 2026



- Modern data centers support economic diversity, innovation, and data-driven governance.
- They can expand the nonresidential tax base, attract private investment, and require coordinated planning for land use, utilities, broadband, and long-term infrastructure capacity.
- They also create potential conflicts if not carefully assessed because hyperscale facilities are land- and power-intensive and can strain utilities, stormwater systems, review capacity, and growth management.
- Data centers are most consistent with the Strategic Plan when treated as major infrastructure uses subject to comprehensive review, fiscal discipline, utility coordination, and transparent public engagement.

- Data centers have evolved from internal computer rooms to large standalone facilities supporting cloud computing, digital communications, and artificial intelligence.
- Because they function as major physical infrastructure, they should be regulated as a distinct land use rather than treated as generic office or warehouse space.
- TA26-01 addresses the current UDO gap by distinguishing incidental server rooms from principal-use data centers and by tying review standards to operational intensity.
- The proposed standards focus on the external effects most relevant to surrounding properties and City systems, including exterior equipment, generator activity, noise, utility coordination, screening, and airport compatibility.
- The overall need is a balanced framework that captures economic opportunity while improving predictability, enforceability, and long-term compatibility.

- In late summer 2025, Development Services began receiving inquiries regarding where data centers could be located and what standards would apply.
- Staff determined the current Use Table did not adequately classify or regulate this use and began researching approaches from North Carolina jurisdictions and other states.
- Interested parties were advised they could either wait for new standards to be developed legislatively or seek a formal interpretation under the current UDO.
- The applicant group chose to wait for ordinance revisions, and staff presented an initial draft to the Planning Commission in October 2025.
- A January 2026 working group—including PWC, economic development, City departments, and Planning Commission members—helped refine the proposal presented in February 2026.

The Evolution of Data Centers

- Data centers did not originate with artificial intelligence; they represent a long evolution from dedicated machine rooms to centralized computer centers, commercial facilities, cloud campuses, and AI-supporting infrastructure.
- Each phase increased dependence on specialized buildings, power, cooling, networking, redundancy, and physical security.
- Over time, the “cloud” became a visible land-use issue because modern data centers are large, utility-intensive, and shaped by land, fiber, tax policy, and infrastructure readiness.
- North Carolina is now part of this national pattern, with major investments showing that data centers are no longer a niche land use but a significant infrastructure sector.

Regulatory Response

- Older zoning codes could absorb small server rooms under office, institutional, or industrial categories because off-site effects were limited.
- Modern data centers raise different planning issues, including exterior equipment yards, generator testing, noise, screening, airport compatibility, campus phasing, and utility demand.
- TA26-01 responds by drawing a clearer distinction between minor internal IT functions and principal-use data centers with dedicated exterior plant and infrastructure.
- The draft also recognizes operational differences by distinguishing a baseline principal facility from a more intensive variant with an Energy Center.
- Because these projects affect zoning, utilities, the Airport, fire review, development review, and long-term enforcement, the amendments aim to provide a predictable and measurable review framework.

The proposed framework aligns regulatory measures with real-world impacts by identifying four primary use types:

- (1) internal-only accessory facilities, defined as minor server rooms located within another principal use;
- (2) accessory facilities with dedicated exterior plant, where support equipment generates external land-use effects;
- (3) principal data centers, in which data storage and processing constitute the primary site use; and
- (4) principal data centers with an Energy Center, where on-site power generation results in a more intensive operational profile.

This categorization enables the UDO to distinguish between minor server rooms and hyperscale campuses, while establishing clearer standards as facility scale, equipment, and operations begin to impact adjacent properties and municipal systems.

- Modern data centers can strengthen the tax base through high-value land, buildings, and equipment, while also generating significant construction-related activity.
- Their long-term employment footprint is typically much smaller than their capital investment, so fiscal benefits do not come primarily from ongoing job creation.
- Revenue outcomes vary widely depending on local tax structure and whether the City and County effectively capture taxable value associated with equipment and facilities.
- As facilities become larger and more infrastructure-intensive, they also create indirect public costs tied to planning, permitting, utility coordination, and long-range service capacity.
- Overall, the budget impact is potentially significant but depends on revenue capture, infrastructure readiness, and alignment with long-term public-service capacity.



 **FAYETTEVILLE**^{NC}
AMERICA'S CAN DO CITY

FayettevilleNC.gov



City of Fayetteville

433 Hay Street
Fayetteville, NC
28301-5537
(910) 433-1FAY (1329)

Meeting Agenda - Final Planning Commission

Tuesday, February 17, 2026

6:00 PM

City Hall, Lafayette Conference Room

1.0 CALL TO ORDER

2.0 APPROVAL OF AGENDA

3.0 CONSENT

3.01 [26-0115](#) **Approval of Meeting Minutes: January 20, 2026**

4.0 LEGISLATIVE HEARINGS

4.01 [26-0106](#) **TA26-01 - Unified Development Ordinance (UDO) Text
Amendments: Telecommunications and Data Storage Facilities
(Data Centers)**

5.0 OTHER ITEMS OF BUSINESS

6.0 ADJOURNMENT



Five Council Strategic Priorities

Ongoing commitment to a comprehensive approach to community safety

Continue the City's commitment to revitalization efforts and housing needs

Increase Parks and Recreation opportunities for youth engagement and interaction

Enhance economic growth throughout the City

Evaluate and expand transportation and other connectivity for residents



City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0115

Agenda Date: 2/17/2026

Version: 1

Status: Agenda Ready

In Control: Planning Commission

File Type: Consent

Agenda Number: 3.01

TO: Mayor and Members of City Council

THRU: Planning Commission

FROM: Catina Evans - Office Assistant II

DATE: February 17, 2026

RE:

Approval of Meeting Minutes: January 20, 2026

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Strategic Operating Plan FY 2021

Goals 2026

Goal 6: Collaborative Citizen & Business Engagement

- Objective 6.2 - Ensure trust and confidence in City government through transparency & high-quality customer service.

Executive Summary:

The City of Fayetteville Planning Commission conducted a meeting on the referenced date during which they considered items of business as presented in the draft.

Background:

NA

Issues/Analysis:

NA

Budget Impact:

NA

Options:

1. Approve draft minutes;
2. Amend draft minutes and approve draft minutes as amended; or
3. Do not approve the draft minutes and provide direction to Staff.

Recommended Action:

Option 1: Approve the draft minutes.

Attachments:

- Draft Meeting Minutes: January 20, 2026

**MINUTES
CITY OF FAYETTEVILLE
PLANNING COMMISSION MEETING
LAFAYETTE ROOM, CITY HALL
JANUARY 20, 2026 @ 6:00 PM**

Members Present

Larry Marshall, Chair *
Alex Keith, Vice-Chair
Austin Joseph
Ernest Logan
Joe Connor
Keith Reid
Raymond Makar

Staff Present

Scott Walters, Senior Planner
Craig Harmon, Senior Planner
Victoria Curtis, Assistant City Attorney
Catina Evans, Office Assistant II

Members Absent

Heather Holmes
Maybelyn Rodriguez Laureano

I. CALL TO ORDER

Alex Keith called the January 20, 2026, Planning Commission meeting to order at 6:05 p.m. The members introduced themselves.

II. APPROVAL OF THE AGENDA

MOTION: Joe Connor made a motion to approve the agenda.

SECOND: Austin Joseph

VOTE: Unanimous (6-0)

III. APPROVAL OF CONSENT ITEMS TO INCLUDE THE OCTOBER 21, 2025, MEETING MINUTES

MOTION: Joe Connor made a motion to approve the consent items to include the minutes from the October 20, 2025, meeting, with the amendment to revise his first name from Eric to Joe and to revise Austin Joseph's last name from Hadley to Joseph.

SECOND: Austin Joseph

VOTE: Unanimous (6-0)

❖ Larry Marshall entered the meeting at 6:08 p.m.

IV. LEGISLATIVE HEARING:

TA26-01: Proposed Amendments to Chapter 30 Sign Regulations

Scott Walters presented information about this text amendment. Chair Larry Marshall opened the hearing for speakers. There were no speakers, so he closed the hearing, and the board members deliberated. Alex Keith made an initial motion and the board unanimously approved it as follows:

MOTION: Alex Keith made a motion to approve option 2 of number 9, which is 30-5.L.8.B.2.a.1.

SECOND:

VOTE: Unanimous (7-0)

The final vote was initiated by Joe Connor as follows:

MOTION: Joe Connor made a motion to approve the proposed text amendment with the acceptance of option number 2 for item number 9 as Mr. Keith suggested, with the understanding that UC (zoning district) would be removed from that option.

SECOND: Alex Keith

VOTE: Unanimous (7-0)

ALTA24-01: Revision of the Alternative Sign Plan as Presented by Fayetteville State University

Scott Walters presented information about this text amendment. Larry Marshall opened and closed the hearing because no speakers were present, and the board deliberated.

MOTION: Alex Keith made a motion to approve the Master Plan for FSU as it is.

SECOND: Joe Connor

VOTE: Unanimous (7-0)

IV. ADJOURNMENT

MOTION: Larry Marshall made a motion to adjourn the Tuesday, January 20, 2026, meeting.

SECOND: Joe Connor

VOTE: Unanimous (7-0)

The meeting adjourned at 7:21 p.m.

Respectfully Submitted by Catina Evans



City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0106

Agenda Date: 2/17/2026

Version: 1

Status: Agenda Ready

In Control: Planning Commission

File Type: Public Hearing
(Public & Legislative)

Agenda Number: 4.01

TO: Zoning Commission

THRU: Craig Harmon, CZO - Senior Planner

FROM: Demetrios Moutos, AICP - Planner II

DATE: February 17, 2026

RE:

**TA26-01 - Unified Development Ordinance (UDO) Text Amendments:
Telecommunications and Data Storage Facilities (Data Centers)**

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

The FY2025 Strategic Plan frames the City’s efforts around providing quality, sustainable public services that help communities thrive, and businesses grow, while promoting a vision of a city that is safe, prosperous, innovative, and unified. The TA26-01 data center amendments support this framework by establishing clear, manageable rules for an emerging, infrastructure-heavy land use, while maintaining a focus on measurable impacts and predictable, transparent review. The package reduces ambiguity in the UDO, aligns entitlements with suitable locations, and adds standards designed to be enforceable over time - exactly the kind of “forward-thinking” and data-informed governance described in the Strategic Plan.

Under Goal I (Safety & Security), the amendments enhance the City’s ability to prevent and respond to operational issues that could become public safety concerns if unregulated. Data centers can incorporate high-voltage electrical systems, fuel storage, generator equipment, and other specialized components that operate continuously. By clearly defining their use and applying use-specific standards based on actual impacts - especially noise and operational controls - the ordinance package reduces nuisance conditions that lead to complaints and repeated enforcement actions. It also helps ensure the city can hold operators to objective, verifiable requirements. In short, the amendments promote a safer and more secure community by establishing clearer expectations upfront

and more dependable compliance tools after construction.

Under Goal II (Diverse & Viable Economy), the amendments promote a stable development environment while protecting the community from unnecessary conflicts. A key economic development concern for any emerging use is certainty: applicants and residents need to understand what the use is, where it may be located, and what performance expectations apply. TA26-01 advances the Strategic Plan's goals related to maintaining a diverse tax base, leveraging partnerships for job creation and retention, and fostering a positive development climate by (1) defining and clearly naming the use to prevent ad hoc regulation, (2) placing it in the Use Table with explicit approval pathways, and (3) reserving discretionary review for higher-impact external proposals (such as facilities with an on-site Energy Center). This approach enhances predictability for responsible projects in suitable employment zones while allowing the City to address site-specific compatibility concerns where impacts are more likely.

Under Goal III (City Investment Planning), the relationship is straightforward. The Strategic Plan highlights managing future growth and strategic land use, ensuring timely and precise development review, strengthening code enforcement, and expanding "smart city" capabilities. Data centers, being dependent on utilities and infrastructure, can impose substantial demands on electric capacity, water/sewer systems, and transportation logistics during construction. TA26-01 aligns with this goal by combining land use directives (entitlements) with submission and operational standards that encourage early coordination and clearer documentation. This approach helps the City plan infrastructure proactively, minimizes surprises late in the review process, and promotes more consistent enforcement because the required documentation and performance standards are codified in the ordinance rather than negotiated informally.

Under Goal IV (Live, Work, & Recreate), the amendments enhance the Strategic Plan's focus on improving quality of life by increasing compatibility at neighboring edges and addressing airport-related issues. The use-specific standards aim to reduce common sources of long-term friction - such as noise, outdoor equipment placement, and screening - to ensure that growth in employment areas does not negatively impact nearby residential communities. Additionally, the airport overlay amendment directly supports the Strategic Plan's objective to maintain high-quality transit and airport services by requiring development features related to large industrial campuses to undergo compatibility reviews. This approach improves safety, minimizes avoidable conflicts with airport operations, and aligns with the City's broader mobility and connectivity goals.

Under Goal V (Financially Sound City), TA26-01 promotes fiduciary accountability and service excellence by making the development review and enforcement process more efficient and defensible. Clear definitions decrease staff time spent on interpretive disputes. Use-table clarity reduces uncertainty for applicants and the City. Objective, enforceable standards lower repeated complaint cycles and help staff focus on measurable compliance rather than subjective judgement calls. The tailored parking and loading standards also support efficient land use and prevent unnecessary overbuilding, which can lead to long-term maintenance and stormwater issues. Overall, the amendments help the City deliver consistent, high-quality service with fewer avoidable administrative costs.

Under Goal VI (Collaborative Government), the amendments align with the Strategic Plan's focus on trust, transparency, and productive engagement with residents, businesses, and partner agencies. A key source of public mistrust in land use regulation

is inconsistency - when outcomes depend on interpretation rather than clear rules. TA26-01 reduces that risk by clarifying the City's expectations and structuring decisions around predictable triggers and submittals. Equally important, the package promotes collaborative implementation: it emphasizes clear coordination points with utilities and airport-related reviews, and it reinforces accountability by requiring designated points of contact and documented compliance processes. This approach supports informed public discussion, boosts confidence in City procedures, and makes it easier for stakeholders to understand how and why decisions are made.

Executive Summary:

TA26-01 is a package of UDO text amendments that establishes a clear, enforceable framework for Telecommunications and Data Storage Facilities (data centers). The amendments do three things: define the use precisely (including principal versus accessory forms), place it in the Use Table with clear entitlements by zoning district, and add targeted, use-specific standards that address the impacts most likely to affect nearby properties and City operations. The package also adjusts parking/loading expectations to reflect the operational realities of data centers and updates the Airport Overlay District to ensure early compatibility review where height, lighting, cranes, and related features could impact airport operations.

The overall approach is impact-based and designed to improve predictability, fairness, and enforceability. Lower-impact forms of use have a clearer pathway in suitable employment and industrial districts, while proposals with higher external impact potential - especially those including an on-site Energy Center - are structured for discretionary review and conditions when necessary. By reducing interpretive ambiguity and linking requirements to objective standards (such as compatibility at residential edges, equipment placement and screening, noise compliance and verification, utility coordination documentation, and operational points of contact), TA26-01 promotes responsible economic development, protect neighborhood livability, and enhances the City's ability to administer and enforce the ordinance over time.

Background:

The City's data center work has been organized as a deliberate "production-ready" effort: to treat data centers as a distinct land use, to resolve open policy questions (such as their proper placement and applicable entitlement tools), and to convert known operational impacts into enforceable development standards that can be reviewed consistently during site plan and permit reviews. A working group was convened as a cross-department, cross-stakeholder forum - including Planning, Zoning, Airport, PWC Electric, Fire Marshal, Development Services, Public Services, IT, and FCEDC, with Planning Commission representation - to test the framework and identify specific edits that staff could incorporate into the final ordinance package. The goals were practical: confirm the entitlement approach, define what a complete Utility Impact Statement should include and how it should be routed, and establish a unified method for addressing campus scale, phasing, aggregation, and impact-based triggers.

The need for these amendments stems from a simple code gap: "data center" is not currently a clear, defined, enforceable use category in the UDO. Without that clarity, the use can shift into whatever classification is most convenient with each case. This results in inconsistent entitlements, uncertain standards, and weak enforcement power - exactly

the conditions that lead to disputes during plan review and complaints after occupancy. Staff's goal has been to establish a predictable pathway for suitable locations while directly regulating the off-site externalities that actually occur: the placement and screening of large outdoor mechanical and electrical yards, the timing and noise levels of generator testing, utility demand levels, and operational features (like on-site power generation) that significantly alter a project's impact.

This end product results from an iterative process that started with an initial five-part draft ordinance package presented to the Planning Commission in October 2025. During the January 2026 working group session, staff explicitly referred to that earlier package as the "current draft ordinance package," noting it had already gone through the Planning Commission and served as the baseline for focused refinement. Instead of proceeding directly on a Council schedule, the approach shifted to deliberate rework - using the October draft as a starting point, then integrating feedback from the working group, departmental review, and enforceability edits to produce a final version that is more streamlined and defensible.

A major theme driving the rewrite is scope discipline: the working group stressed that "data center" covers everything from smaller facilities and adaptive reuse to hyperscale campuses, and warned against regulating every facility as if it were the largest national headline example. This focus led to amendments that emphasize precision - distinguishing incidental IT rooms inside ordinary buildings from data centers as the main use, and further separating the elements that truly create neighborhood impacts (dedicated exterior plant, generator operations, and utility behavior). The definitions were revised to establish clear boundaries so the code regulates externalities without unintentionally including hospitals, offices, or other uses that contain server rooms.

The entitlement structure was also refined to match impact. The Use Table amendment labels the use as "Telecommunications and Data Storage Facility" and divides it into two main variants: a standard principal facility and a principal facility "with Energy Center." This division reflects a key point from the working group: on-site power generation alters operational aspects such as generator operation frequency, fuel logistics, and the likelihood of nuisance and enforcement issues. Therefore, the "with Energy Center" version is intentionally subject to Special Use Permit review in districts where it is permitted. Meanwhile, the standards package was rewritten to address questions the Use Table cannot answer: where equipment can be located relative to residential edges, what must be demonstrated acoustically (and when), how mitigation becomes part of the approved plan, and how post-construction verification closes the loop between modeling and real-world operations.

Finally, the rewrite included a "no surprises" set of calibration fixes based on operational experience and interdepartmental review. Parking and loading standards were adjusted to suit a use that is infrastructure-heavy but people-light, avoiding oversized parking fields driven solely by floor area while still maintaining adequate visitor and service capacity. The package now also addresses airport-compatibility review more directly through an Airport Overlay amendment, recognizing that modern industrial projects (including data centers) can proceed by right through site plan and permitting processes, even though the aviation risks - such as height/appurtenances, lighting, plume/visibility issues, fuel, and generator components - remain the same whether or not a rezoning takes place. These revisions result in a clearer, more enforceable framework: more precise definitions, a Use Table that prevents classification drift, standards targeting actual impacts, and review

mechanisms that ensure the right information reaches the appropriate reviewers early enough to avoid late-stage redesigns and neighborhood conflicts.

Peer Communities

Peer communities are learning the same key lesson: you cannot regulate “data centers” like warehouses or generic industrial tenants because the impacts people actually feel are caused by external plant (cooling equipment, generator yards, substations/switchgear), operating patterns (especially routine generator testing), and the scale and timing of utility commitments. This is the same reason for naming the use and defining its parts - to regulate what creates externalities without affecting typical “server rooms” incidental to hospitals, offices, or other permitted uses. The difference between internal accessory IT rooms and accessory installations with dedicated external plant, as well as the separation between a standard principal facility and a principal facility “with Energy Center,” reflects the clarity that peer jurisdictions have had to adopt after trying to manage modern facilities through broad categories. This approach aligns with national best practices: distinguish data centers from warehouse type uses, keep approvals predictable where impacts are manageable, and apply targeted performance standards near sensitive areas.

Northern Virginia remains the clearest high-growth example of what happens when data centers expand faster than the zoning laws can adapt. Fairfax County’s adopted Data Centers Zoning Ordinance Amendment (approved on September 10, 2024; effective September 11, 2024) emphasizes noise compliance and proximity to residential areas as key concerns. For by-right data centers, Fairfax requires (1) a pre-construction noise study submitted before site plan approval and (2) a post-construction noise study submitted before issuing a Nonresidential Use Permit, both showing compliance with the County Noise Ordinance to the Zoning Administrator’s satisfaction. Fairfax also pairs these noise-study requirements with separation and design standards near residential zones, including minimum setbacks for buildings and certain equipment (with relief available through a special exception process), along with a general requirement that equipment be enclosed or screened. Loudoun County went further in its Phase 1 action (Board approval March 18, 2025): The zoning ordinance amendment mandates Special Exception (SPEX) approval for data center uses in the Industrial Park (IP), General Industry (GI), and Mineral Resources-Heavy Industry (MR-HI) districts, where they had previously been permitted by right. It also includes a grandfathering resolution and a County-issued application pathway guide for projects accepted on or before February 12, 2025, which includes a 500-foot buffer from existing residential structures that plays a role in the grandfathering decision process for certain administrative applications.

That Northern Virginia trajectory aligns closely with the direction of these amendments, even though the mechanisms are customized to Fayetteville’s code structure. Instead of requiring a full acoustical study for every proposal, the ordinance adopts a proportional approach: it applies a uniform noise compliance standard to all facilities and then mandates technical acoustical documentation and post-construction verification when the site context or project features suggest a higher potential for off-site impacts - especially near residential areas and for facilities with an on-site Energy Center. The compatibility framework is the same as Fairfax’s: regulate to the property boundary, require competent modeling and enforceable mitigation, and ensure that real-world operations align with what was promised.

Regionally, Charlotte is a useful comparison because it shows how a major North

Carolina peer has already moved to explicitly name and define the use in its UDO instead of regulating it through similar categories. Charlotte defines a “Telecommunications and Data Storage Facility” as an employee-access-only facility that houses computer systems and related components for transmitting and receiving information, including cloud storage systems and server farms. Fayetteville’s approach matches that core idea and terminology, but it goes further by addressing specific enforcement issues flagged during our process: it clearly separates accessory IT functions that remain internal from data-center-like installations that include dedicated exterior equipment. In TA26-01, the ordinance creates two accessory definitions (“Internal Plant Only” versus “with Dedicated Exterior Plant”) and defines “Dedicated Exterior Plant” as the external mechanical and electrical equipment mainly supporting the facility, such as cooling towers, chiller/condenser yards, large fan arrays, generator yards, switchgear yards, and substations. The practical reason for this distinction is simple: neighbors do not experience “server racks”; they notice outdoor equipment-noise, visuals, screening, and placement-so the ordinance makes those components clear to ensure setbacks, screening, and noise requirements are applied consistently and enforced effectively. Raleigh is useful in a different way. Its UDO is built around broad use categories, and it places the responsibility on the Zoning Administrator to classify uses; if a proposed use is not listed, it can be treated as part of a similar listed category. This structure can work in markets where proposals are smaller, infrequent, or easier to compare. Fayetteville’s approach is intentionally different because the policy issue we are trying to address is not just “what do we call this use,” but “how do we ensure predictable review and enforceable mitigation for the specific externalities the public reacts to.” Naming the use, defining its components, and linking standards to those components reduces classification disputes and avoids case-by-case analogies at the moment when scale, complexity, and public sensitivity make ambiguity costly.

Beyond entitlement and noise, peer research also explains why Fayetteville’s package remains focused on land-use externalities rather than trying to embed broader economic development “asks” within zoning text. Many communities pursue wider public benefits through parallel channels-tax and revenue policies, workforce pipelines, infrastructure agreements, and utility partnerships-rather than through the core zoning ordinance, because zoning is most effective when it regulates siting, compatibility, and measurable impacts. Peer examples often cited include communities using data-center-driven revenues to support schools and public safety, operators pairing investments with job training and clean-energy commitments, and major companies collaborating on water and reuse strategies to reduce demand on potable systems. These examples help clarify a key design choice here: keeping the UDO focused on what it can regulate and enforce (where the use can locate, how it interacts with nearby properties, what standards apply to noise and equipment, and what documentation is required), while utilizing other tools-utility coordination processes, incentives, development agreements, and programmatic partnerships-when the goal is to secure broader community benefits that are better achieved through means other than zoning text.

Finally, two Fayetteville-specific differences are best understood as “local context” rather than a philosophical divergence from peer cities. First is the entitlement map. The Use Table structure-by-right in the primary employment and industrial districts, Special Use Permit in edge districts, and prohibited in neighborhood districts-aligns with a common peer pattern: predictable pathways in areas designed for higher-intensity employment

use, with discretionary review reserved for locations where compatibility issues are more likely and where conditions may be needed to protect nearby neighborhoods. The second is the Airport Overlay component. Many peer ordinances do not need to incorporate aviation-safety considerations into the same package, but Fayetteville does because modern data center campuses can include features relevant in an airport approach environment-taller structures and rooftop appurtenances, extensive lighting, temporary cranes, and operational factors that impact visibility or interfere with navigation and communications systems. The overlay amendment is a “no late surprises” strategy: it requires early identification of height and appurtenance limits, mandates timely FAA notice and documentation, and clarifies referral and resolution procedures so compatibility issues are identified early enough to allow redesign without delaying a project late in the site plan review.

Issues/Analysis:

Taken together, these amendments create a comprehensive regulatory “chain” for a use that the UDO previously did not identify or regulate as its own land use. The package begins by clarifying what the use is (and is not), then designates where it can be located and what entitlements are required. It also establishes the performance and design standards that directly influence the impacts on residents - especially at residential edges. The overall approach is to regulate the actual externalities of data centers (such as outdoor equipment yards, generator operations, noise, lighting, utility coordination, and complaint response) without unintentionally covering regular development that contains IT rooms. This framework offers predictability and protection: a clear pathway for investment in suitable districts, with well-defined, enforceable guardrails where conflicts are most likely to occur.

The Definitions amendment (Ordinance 1) forms the basis for everything that follows because it sets the boundary lines necessary for the rest of the code to be enforceable and fair. It considers “data center” as a spectrum, distinguishing incidental IT rooms within ordinary buildings from a true principal facility. It then further isolates the parts of the facility that generate neighborhood impacts, such as outdoor mechanical yards and generator operations, so the UDO can concentrate on the factors that create land-use externalities. It also establishes a practical distinction between accessory installations that are genuinely internal and those that add dedicated exterior plant, because simply labeling something as “accessory” is too broad to manage impact risk adequately. The goal is to prevent both overreach-such as capturing hospitals, offices, or industrial users with server rooms-and underreach-allowing a data-center-like impact profile to slip through as just “accessory” in name only.

The Use Table amendment (Ordinance 2) fulfills the necessary zoning task of turning those definitions into clear entitlements. It establishes the use rows that show where the principal use can be located and whether it is permitted by right or requires a Special Use Permit. It also separately acknowledges the higher-impact “with Energy Center” configuration by placing it in a more discretionary category. The planning approach is simple: by-right placement is designated for districts meant to handle higher-intensity employment uses, while discretionary review remains for cases where context sensitivity is greater (or where an energy-center operating model increases the likelihood and significance of off-site impacts). This also keeps review focused: once the entitlement is set, the use-specific standards provide the measurable tools that effectively prevent and

resolve conflicts.

The Use-Specific Standards amendment (Ordinance 3) marks when the package becomes operational and enforceable, rather than just classificatory. It clearly states its purpose: The Use Table can tell you “where” and “what entitlement,” but it cannot answer the questions that lead to complaints, compliance issues, and daily enforcement—such as equipment placement, separation from homes, which noise limits apply at the property line, when generator testing can happen, what must be shown on the site plan, and what occurs if actual operations differ from modeling. This ordinance addresses those gaps with a tailored framework designed to be enforceable during plan review and after occupancy, with particular focus on residential edges and other noise-sensitive areas. Substantively, Ordinance 3 adopts a layered compatibility approach instead of relying on a single method. First, it enhances protections along residential edges through separation, buffering, and screening/enclosure requirements that focus on equipment yards and the operational “active side” of the facility. When equipment is close enough to matter, the ordinance mandates a solid, opaque enclosure and rejects “screened chain link” as a substitute for effective screening, while maintaining consistency with the broader fence and screening standards in the UDO.

Second, Ordinance 3 clarifies the City’s noise authority by explicitly defining a noise category and measurement location for data center operations. It mandates all operations and equipment—including generators, cooling systems, transformers, switchgear, and mechanical yards—to adhere to the “Commercial or Business” sound level limits and limited-audibility distance standards in Chapter 17, measured at or beyond the property boundary. Exceedances are assessed under the City’s duration standard. This choice is intentional: it avoids creating a unique noise regulation while applying a standard that offers more protection than typical industrial expectations, which is especially important at mixed-use edges.

Third, the ordinance addresses the most predictable and common disputes by regulating routine generator testing, maintenance, and other high-intrusion outdoor activities. Routine generator testing and maintenance are limited to Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding City-observed holidays (unless a Special Use Permit has been approved), while true emergencies are not restricted. Outdoor amplified sound is prohibited except for emergency life-safety communications, and routine outdoor maintenance with powered equipment is limited to the same weekday hours with a similar emergency exception. The rationale is straightforward and defensible: to prevent the most disruptive recurring events from occurring in early mornings, evenings, weekends, and holidays - when residents are most affected by intrusion - without compromising reliability or emergency response.

Fourth - and this is the enforcement backbone - Ordinance 3 makes acoustical compliance a documented, reviewable, and verifiable requirement rather than an assumption. For higher-risk projects, it mandates an Acoustical Compliance Memorandum at the site plan stage and considers completeness a key factor for plan approval. The triggers are intentionally risk-based: The Memorandum is needed when the use requires SUP approval, when a lot line adjoins a residential base district, when a lot line is within 500 feet of a residential district, or when major equipment yards are proposed within 250 feet of any lot line. The required content is concrete (not vague): source maps, manufacturer data, a site-specific boundary analysis, demonstration of compliance with the adopted noise standard, and identification of mitigation measures

that are actually integrated into the site plan. Importantly, the ordinance links mitigation to the approved plans, mandates installation before the Certificate of Occupancy for the relevant phase, and requires ongoing maintenance. Therefore, "mitigation later" is not considered compliant.

The post-construction verification requirement ensures that the acoustical framework remains honest after occupancy. When the Memorandum is required, the owner or operator must submit a boundary sound test report within 60 days after continuous operations start, under representative worst-case conditions, including at least one scheduled generator test event where generator testing is part of routine operations. If noncompliance is documented, mitigation and follow-up testing are necessary. This creates a practical accountability loop: it acknowledges that modeling can be accurate, but field conditions and substitutions happen, and it guarantees that compliance is demonstrated in the environment where neighbors actually experience the impacts. Beyond noise, Ordinance 3 addresses common operational gaps without attempting to rewrite state or federal regulations. It clarifies that air quality obligations are still governed by applicable federal and state requirements. It links site and security lighting to the City's exterior lighting standards, including full cut-off fixtures and Fort Bragg light-spill protections where relevant. It mandates documentation of utility coordination with PWC and other utility providers during the site plan stage. It also requires 24-hour contact information for a responsible individual who can respond to operational complaints and serve as a direct enforcement contact. These provisions are not mere formalities; they help the City reduce delays and unclear responsibilities during complaints and prevent late-stage utility conflicts that could lead to public infrastructure costs and service interruptions.

Ordinance 3 also classifies the "with Energy Center" configuration as a higher-risk operating model and indicates this through more stringent acoustical expectations. For this category, an Acoustical Study is required-not just trigger-based-it must be submitted and deemed complete at the site plan stage before approval. The study must include key elements such as source mapping, manufacturer data, boundary predictions, compliance demonstration, and plan-incorporated mitigation, all prepared by a qualified professional. The ordinance then enforces the same "make it real" requirements: mitigation shown on approved plans, installed before the Certificate of Occupancy (CO) for the relevant phase, maintained throughout the life of the use, and verified through post-construction boundary testing. The planning approach aligns with the broader framework: when the likelihood and impact of an issue increase, the burden of proof becomes universal rather than conditional.

The Parking and Loading amendment (Ordinance 4) aligns the parking code with how these facilities operate instead of treating them like typical industrial buildings. It sets a minimum parking requirement based on the parts of the facility that actually generate parking demand-such as accessory office/support areas and the largest employee shift-and then includes a modest, capped visitor component that reflects real-world visitation patterns without encouraging overbuilding parking. The visitor component is structured as three spaces per site plus one per principal building, capped at ten per site, with the maximum parking set at twice the minimum unless an Alternative Parking Plan is approved. For loading, it requires one loading space per principal building, which meets the steady need for deliveries and service access without requiring an oversized standard.

Finally, the Airport Overlay amendment (Ordinance 5) addresses a key structural weakness in the current functioning of the APO by applying important compatibility requirements to development activities, not just rezonings. The ordinance explicitly extends these requirements in the relevant subsection

Consistency and Reasonableness Statement

Text Amendments

Pursuant to N.C.G.S. §§ 160D-604 and -605, the Planning Commission finds that the proposed text amendments in TA26-01 are consistent with the City’s Comprehensive Plan and Future Land Use Map because they create a targeted, modernized regulatory framework for an emerging industrial use that supports economic development goals and enhances neighborhood and public safety protections.

Case Summary (Recommendation Basis):

TA26-01 is a coordinated set of Unified Development Ordinance text amendments designed to regulate Telecommunications and Data Storage Facilities (data centers) as a distinct land use with clear entitlements and enforceable, impact-focused standards.

Collectively, the ordinances:

- Revise the Use Table to specify where the two main data center use types are permitted and identify the applicable approval process, with a cross-reference to the new use-specific standards.
- Add use-specific standards that address the most common factors influencing compatibility issues and enforcement requirements, such as equipment placement, operational noise, generator testing windows, post-construction verification, lighting, and utility coordination.
- Add customized parking and loading standards that are proportional to a “people-light/infrastructure-heavy” use, while avoiding unnecessary overpaving.
- Enhance enforceability of the Airport Overlay District (APO) by applying key airport-compatibility standards to all development activities, not just rezonings, requiring earlier FAA documentation when relevant, and introducing a targeted referral process to the Airport Director for features typically linked to aviation risk, such as generators, fuel storage, cooling plumes or steam, tall lighting, and Part 77 notice items.

Consistency

1. GOALS

The amendments align with the goals of the Comprehensive Plan, highlighting:

GOAL(S)	CONSISTENT	INCONSISTENT
<ul style="list-style-type: none"> • Promote economic growth and development by establishing a predictable entitlement and operating framework for major employment and technology-supportive investments, while maintaining clear review pathways. 	X	
<ul style="list-style-type: none"> • Safe and Stable Neighborhoods/Compatibility by addressing externalities that directly impact nearby residents – especially noise, equipment siting, generator testing, service-yard activity, and lighting – through 	X	

enforceable, use-specific standards rather than ad hoc negotiations.		
<ul style="list-style-type: none"> • Resiliency and infrastructure planning involve requiring early utility coordination documentation and defining the information needed to assess serviceability and the implications for downstream infrastructure. 	X	
<ul style="list-style-type: none"> • Major institutions and public safety assets can be protected by strengthening airport-compatibility protections in the APO, ensuring hazards are reviewed consistently and early enough to prevent redesigns, delays, and avoidable safety risks. 	X	

2. LAND USE POLICES AND STRATEGIES:

The amendments are **consistent** with land use policies and implementation strategies that support:

LAND USE POLICES AND STRATEGIES	CONSISTENT	INCONSISTENT
<ul style="list-style-type: none"> • Targeted code updates to resolve emerging issues with clear, enforceable standards instead of case-by-case ambiguity. 	X	
<ul style="list-style-type: none"> • Implement appropriate siting and proportional regulation by differentiating principal data center uses from incidental or accessory IT functions. This approach prevents overreach while effectively regulating components that create external impacts, such as outdoor plant, generator operations, and utility demands. 	X	
<ul style="list-style-type: none"> • Ensure compatibility at sensitive edges through clear operational limits and verification (weekday generator testing windows, boundary measurement and compliance, post-construction testing and corrective actions), along with basic site-operational tools that support enforcement (24-hour contact). 	X	
<ul style="list-style-type: none"> • Enhance airport safety and coordination by applying APO standards to development pathways that do not involve rezonings, clarifying what constitutes height and structure risks (including rooftop mechanical and similar appurtenances), and requiring early disclosure and referral for features commonly linked to aviation hazards. 	X	

3. Future Land Use Map Consistency

- **Text Consistency:** The proposed text amendments align with the Comprehensive Plan because they establish predictable, impact-based development standards for an emerging use while guiding compatibility tools to the areas and conditions where conflicts are most likely.

- **Map Consistency:** Not applicable. TA26-01 is a text amendment and does not modify the Future Land Use Map.

Reasonableness

The proposed amendments are sensible and serve the public interest because they support the Comprehensive Plan goals outlined above and promote City priorities related to economic growth, infrastructure collaboration, neighborhood harmony, and public safety.

It is also justified and serves the public interest because:

1. It aligns the rules with actual land use. The framework clearly distinguishes incidental IT rooms from data centers as a primary use, then targets regulation on the specific components that cause off-site impacts (generator operations, exterior mechanical yards, utility intensity).
2. It enhances predictability and enforceability. The use table sets clear permissions based on zoning districts and links the use to specific standards, reducing arbitrary interpretations and promoting consistent management.
3. It directly addresses the most common public complaints and enforcement challenges – noise. The use-specific standards establish a clear compliance approach, limit routine generator testing and other high-disturbance activities to specific weekday hours, and require post-construction verification with mitigation and retesting if noncompliance is detected.
4. It adjusts review effort based on risk. The acoustical submittal structure is designed to require technical proof when proximity and context indicate a higher chance of impact, while still applying stricter standards to higher-intensity operational models (energy center).
5. It prevents secondary impacts from excessive parking. The parking/loading standards match actual operational demand and include a maximum (unless an alternative parking plan is approved), reducing unnecessary impervious surfaces, runoff, heat, and visual impacts.
6. It addresses an APO review gap that can cause late-stage risks and delays. Many modern industrial projects can move forward through site plan and building permit pathways without rezoning; the APO amendment applies key compatibility standards to development overall and adds early documentation and referral steps for aviation risk features (generators, fuel, cooling plumes, tall lighting, Part 77 items).
7. It reflects the working group’s core approach: neither “pro” nor “anti,” but predictable and compatible. The package is built around externalities and enforcement realities rather than headlines, aiming to enable investment while reducing avoidable impacts.

The amendment also benefits the public interest because it:

- Establishes a clear, defensible framework that minimizes uncertainty for applicants, staff, and nearby residents.
- Protects public safety assets, including the airport environment, through earlier, more consistent review triggers and enforceable standards.
- Balances economic development value with compatibility and infrastructure realities by focusing regulation on measurable impacts and manageable standards.

Additional comments:

February 17, 2026

Date

Chair Signature

Print

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

TA26-01 Ordinance 1 – Add Definitions (Article 30-9.D)

The core reason these definition inclusions are necessary is simple: “data center” is not one thing, and the UDO needs language that cleanly separates (1) incidental IT rooms inside normal buildings from (2) data centers as a primary land use, and the further separates (3) the parts of a data center that actually drive neighborhood impacts (outdoor mechanical yards, generator operations, on-site power generation, and utility demands). The Working Group explicitly flagged that “data center” spans everything from small facilities and adaptive reuse to hyperscale campuses, and warned against treating every facility like the biggest national headline examples; it also noted that many “data-center-like” functions already exist as accessory components of other uses, while the real policy problem is data centers emerging as a principal use at major scale. The ordinance definitions operationalize that distinction so the City can regulate what actually creates externalities, without accidentally sweeping in hospitals, offices, or other uses that merely have server rooms.

The shift to the term “Telecommunications and Data Storage Facility” is doing two jobs at once. First, it anchors the use in what it physically is (servers plus the specialized mechanical/electrical infrastructure that makes them run). Second, it draws a bright line around what it is not – broadcast studios, call centers, general office buildings, and accessory IT rooms incidental to another permitted use – so applicants can’t “fit” the use into a softer category, and staff aren’t forced into case-by-case analog arguments.

The “Principal Use” definition is the legal hinge that keeps the whole framework from overreaching. It tells everyone when the data center standards are supposed to apply: when the facility is the main purpose of the building, tenant space, or site. Without this, you get constant edge cases where an applicant claims they’re “just an accessory component,” or staff feel pressured to treat a clearly data-center-driven site like a conventional industrial tenant.

The two “Accessory Telecommunications and Data Storage Facility” definitions are there because “accessory” alone is too blunt. An internal server suite inside a hospital is a fundamentally different land-use impact profile than an accessory installation that brings a dedicated chiller yard or generator yard with it. The “Internal Plant Only” accessory definition protects ordinary development by making clear that an accessory facility with no dedicated outdoor plant is not what this ordinance is aiming at. The “Accessory... with Dedicated Exterior Plant” definition captures the opposite: accessory in name, but potentially data-center-like in real-world impacts because it includes the kind of outdoor infrastructure that creates noise, visuals, and screening/setback issues.

“Dedicated Exterior Plant” exists because, in practice, the thing neighbors experience is not “server racks.” It’s cooling towers, chiller/condenser yards, fan arrays, generator yards, switchgear yards, substations, and similar outdoor installations. The definition makes those facilities legible to the code so screening, placement, setbacks, and noise compliance can be applied consistently and enforced cleanly.

“Typical Building Mechanical/Electrical Equipment” is the guardrail that prevents the Dedicated Exterior Plant definition from swallowing normal development. It clarifies that standard rooftop HVAC and customary building-serving equipment should not be treated as “Dedicated Exterior Plant” just because it sits outdoors. This is an enforceability and fairness move: it reduces over-application, avoids unnecessary compliance burdens, and limits arguments during plan review about whether ordinary equipment triggers specialized data center standards.

“Data Hall” is a precision tool. Data centers often include office, security, and support areas, but those spaces don’t function (or staff) like the server floors. Defining Data Hall creates a stable way to talk about the core IT area without conflating it with accessory office/support space, which matters whenever standards, ratios, or narratives depend on what portion of a building is actually IT floor versus conventional space.

The three noise-related definitions – “Noise-Sensitive Land Use / Noise-Sensitive Receptor,” “Adjacent to a Noise-Sensitive Land Use,” and “Generator Testing / Maintenance Operation” – exist to eliminate loopholes and “weasel words.” First, Noise-Sensitive Receptor broadens protection to the places where noise is predictably harmful or disruptive (homes, parks/open space, schools, daycare, hospitals, assisted living, and similar uses). Second, “Adjacent” is defined to include separation by a public street or right of way, because acoustics and human experience do not stop at the edge of a right of way; without this, a site could dodge adjacency-triggered standards simply by having a road between the use and a receptor. Third, “Generator Testing / Maintenance Operation” defines the activity the City is trying to manage (exercising, commissioning, reliability testing), so any hour limits or conditions can be enforced against a concrete definition instead of argued into oblivion.

“Emergency Backup Generator” is defined to preserve a clear distinction between true standby equipment and routine power production. The definition ties the generator’s intended use to outages and necessary testing/maintenance and explicitly rejects routine or continuous operation, which matters because the impacts, regulatory expectations, and community tolerance are dramatically different when generators are operating as a normal part of daily operations.

“Energy Center” is the companion definition that captures that “very different animal” the Working Group flagged: on-site power generation designed to operate beyond emergency standby (prime/continuous operation, peak shaving, microgrid operation, load management during regular service, or export). This is the ordinance’s way of acknowledging that size alone is not the only meaningful divider; operational intensity and power behavior can change the impact profile and the review needs. The “Principal Use, with Energy Center” definition then gives the code a clean trigger label for any standards or entitlement differences we attach to that higher-impact operational model.

Finally, the “Utility Impact Statement” definition is there because these projects are utility-forward developments: peak electric demand, cooling method, water consumption, wastewater flows by process, generator inventories, fuel storage, and any energy storage are things the City and PWC need early to evaluate serviceability, sequencing, and downstream infrastructure implications. By defining the UIS in the Definitions article, we hard-wire what “complete”

means so it can be consistently required, reviewed, and routed, rather than reinvented for every application.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING TABLE 30-4. A. 2, USE TABLE, ARTICLE 30-4, USE STANDARDS, OF CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA.

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

Section 1. Table 30-4. A. 2, Use Table, under the

Use Category	Use Type	O I	N C	L C	C C	M U	DT -1	DT -2	U C	BP -4	L I	H I	PD -R	PD -EC	PD -TN	Additional Requirements
Industrial Services	Telecommunications and Data Storage Facility, Principal Use	S	/	/	S	/	S	S	S	P	P	P	/	MP	MP	
	Telecommunications and Data Storage Facility, Principal Use, with Energy Center	S	/	/	S	/	S	S	S	S	S	S		MP	MP	See 30-4.C.5.[new]

Notes:

1. “S” indicates a Special Use Permit; “P” indicates permitted by right; “/” indicates prohibited; “MP” indicates allowed subject to a Planned Development Master-Plan district, as in Table 30-4. A.2.
2. The permissions listed in Table 30-4.A.2 for Telecommunications and Data Storage Facility, Principal Use, and Telecommunications and Data Storage Facility, Principal Use, with Energy Center, apply only to the zoning districts specifically identified in the respective table rows. In any zoning district not listed, the use is prohibited.

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 accomplish this intention.

ADOPTED this the _____ day of _____, 2026.

CITY OF FAYETTEVILLE

MITCH COLVIN, Mayor

ATTEST:

JENNIFER AYRE, City Clerk

TA26-01 Ordinance 2 – Amend Use Table (Article 30-4.A.2)

This Use Table amendment is necessary because, without an explicit row, a “data center” can drift into whatever use category seems most convenient in a given application (telecom, industrial service, office/tech, accessory utility equipment), which creates inconsistent entitlements and weakens enforcement. This ordinance solves that by making “Telecommunications and Data Storage Facility” a named use in the Use Table and by splitting it into two principal-use variants that matter for impacts: a standard principal facility, and a principal facility “with Energy Center.”

The core logic is to make the entitlement match the expected external effects and the City’s tolerance for risk. The “Telecommunications and Data Storage Facility, Principal Use” row is designed to be predictable in the employment/industrial districts where the City can reasonably expect large-format infrastructure, heavy utility demand, and industrial-adjacent operations. That is why it is permitted by right in BP=4, LI, and HI, while still requiring Special Use Permit approval in the more edge-condition districts where compatibility concerns are greater, such as OI, CC, DT-1, DT-2, and UC. The ordinance also makes the exclusion clear: it is prohibited in neighborhood-scale commercial districts (NC and LC), prohibited in MU, and prohibited in PD-R. This is the practical “keep it out of the neighborhood contexts” move. Because once a use is not named and not clearly prohibited, the pressure shifts to interpretation and analogy, which is where these cases get messy.

The second row, “Telecommunications and Data Storage Facility, Principal Use, with Energy Center,” is necessary because an on-site energy component changes the impact profile in ways that matter for neighbors and for City operations. Even if the building footprint looks similar, an energy center increases the likelihood of more frequent generator operation, fuel logistics, utility coordination complexity, and a different noise and emissions posture. The table reflects that by making this version Special Use Permit-only in every conventional district where it is allowed (including BP-4, LI, and HI), rather than allowing it by right in the industrial districts. That is the ordinance’s main policy lever: it keeps the “baseline” data center form predictable in employment districts, but reserves discretionary review for the version that has a materially higher operational intensity and greater potential for nuisance and enforcement workload.

The Planned Development treatment is intentionally consistent with how our Use Table already handles “MP” uses. Both rows are shown as allowed only through the Planned Development Master Plan framework in PD-EC and PD-TN. The logic here is that PD districts are supposed to be negotiated, site-specific entitlement environments; the table preserves that structure rather than creating a parallel by-right pathway inside PD zoning.

Two drafting choices in the Notes are doing quiet but important work for clarity and litigation-proofing. First, the ordinance states that the permissions apply only to the zoning districts explicitly listed in the row and that any district not listed is prohibited. That eliminates the common argument that “if it’s not listed, it must be allowed somewhere else,” and it prevents accidental permissibility through omission. Second, the “Additional Requirements” callout to the

new use-specific standards section ties entitlement to performance regulation, so the Use Table is not acting alone; it's a front door into the standards that address the actual impacts.

Stepping back, the ordinance is essentially balancing two competing goals: giving applicants a clear, investment-grade pathway in the industrial/employment districts for the lower-impact principal form, while keeping a discretionary review tool available where either the setting is more sensitive (downtown/urban core and edge districts), or the operational model is inherently more intense (the Energy Center version).

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING SECTION 30-4. C., USE-SPECIFIC STANDARDS OF ARTICLE 30-4, USE STANDARDS, 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. Article 30-4. C.5. (Industrial Uses) is amended by adding new subsections 30-4. C.5.

[new] Telecommunications and Data Storage Facility, Principal Use, and 30-4. C.5. [new+1]

Telecommunications and Data Storage Facility, Principal Use, with Energy Center, to read as follows:

30-4. C.5.i. Telecommunications and Data Storage Facility, Principal Use

a. Applicability. This applies to all principal “Telecommunications and Data Storage Facility, Principal Use” categories, including phases within a multi-building campus. Accessory server rooms located inside an otherwise permitted use are subject to the standards that apply to that principal use.

b. Residential adjacency clarification. For purposes of this subsection, a reference to a lot line that “abuts a residential base district” shall mean the subject property shares a lot line with (i) a property zoned with a residential base district, or (ii) a property containing a lawfully established residential use.

c. District-specific approval. When designated “S” in Table 30-4. A. 2, a Special Use Permit is required according to Article 30-2. C.7. Conditions may be applied to reduce site-specific impacts, such as generator testing hours, extra buffering, equipment placement, or acoustical mitigation.

d. Separation when adjoining a residential area. When any lot line abuts a residential base district (as clarified above), the facility shall:

1. Place all generators and mechanical equipment yards at least 150 feet from the shared lot line;
and

2. Provide a Type D Perimeter buffer (or higher where required) per Section 30-5. B.4.d (may be satisfied under Option 1 or Option 2 per Table 30-5. B.4.d.4).

e. Measurement. Distances referenced in this subsection shall be measured in accordance with Section 30-9. B.1.b (Distance Measurements, Generally). For purposes of the triggers in subsection (h):

1. Distances to a lot line shall be measured from the nearest point of the generator, cooling equipment, mechanical equipment yard, or associated equipment pad/foundation (including any enclosure) to the nearest lot line of the subject property.
2. Distances to a residential base district shall be measured from the nearest lot line of the subject property to the nearest lot line of any property zoned with a residential base district.

f. Equipment location and screening.

1. Ground-mounted mechanical equipment, fuel tanks, switchgear, generators, and similar service equipment shall be located to the side or rear of principal buildings. Fuel tanks shall not be located between a principal building and a public street.
 - All such areas and equipment shall be screened from off-site views in accordance with Section 30-5. B.4.e (Screening), using one or more of the screening methods in Section 30-5. B.4. e.3.
 - Chain link fencing with wooden or plastic slats shall not qualify as screening.
 - Screening shall be installed and maintained so as not to obstruct required sight distance triangles.
2. **Loading and service areas at residential edges.** When any lot line abuts a residential base district (as clarified in this subsection), loading docks, service bays, refuse collection areas, and other loading/service areas shall not be located on, or have primary openings oriented toward, the building elevation facing the shared lot line. Where site constraints make this infeasible,

such areas shall be screened from off-site views in accordance with Section 30-5. B.4.e (Screening) and shall be located and designed to minimize off-site noise impacts.

3. **Mechanical and generator yard enclosure near residential.** When any generator, cooling equipment, or mechanical equipment yard is located within 250 feet of a lot line that abuts a residential base district (as clarified in this subsection), the generator/mechanical yard shall be enclosed by a screening fence or wall installed in accordance with Section 30-5. B.4.e (Screening) and Section 30-5. D (Fences and Walls). The fence/wall shall be of solid/opaque construction and shall be the minimum height necessary to achieve the screening function, not to exceed eight (8) feet, unless a greater height is approved in accordance with Section 30-5. D.5 (Security Plan). Chain link fencing with slats or screens shall not qualify as screening. The required fence/wall shall not be located within any required front yard, except where expressly permitted by Section 30-5. D.

g. Noise; commercial-standard limits; generator testing hours.

1. **Commercial-standard limits.** All operations and equipment (including generators, cooling equipment, transformers, switchgear, and mechanical yards) shall comply with the maximum permissible sound levels *and* the limited audibility distance standards for the “Commercial or Business” use occupancy category in Chapter 17, Section 17-10 (Table 1), as measured at or beyond the property boundary of the land use from which the sound emanates. Exceedances shall be evaluated in accordance with Chapter 17, including the standard for duration of exceedance.
2. Routine generator testing and maintenance shall be limited to Monday-Friday, 9:00 a.m. to 5:00 p.m., excluding City-observed holidays, unless otherwise approved through a Special Use Permit. Emergency operations are not limited by this subsection.

3. **Outdoor amplified sound prohibited.** Outdoor amplified sound, including outdoor public address systems and outdoor warning sirens, is prohibited except for emergency life-safety communications.
4. **Routine outdoor maintenance hours.** Routine outdoor maintenance activities using powered equipment (including pressure washing, pavement cutting/sawing, and similar noise-generating maintenance) shall be limited to Monday-Friday, 9:00 a.m. to 5:00 p.m., excluding City-observed holidays. This limitation shall not apply to emergency repair activities necessary to protect life, safety, or critical facility operations.

h. Trigger-based acoustical compliance submittal.

1. **Administrative review; when required.** An Acoustical Compliance Memorandum shall be submitted with the site plan application for administrative review by the Administrator to demonstrate compliance with subsection (g). The site plan shall not be approved until the Administrator determines the Memorandum is complete in accordance with subsection (h)(4).

The Memorandum is required if any of the following apply:

- a. The use is subject to Special Use Permit approval (“S” in Table 30-4.A.2); or
 - b. Any lot line abuts a residential base district (as clarified in subsection (b)); or
 - c. Any lot line is located within 500 feet of a residential base district; or
 - d. Any generator, cooling equipment, or mechanical equipment yard is proposed within 250 feet of any lot line.
2. **Content.** The Acoustical Compliance Memorandum shall:
 - a. Identify and map major on-site noise sources (including generators and cooling/mechanical equipment);

- b.** Provide manufacturer sound data and a site-specific analysis predicting sound levels at the property boundary;
 - c.** Demonstrate compliance with subsection (g) (commercial-standard limits in Chapter 17, Section 17-10 (Table 1)); and
 - d.** Identify any mitigation measures incorporated into the site plan to achieve compliance (e.g., enclosures, barriers, orientation, distance, acoustical treatments).
- 3. **Prepared by a qualified professional.** The Memorandum shall be prepared by a qualified acoustical professional or engineer experienced in environmental noise analysis.
- 4. **Completeness.** The Acoustical Compliance Memorandum shall be deemed complete when it includes each required element in subsection (h)(2)(a) through (d) and is prepared in accordance with subsection (h)(3). If the Memorandum is incomplete, the Administrator shall notify the applicant of the additional information required.
- 5. **Noise mitigation shown on plans; installation; maintenance.** All noise mitigation measures identified in any required Acoustical Compliance Memorandum shall be shown on the approved site plan, shall be installed prior to the issuance of a Certificate of Occupancy for the applicable phase, and shall be maintained for the life of the use. Any modification or removal of required mitigation shall require an approved site plan revision demonstrating continued compliance with the noise standard in this subsection.

i. Post-construction verification when triggered. For any project required to submit an Acoustical Compliance Memorandum under subsection (h), the owner/operator shall submit a post-construction boundary sound test report within 60 days after commencement of continuous operations, demonstrating compliance with subsection (g). If noncompliance is documented, the owner/operator shall implement mitigation and provide follow-up testing demonstrating compliance. Testing shall be

conducted under representative worst-case operating conditions for continuous equipment, and shall include at least one scheduled generator test event where generator testing is part of routine operations.

j. Air quality. Nothing in this section reduces the owner/operator’s obligations under federal and state air quality requirements.

k. Lighting. Site and security lighting shall comply with Section 30-5. E (Design Standards for Exterior Lighting), including full cut-off fixtures and Fort Bragg light-spill protections, as applicable.

l. Utility coordination submission. Site plans must include documentation of utility coordination with PWC and/or other utility providers.

m. On-site contact for complaints. The owner/operator shall maintain 24-hour contact information (name, telephone number, and email address) for a person authorized to respond to operational complaints. Such contact information shall be posted at a primary entrance gate or main building entrance and shall be provided to the City upon request and kept current.

30-4. C.5.j. Telecommunications and Data Storage Facility, Principal Use, with Energy Center

a. Applicability. Applies to all principal “Telecommunications and Data Storage Facility, Principal Use, with Energy Center” uses, including phases in a multi-building campus.

b. Residential adjacency clarification. For purposes of this subsection, a reference to a lot line that “abuts a residential base district” shall mean the subject property shares a lot line with (i) a property zoned with a residential base district, or (ii) a property containing a lawfully established residential use.

c. District-specific approval. Where designated “S” in Table 30-4. A. 2, a Special Use Permit is required pursuant to Article 30-2. C.7. Conditions may be imposed to mitigate site-specific impacts.

d. Separation when abutting residential. When any lot line abuts a residential base district (as clarified above), the facility shall:

1. Place all generators and mechanical equipment yards no closer than 200 feet from the shared lot line; and
2. Provide a Type D perimeter buffer (or higher where required) per Section 30-5. B.4.d (may be satisfied under Option 1 or Option 2 per Table 30-5. B.4.d.4).

e. Measurement. Distances referenced in this subsection shall be measured in accordance with Section 30-9. B.1.b (Distance Measurements, Generally). For purposes of this subsection:

1. Distances to a lot line shall be measured from the nearest point of the generator, cooling equipment, mechanical equipment yard, or associated equipment pad/foundation (including any enclosure) to the nearest lot line of the subject property.
2. Distances to a residential base district shall be measured from the nearest lot line of the subject property to the nearest lot line of any property zoned with a residential base district.

f. Equipment location and screening.

1. Ground-mounted mechanical equipment, fuel tanks, switchgear, generators, and similar service equipment shall be located to the side or rear of principal buildings. Fuel tanks shall not be located between a principal building and a public street.
 - All such areas and equipment shall be screened from off-site views in accordance with Section 30-5. B.4.e (Screening), using one or more of the screening methods in Section 30-5. B.4. e.3.
 - Chain link fencing with wooden or plastic slats shall not qualify as screening.
 - Screening shall be installed and maintained so as not to obstruct required sight distance triangles.
2. **Loading and service areas at residential edges.** When any lot line abuts a residential base district (as clarified in this subsection), loading docks, service bays, refuse collection areas, and

other loading/service areas shall not be located on, or have primary openings oriented toward, the building elevation facing the shared lot line. Where site constraints make this infeasible, such areas shall be screened from off-site views in accordance with Section 30-5. B.4.e (Screening) and shall be located and designed to minimize off-site noise impacts.

3. **Mechanical and generator yard enclosure near residential.** When any generator, cooling equipment, or mechanical equipment yard is located within 250 feet of a lot line that abuts a residential base district (as clarified in this subsection), the generator/mechanical yard shall be enclosed by a screening fence or wall installed in accordance with Section 30-5. B.4.e (Screening) and Section 30-5. D (Fences and Walls). The fence/wall shall be of solid/opaque construction and shall be the minimum height necessary to achieve the screening function, not to exceed eight (8) feet, unless a greater height is approved in accordance with Section 30-5. D.5 (Security Plan). Chain link fencing with slats or screens shall not qualify as screening. The required fence/wall shall not be located within any required front yard, except where expressly permitted by Section 30-5. D.

g. Noise; commercial-standard limits; generator testing hours.

1. **Commercial-standard limits.** All operations and equipment (including generators, cooling equipment, transformers, switchgear, and mechanical yards) shall comply with the maximum permissible sound levels *and* the limited audibility distance standards for the “Commercial or Business” use occupancy category in Chapter 17, Section 17-10 (Table 1), as measured at or beyond the property boundary of the land use from which the sound emanates. Exceedances shall be evaluated in accordance with Chapter 17, including the standard for duration of exceedance.

2. Routine generator testing and maintenance shall be limited to Monday-Friday, 9:00 a.m. to 5:00 p.m., excluding City-observed holidays, unless otherwise approved through a Special Use Permit. Emergency operations are not limited by this subsection.
3. **Outdoor amplified sound prohibited.** Outdoor amplified sound, including outdoor public address systems and outdoor warning sirens, is prohibited except for emergency life-safety communications.
4. **Routine outdoor maintenance hours.** Routine outdoor maintenance activities using powered equipment (including pressure washing, pavement cutting/sawing, and similar noise-generating maintenance) shall be limited to Monday-Friday, 9:00 a.m. to 5:00 p.m., excluding City-observed holidays. This limitation shall not apply to emergency repair activities necessary to protect life, safety, or critical facility operations.

h. Acoustical Study (required)

1. **Administrative review.** An Acoustical Study shall be submitted with the site plan application for administrative review by the Administrator to demonstrate compliance with subsection (g). The site plan shall not be approved until the Administrator determines the Study is complete in accordance with subsection (h)(4).
2. **Content.** The Acoustical Study shall:
 - a. Identify and map major on-site noise sources (including generators and cooling/mechanical equipment);
 - b. Provide manufacturer sound data and a site-specific analysis predicting sound levels at the property boundary;
 - c. Demonstrate compliance with subsection (g) (commercial-standard limits in Chapter 17, Section 17-10 (Table 1)); and

- d.** Identify any mitigation measures incorporated into the site plan to achieve compliance (e.g., enclosures, barriers, orientation, distance, acoustical treatments).
- 3. Prepared by a qualified professional.** The Study shall be prepared by a qualified acoustical professional or engineer experienced in environmental noise analysis.
- 4. Completeness.** The Acoustical Study shall be deemed complete when it includes each required element in subsection (h)(2)(a) through (d) and is prepared in accordance with subsection (h)(3). If the Study is incomplete, the Administrator shall notify the applicant of the additional information required.
- 5. Noise mitigation shown on plans; installation; maintenance.** All noise mitigation measures identified in any required Acoustical Study shall be shown on the approved site plan, shall be installed prior to the issuance of a Certificate of Occupancy for the applicable phase, and shall be maintained for the life of the use. Any modification or removal of required mitigation shall require an approved site plan revision demonstrating continued compliance with the noise standard in this subsection.
- i. Post-construction verification (required).** The owner/operator shall submit a post-construction boundary sound test report within 60 days after commencement of continuous operations, demonstrating compliance with subsection (g). If noncompliance is documented, the owner/operator shall implement mitigation and provide follow-up testing demonstrating compliance. Testing shall be conducted under representative worst-case operating conditions for continuous equipment, and shall include at least one scheduled generator test event where generator testing is part of routine operations.
- j. Air quality.** Nothing in this section reduces the owner/operator's obligations under federal and state air quality requirements.

k. Lighting. Site and security lighting shall comply with Section 30-5. E (Design Standards for Exterior Lighting), including full cut-off fixtures and Fort Bragg light-spill protections, as applicable.

l. Utility coordination submittal. Site plans must include documentation of utility coordination with PWC and/or other utility providers.

m. On-site contact information. The owner/operator shall maintain 24-hour contact information (name, telephone number, and email address) for a person authorized to respond to operational complaints. Such contact information shall be posted at a primary entrance gate or main building entrance and shall be provided to the City upon request and kept current.

Section 2. It is the intent of the City Council, and it is hereby ordained, that the provisions of this ordinance shall become part of the Code of Ordinances for the City of Fayetteville, North Carolina. The sections of this ordinance may be renumbered as necessary to accomplish this purpose.

ADOPTED this the _____ day of _____, 2026.

CITY OF FAYETTEVILLE

MITCH COLVIN, Mayor

ATTEST:

JENNIFER AYRE, City Clerk

TA26-01 Ordinance 3 - Add Use-Specific Standards for Data Centers (Article 30-4.C.5)

This ordinance is necessary because the Use Table only answers where a data center can go and what entitlement it needs. It does not answer the questions that actually drive public concern and day-to-day enforcement: where the loud equipment sits, how close it can be to homes, what noise standard applies at the property line, when generator testing can happen, what must be proven at the site plan, and what happens if real-world operations don't match the modeling. This ordinance fills that gap by creating a purpose-build, enforceable operating and site-design framework for data centers as a land use, especially around residential edges and other noise-sensitive contexts.

At the top, the ordinance starts by defining applicability in a way that prevents easy workarounds. It makes clear the standards apply to all principal Telecommunications and Data Storage Facilities, including phased build-out within a campus, so an applicant can't argue "this is just Phase 1" to avoid the rules. At the same time, it explicitly excludes ordinary accessory server rooms located inside an otherwise permitted use, which protects hospitals, offices, and industrial users from being unintentionally pulled into a data-center regime just because they have IT rooms. The logic is targeted regulation: catch the use that generates the externalities, don't drag in incidental building functions.

The "residential adjacency clarification" is an enforcement move. Instead of tying triggers only to zoning labels, it treats adjacency as either abutting a residential base district or abutting a property that contains a lawfully established residential use. That closes a predictable loophole where the zoning map and the lived condition don't match (nonconforming homes, split-zoned situations, or transitional areas). The practical logic is: if people live here, it functions like a residential edge and should be treated like one.

The "district-specific approval" subsection doesn't change the Use Table; it explains how to use it. It reinforces that when the table shows "S", a Special Use Permit is required, and it explicitly tees up the kinds of conditions that are most defensible and most useful – generator testing windows, buffering, equipment placement, acoustical mitigation. The logic is to make discretionary review focused on the handful of levers that actually reduce impact, rather than vague compatibility debates.

The separation and buffering rules are the first hard compatibility line. When a site touches a residential edge, the ordinance requires generators/mechanical yards to be set back and requires a Type D perimeter buffer. For the "Principal Use" category, the equipment setback is 150 feet; for the "with Energy Center" category, it increases to 200 feet. That difference is the policy judgement baked into the ordinance: an energy-center model has a higher probability of more intense operations and therefore warrants a wider separation at the most sensitive edge. The buffer requirement is the parallel visual and physical mitigation layer: even if a site can meet noise limits, the code still expects a strong perimeter condition when the use meets a residential area.

The measurement subsection is there because distance standards fail when nobody can agree on what they're measured from. This ordinance removes ambiguity by specifying that the relevant distances are measured from the nearest point of generators, cooling equipment, mechanical yards, or pads/foundations/enclosures to the nearest lot line – and it separately clarifies how to measure “to a residential base district.” The logic is clear administration and reduced appeals: everyone can replicate the measurement and get the same answer.

The equipment location and screening standards are a second compatibility line, and they're written to be enforceable rather than aesthetic. Requiring ground-mounted equipment and tanks to be at the side or rear, prohibiting fuel tanks between the building and a public street, and requiring screening under the existing screening standards pushes the most visually industrial pieces away from primary frontages and into managed service areas. The ordinance then removes a common “cheap screen” workaround by stating chain-link fence with slats does not count as screening. The logic is: if screening is required, it actually needs to screen. It also protects traffic safety by requiring screening not to obstruct sight triangles.

The loading/service orientation rule at residential edges is about preventing a specific, predictable nuisance: truck backing alarms, roll-up door activity, refuse service, and the “active” side of a service yard facing homes. The ordinance doesn't pretend every site can be perfect; it sets a clear default (don't face the residential edge), and if constraints make it infeasible, it still requires screening and design choices that reduce noise spillover. The logic is outcome-oriented: reduce the most common points of conflict without making sites impossible.

The yard enclosure trigger within 250 feet of a residential-abutting lot line is essentially a “last mile” protection. Even with setbacks and buffers, some sites will place equipment relatively near the edge due to geometry or phasing. Requiring an opaque fence or wall (with a defined height cap unless a security plan justifies more) creates a physical barrier that helps with both visibility and, in many cases, line-of-sight sound. Again, the ordinance closes loopholes by rejecting chain-link-with-slats as compliance and by keeping enclosures out of front yards unless the general fence rules allow it. The logic is consistency with the rest of the UDO while still demanding a real barrier where proximity makes it necessary.

The noise section is the centerpiece, because noise is the externality that most often drives complaints and enforcement costs. This ordinance makes a deliberate choice to hold data centers to the City's “Commercial or Business” noise limits and limited-audibility distance standards, measured at or beyond the property boundary. That's a clarity move and an equity move: it avoids inventing a bespoke noise regime in the UDO while still selecting a noise category that is stricter than industrial-style expectations. The ordinance then focuses on the most sensitive recurring event – routine generator testing – and limits it to weekdays during business hours, with holidays excluded, while carving out true emergencies. It also prohibits outdoor amplified sound except for life-safety emergencies and limits routine outdoor maintenance with powered equipment to the same weekday business window. The logic is to prevent the “worst moments” from occurring at the times residents experience as most intrusive (early morning, evenings, weekends) while preserving operational reliability and emergency response.

The acoustical submittal framework is designed to be proportional for the baseline principal-use category and mandatory for the energy-center category. For a standard principal facility, the ordinance uses a trigger-based “Acoustical Compliance Memorandum” that becomes required when risk is higher: when the project needs an SUP, when it touches residential, when it’s within 500 feet of residential zoning, when equipment is within 250 feet of any lot line, or similar proximity conditions. This is a workload-management logic: require technical proof when conditions suggest a higher probability of noncompliance or conflict; don’t force every low-risk site into a full study.

The content requirements for the Memorandum (and the Energy Center “Acoustical Study”) are specific on purpose: map sources, provide manufacturer data, model boundary sound levels, show compliance with the adopted noise standard, and identify mitigation measures that are actually incorporated into the site plan. That last part is critical. The ordinance isn’t satisfied with “we’ll mitigate later”; it ties mitigation to approved plans, requires installation before CO for the applicable phase, and requires maintenance for the life of the use. The completeness standard then gives the Administrator a clean gatekeeping tool: either the required elements are present and prepared by a qualified professional, or the submittal is incomplete, and the applicant is told what’s missing. The logic is enforceable administration: clear submittal expectations, clear approval threshold, and mitigation that becomes inspectable, not aspirational.

The post-construction verification requirement is what makes the whole noise framework real. Modeling can be accurate, but field conditions and vendor substitutions happen. This ordinance requires an actual boundary sound test report after continuous operations begin (and explicitly expects representative worst-case conditions, including at least one scheduled generator test event where generator testing is part of routine operations). If testing shows noncompliance, the owner must implement mitigation and retest. The logic is accountability: The City is not guessing; compliance is demonstrated in the environment where neighbors experience the impacts.

The remaining provisions are “no surprises” clauses that prevent misreadings and close operational gaps. The air quality clause makes clear the UDO isn’t rewriting state/federal emissions rules. The lighting clause ties security lighting to the City’s full cut-off and spill protections, so data center security needs don’t become a perpetual glare issue. The utility coordination submittal forces early documentation that PWC/other utilities have been engaged, which is a practical step to avoid late-stage infrastructure conflicts. And the 24-hour contact requirement is a classic operations-and-enforcement tool: when there is a complaint, the City and residents aren’t stuck chasing a corporate owner through a generic hotline; there is a responsible person who can respond quickly.

The “with Energy Center” section largely mirrors the baseline standards, but the differences are intentional signals about risk. It increases residential-edge separation, and it changes acoustics from “trigger-based memorandum” to a required Acoustical Study, full stop. That is the ordinance’s way of saying: once you add an energy center operational model, the City is not waiting to see whether a trigger happens—technical demonstration and post-construction confirmation are required because the probability and stakes of impact are higher.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING ARTICLE 30-5.A, OFF-STREET PARKING, LOADING, AND CIRCULATION, 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. Table 30-5. A.4.b, Minimum Off-Street Parking Standards, is amended by inserting the following use and parking standard under the Industrial Use Classification:

Telecommunications and Data Storage Facility, Principal Use, With or Without Energy Center:

Minimum: 1 space per 1,000 square feet of accessory office/support areas + 1 space per employee on the largest shift + visitor parking: 3 spaces per site + 1 space per principal building, up to a maximum of 10 visitor spaces per site.

Maximum: Two times the minimum number of spaces required, unless an Alternative Parking Plan is approved pursuant to Section 30-5. A.8.

Section 2. Table 30-5. A.10, Required Off-Street Loading Spaces, is amended by inserting the following use and loading standard under “All other Commercial and Industrial Uses”:

Telecommunications and Data Storage Facility, Principal Use, With or Without Energy Center:

Minimum: 1 loading space per principal building.

Section 3. It is the intention of the City Council, and it is hereby ordained, that the provisions of this ordinance shall become and be made part of the Code of Ordinances, City of Fayetteville, North Carolina, and the sections of this ordinance may be renumbered to accomplish such intention.

ADOPTED this the _____ day of _____, 2026.

CITY OF FAYETTEVILLE

MITCH COLVIN, Mayor

ATTEST:

JENNIFER AYRE, City Clerk

TA26-01 Ordinance 4 - Add Parking & Loading Standards (Article 30-5.A)

This ordinance is necessary because the UDO’s standard parking and loading ratios don’t fit how data centers actually function. If you apply typical industrial or commercial ratios to a use that has a very large floor plate but comparatively low routine staffing, you either overbuild parking (creating unnecessary pavement, stormwater, heat, and visual impacts) or you get inconsistent, negotiated outcomes case-by-case. The point here is to make the requirement predictable and proportional for a use that is infrastructure-heavy but people-light.

The parking minimum is structured around what actually generates demand. Tying parking to “accessory office/support areas” captures the only portion of a data center that behaves like a conventional workplace, where square footage correlates with people and visitors. Adding “one space per employee on the largest shift” then covers the core operations reality—security, facilities staff, network operations, and on-call presence—without letting the overall building size force a parking field that will sit empty. The visitor requirement (a small baseline plus a per-building component with a site cap) is a practical recognition that these facilities still get periodic site visits: inspectors, utility coordination, vendors, clients, auditors, and corporate staff. It ensures there is always some visitor capacity on-site, but the cap prevents visitor parking from ballooning into a de facto second parking standard.

The parking maximum—two times the minimum unless an Alternative Parking Plan is approved—is doing the land-use management work. It stops “just in case” overpaving that can undermine adjacent compatibility, increase runoff, and lock in a suburban parking footprint even in districts where the City is trying to manage impervious surface and site form. At the same time, it leaves a clear escape valve for unusual operational needs, phased build-out, or unique tenant patterns through the Alternative Parking Plan process, so the ordinance is firm by default but not rigid when facts justify flexibility.

The loading standard—one loading space per principal building—reflects the delivery pattern you can reasonably expect without over-prescribing. Data centers need regular but not constant freight activity: equipment swaps, parts deliveries, palletized IT hardware, mechanical replacements, and periodic contractor mobilizations. Requiring one space per building guarantees functional logistics capacity and keeps loading from spilling into drive aisles or fire lanes, while avoiding a higher ratio that would force unnecessary paved area for a use that is not a high-turnover distribution operation.

Overall, the ordinance is a calibration move: require enough parking and loading to run the use and support inspections and visitors, but prevent the code from accidentally incentivizing oversized asphalt that creates secondary impacts unrelated to the actual operation of a data center.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING ARTICLE 30-3, DISTRICTS, OF CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, TO AMEND SECTION 30-3.H.6, AIRPORT OVERLAY (APO) DISTRICT.

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

Section 1. Amendments to Section 30-3.H.6 (Airport Overlay District)

A. 30-3.H.6.c. District Standards (introductory paragraph only)

The introductory paragraph of subsection **30-3.H.6.c** is hereby amended as follows:

*The land uses allowed under the terms of this Ordinance shall continue to be allowed in the same manner as established by this Ordinance; however, upon the consideration of any petition for the rezoning of property within the APO, the City Manager, the Zoning Commission, and the City Council shall give considerable weight to the following factors when formulating their recommendations or decisions. **Notwithstanding the foregoing, the requirements in subsections (c)(3) through (c)(5) below shall apply to all new development within the APO as provided in subsection (b).***

B. 30-3.H.6.c.3. Structures

Subsection **30-3.H.6.c.3** is hereby amended as follows:

3. Structures

*Structures shall not be erected, altered or maintained and no tree shall be allowed to grow to a height in excess of the applicable height limits established and regulated by the Federal Aviation Administration (FAA), **including rooftop mechanical equipment and screens, antennas, exhaust stacks, light poles, and similar appurtenances, and prior to application for any Building Permit for any development subject to Site Plan approval, prior to Site Plan approval, and prior to application for any Building Permit the developer shall provide the City***

a copy of the FAA's acknowledgement of receipt of FAA Form 7460-1, Notice of Proposed Construction or Alteration, as required by Part 77 of the Federal Aviation Regulations (14 C.F.R Part 77). In the event the FAA's acknowledgement indicates the proposed development would provide an obstruction and/or a hazard to air navigation, the developer must provide either written consent from the Airport Director as related to the proposed development or seek a Variance under the provisions of this Ordinance. Notwithstanding the provisions of this section, height limitations shall not apply to any structure or any vegetation that is 35 feet or less in height, except when such tree or structure, because of terrain, land contour, or topographic features, would extend above the height limits of the FAA. The FAA height limitations generally include the following:

- a. Approach Zone...*
- b. Transitional Zone...*
- c. Conical Zone...*
- d. Horizontal Zone...*

Temporary construction cranes and other temporary structures shall comply with applicable FAA notice requirements.

C. 30-3.H.6.c.4. Notice Required

Subsection **30-3.H.6.c.4** is hereby amended as follows:

4. Notice Required

Any site plan, Subdivision Plan, or Final Plat for land located within the APO that is submitted for review and approval under the terms of this Ordinance shall contain the following notice:

"Property shown on this plan/plat is within the City of Fayetteville Airport Overlay District".

In addition, any Site Plan for land located within the APO shall identify the maximum height

above grade for all proposed buildings and structures, including rooftop mechanical equipment and screens, antennas, exhaust stacks, light poles, and similar appurtenances, as applicable. Prior to approval of a Site Plan within the APO, the Administrator shall transmit the application materials to the Fayetteville Airport Director for review and comment when the proposed development includes one or more of the following features:

- a. One (1) or more stationary emergency/standby generators;*
- b. On-site fuel storage with an aggregate capacity of 1,320 gallons or greater;*
- c. Cooling towers, evaporative cooling, or other cooling systems reasonably expected to generate visible plumes/steam under typical operating conditions;*
- d. Outdoor lighting mounted greater than twenty-five (25) feet above grade; and/or*
- e. Any structure or appurtenance that requires FAA notice under 14 C.F.R. Part 77.*

D. 30-3.H.6.C.5. Lighting

Subsection **30-3.H.6.c.5** is hereby amended as follows:

5. Lighting

Any allowed use, subdivision, or other development located within the APO shall not include outdoor lighting or illumination arranged and/or operated in such a manner as to be misleading or pose a danger to aircraft operations, shall not create glare or other illumination that could be confused with airport lighting or that otherwise impairs pilot vision, and in no case shall lighting be in contradiction to the provisions of this Ordinance. Further, no use or development within the APO shall be established, operated, or maintained in a manner that (a) emits smoke, steam, dust, particulates, or other substances that impair aircraft visibility or interfere with aircraft operations; (b) creates electrical, electronic, or electromagnetic interference that

disrupts or degrades airport communications, radar, or navigation aids; or (c) attracts birds and water fowl in a manner that increases wildlife strike risk.

Section 2. It is the intention of the City Council, and it is hereby ordained, that the provisions of this ordinance shall become and be made part of the Code of Ordinances, City of Fayetteville, North Carolina, and the sections of this ordinance may be renumbered to accomplish such intention.

ADOPTED this the _____ day of _____, 2026.

CITY OF FAYETTEVILLE

MITCH COLVIN, Mayor

ATTEST:

JENNIFER AYRE, City Clerk

TA26-01 Ordinance 5 – Airport Overlay (APO) Amendment

The Airport Overlay District already identifies the right airport-compatibility concerns – height and obstructions, lighting, visibility, electrical interference, and bird/waterfowl attraction – but the code largely treats those issues as things to weigh during rezonings. The practical problem is that many modern industrial projects can be permitted through site plan and building permit pathways without a rezoning, which means airport-compatibility review can occur late, or inconsistently, even though the underlying hazards are the same. This amendment closes that gap by making the key APO requirements operate as enforceable, location-based development standards, so projects in the overlay are reviewed for airport impacts early enough to avoid redesigns, delays, and avoidable hazards.

First, the ordinance clarifies that the APO requirements tied to structures and lighting apply to all new development in the overlay, not just rezonings. The logic is simple: an airport hazard is a physical condition created on a site within an approach environment. It does not depend on whether the entitlement was discretionary or by right. By making the core standards apply to development generally, the City avoids a loophole where a project in the APO can advance without the same level of compatibility screening simply because it did not require a rezoning petition.

Second, the ordinance tightens the “structures” language to reflect how contemporary facilities are actually built and operated. Airport-relevant height is often driven by rooftop mechanical units and screens, antennas, exhaust stacks, and tall poles, not only the primary building roofline. By explicitly including those appurtenances, the code becomes enforceable against the elements that most commonly create airspace conflicts. The ordinance also moves FAA notice documentation earlier in the process by requiring proof of FAA Form 7460-1 acknowledgement prior to site plan approval when a project is subject to site plan review, while still preserving the building-permit timing requirement. The purpose is to avoid approving a site plan that later cannot be built as designed because the FAA or airport identifies an obstruction or hazard. In the same spirit, the ordinance adds a clear statement that temporary construction cranes and similar temporary structures must comply with applicable FAA notice requirements, recognizing that cranes can be the tallest objects on a site and can present short-term but serious airspace and safety issues during construction.

Third, the ordinance improves the usefulness of APO review by requiring site plans in the overlay to disclose maximum heights above grade for buildings and related appurtenances. Without that information, neither staff nor the airport can reliably evaluate whether a proposal may affect protected airspace or trigger FAA notice. The ordinance then establishes a targeted referral process to the Airport Director for projects that include specific features commonly associated with aviation risk: standby generators, substantial fuel storage, cooling systems that may generate visible plumes or steam, tall outdoor lighting, or any structure or appurtenance that requires FAA notice under Part 77. This is not a prohibition. It is an early coordination step

designed to surface aviation concerns when the plan can still be adjusted through notes, placement, shielding, operational commitments, or other mitigation.

Finally, the ordinance strengthens the lighting standard to make it more concrete and operationally meaningful. It explicitly addresses glare and the risk of lighting that could be confused with airport lighting or that impairs pilot vision, which is one of the most direct ways off-airport development can create safety concerns. It also makes explicit that development in the APO cannot be operated in a way that impairs visibility through smoke, steam, dust, or particulates; cannot create electrical or electromagnetic interference with airport communications, radar, or navigation aids; and cannot create conditions that attract birds and waterfowl in ways that increase strike risk. The logic is performance-based: The City is not trying to regulate a particular industry by name inside the overlay. It is setting clear, enforceable expectations that any development in the APO must avoid creating the specific hazard types that airports are known to be vulnerable to.

Taken together, these changes make the APO function the way it is intended to function in practice: predictable standards tied to location, earlier identification of airspace and operational hazards, and a clean review path that helps projects move forward without late-stage surprises – especially for facilities like data centers that can be by-right yet include generators, fuel, cooling equipment, and security lighting that can matter a lot in an airport environment.

**MINUTES
CITY OF FAYETTEVILLE
PLANNING COMMISSION MEETING
LAFAYETTE ROOM, CITY HALL
FEBRUARY 17, 2026 @ 6:00 PM**

Members Present

Alex Keith, Vice-Chair
Austin Joseph
Joe Connor
Raymond Makar
Erica Hughey (Alt.)

Members Absent

Larry Marshall, Chair
Heather Holmes
Maybelyn Rodriguez Laureano
Ernest Logan
Keith Reid
Monique Hamilton (Alt.)

Staff and Guests Present

Demetrios Moutos, Planner II
Board Liaison - Craig Harmon, Senior Planner
Victoria Curtis, Assistant City Attorney
Tom Cohen, Planner I
Catina Evans, Office Assistant II
Robert Van Geons, President/CEO, Fay/Cumberland County
Economic Development Corporation

I. CALL TO ORDER

Alex Keith called the February 17, 2026, Planning Commission meeting to order at 6:00 p.m. The members introduced themselves.

II. APPROVAL OF THE AGENDA

MOTION: Austin Joseph made a motion to approve the agenda.
SECOND: Joe Connor
VOTE: Unanimous (5-0)

III. APPROVAL OF CONSENT ITEMS TO INCLUDE THE JANUARY 20, 2026, MEETING MINUTES

MOTION: Joe Connor made a motion to approve the consent items to include the minutes from the January 20, 2026, meeting.
SECOND: Austin Joseph
VOTE: Unanimous (5-0)

IV. LEGISLATIVE HEARING:

TA26-01. Proposed amendments to Chapter 30 of the Unified Development Ordinance to establish use types, standards, and definitions for Telecommunications and Data Storage Facilities.

Demetrios Moutos presented this text amendment as follows:

- He discussed land use classifications and how the amendment supports the strategic plan.
- He noted that noise is the main concern.
- He discussed the issues and analysis, targeting the ordinance-by-ordinance logic.
- He noted how the amendment aligns with the Future Land Use Plan.

Mr. Moutos discussed the ordinances as follows:

Ordinance 1-The foundation and the definitions of data storage centers. Mr. Moutos noted the accessory forms, the impact-drivers experienced by neighborhoods, and compatibility triggers, defining noise-sensitive land use.

Mr. Moutos noted the various definitions included in this section. He clarified the notation of *adjacent use* within the ordinance.

Ordinance 2-The Use Table-He discussed the districts and where the data centers would be permitted. Mr. Moutos stated that in the case of energy centers, a special use permit (SUP) would be necessary.

Ordinance 3-Use Specific Standards- Mr. Moutos discussed the compatibility requirements for the data centers, touching on the location of the equipment, loading and service areas, and the addition of fencing (mentioned in the development standards).

Ordinance 4-Noise Compliance- Mr. Moutos noted the table in Chapter 12, with an emphasis on strict noise level requirements for commercial businesses. Noise studies entail the conditions under which certain triggers would require a sound study, in accordance with UDO Standards. Several noise studies would have to be conducted, with the second occurring within 60 days and allowing for a verifying period of what was initially purposed for the data center. Mr. Moutos stated that the City is not attempting to create a new noise ordinance, but they are using the current one as a backdrop to define uses within the proposed ordinance.

Ordinance 4-Parking and Loading- Parking spaces are determined based on the office area and the number of employees present during the largest shift. He noted that many visitors' spaces would be included in the parking, with the maximum parking capped at 2-times the minimum parking. An alternative parking plan can be utilized if necessary.

Ordinance 5-Airport Overlay- Mr. Moutos mentioned the requirements within the Airport Overlay. He discussed the budget impacts, noting that it does not require cost impact, but additional staff time.

Mr. Moutos provided the board with their options to adopt, adopt and revise, reject or table the amendment until a later time.

Mr. Keith opened the hearing for TA26-01.

Speaker in favor:

Robert Van Geons, Fayetteville Cumberland County Economic Development Corporation, 201 Hay Street, Suite 401-A, Fayetteville, NC 28301

Mr. Keith closed the hearing, and the board deliberated.

MOTION: Joe Connor made a motion to approve the UDO text amendment TA26-01 with a revision to Ordinance 4, Loading Standard, to change *principal building* to *loading dock*.
SECOND: Austin Joseph
VOTE: Unanimous (5-0)

V. ADJOURNMENT

MOTION: Alex Keith made a motion to adjourn the Tuesday, February 17, 2026, meeting.
SECOND: Joe Connor
VOTE: Unanimous (5-0)

The meeting adjourned at 7:11 p.m.
Respectfully Submitted by Catina Evans



Data Centers

February 19, 2026

For Discussion

- The rapid growth in quantity and scale of Data Centers
- Site & Utility Requirements
- Cumberland County Existing Industrial Sites & Infrastructure
- Factors limiting the size & type of Data Centers that would consider Cumberland County
- Economic Benefits
- Operational Characteristics in comparison to other operations
- Concerns and potential impacts
- Items recommended for follow-up action

Data Centers – Evolution & Types



AIT – Downtown
Fayetteville, NC



Apple Campus –
Maiden, NC



Segra Data Chambers –
Kannapolis, NC

Site & Infrastructure Requirement

- For now – Searches start with electrical infrastructure and capacity – “large” centers start around 100 MW
- Size of desired site scales with capacity and availability
- Depending on cooling technology, water capacity is often the next question asked
- Back up generation can be provided by varying means
- Some are proposing on-site power generation, reducing grid reliance
- Cumberland County has existing industrially zoned properties, with adequate utilities that are attractive to Data Centers

Limiting factors

- Existing Infrastructure and available capacity cannot accommodate the largest of data centers
- Substantial increases in generation capacity, at a utility level, are many years out
- Smaller centers exist and are likely
- These issues are driving increased conversations around onsite generation and energy storage

Economic Benefits

- Projects range in investments from a hundreds of millions of dollars to multiple billions
- At the current tax rate, each \$1B = \$5million in property tax revenue
- Jobs pay very well, but would be on the order of dozens to 100+ per project
- Incentives are not required
- Provides needed IT infrastructure and can lead to growth in the technology sector

Operational Characteristics - Common

- Water Usage – similar to other large industrial operations that utilize water for equipment cooling
- Waste Water – also similar to other large industrial operations that utilize water for equipment cooling
- Equipment Noise – Cooling equipment can generate substantial and consistent noise, similar to large textile facilities or other industrial operations
- Air emissions – largely tied to onsite back up power generation

Operational Characteristics – Uncommon

- 24-7 operations without interruption
- Potential large amounts of fuel or battery storage and regular operation of back up generators
- Growing interest in self generation
- Exponential power demand

Recent policy changes regarding electric service NC

- Substantial upfront charge for system modeling studies
- Customer must own the land and have it zoned / entitled for Data Centers
- Project must fund transmission costs upfront (typically \$30-100 MM)
- Customer must agree to interrupt service 100 hours / year
- NC Policy Discussions and Potential Legislative Action

Legitimate concerns raised from other places – but not necessarily transferable to Cumberland

- Evaporative Water Usage
- Immediate proximity to
- Uncontrolled discharge of cooling water
- Impact on ground water
- Direct costs to surrounding rate payers for infrastructure or electricity
- Brownouts / power availability

Primary Local Impacts

- Noise – from operations and when back generation occurs
- Emissions from backup generation
- Vibration and/or harmonic resonance
- Stress on the power grid
- Available capacity for other uses
- Impact on electrical rate payers – (policy issue)

Large Data Centers should be scrutinized as you would any other very large industrial process

- Adopt regulations to protect neighbors and surrounding property owners from potential negative impacts
- Add definitions that clearly define the different types of data centers and where they would be allowed
- If there is any proximity to residential use or zoned property – require noise modeling and verification of compliance
- Add use specific requirements regarding screening & buffering where they back up to other zoning districts
- Consider limiting non-utility power generation facilities to “special use” only (not back up)

Questions?



City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0203

Agenda Date: 4/6/2026

Version: 1

Status: Agenda Ready

In Control: City Council Work Session

File Type: Other Items of
Business

Agenda Number: 6.06

TO: Mayor and Members of City Council

THRU:

FROM: Council Member D.J. Haire

DATE: April 6, 2026

**RE:
Reduce Speed Limit on Blanton Rd.**

COUNCIL DISTRICT(S):

4

Relationship To Strategic Plan:

Goal I: The City of Fayetteville will be a safe and secure community.

Executive Summary:

Lower the speed limit from 35 MPH to 25 MPH on Blanton Road

Background:

Issues/Analysis:

Budget Impact:

Options:

Recommended Action:

Attachments:

City Council Agenda Item Request

City Council Agenda
Item Request

Date of Request: 3-19-2026 Requester: Dr. PJ Haire
Agenda Item Title: Change Speed to 25 mph on Blanton Road
Estimated Cost: 0 Anticipated Funding Source: _____
City Department(s) Support Requested: Engineering, Traffic
Estimated Staff Time Required: 3 hours
Anticipated Date for Future Council Work Session Discussion: April 6, 2026

Which City Council Priorities within the Strategic Plan does this request directly support?

Safety on our streets: driving & walking

What do you envision accomplishing with this agenda item request?

Safe driving through neighborhoods

Additional Comments:

I'm wanting the city to help slow speeding down on Blanton Road. The most recent news - someone lost their life due to speeding. (2026)



City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0208

Agenda Date: 4/6/2026

Version: 1

Status: Agenda Ready

In Control: City Council Work Session

File Type: Other Items of
Business

Agenda Number: 6.07

TO: Mayor and Members of City Council

THRU:

FROM: Council Member Jones

DATE: April 6, 2026

RE:

City Council Agenda Item Request - FAST Amenities - Council Member Jones

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Goal II: Responsive City Government Supporting a Diverse and Viable Economy

Goal IV: Desirable Place to Live, Work and Recreate

Executive Summary:

To adopt new bus stop amenity standards the foster ridership growth, enhance rider/resident safety, improve transit equity, and support Fayetteville’s commitment to building a FAST system that residents “choose” because it is comfortable, reliable and accessible.

Enhancing our goal of creating a “SYSTEM OF CHOICE

- Improve the safety and comfort of riders waiting at stops with lower but still significant usage.
- Support increased ridership by making stops more attractive and functional for current & new riders, seniors, ADA, and all residents
- Ensure transit access improvements align with Fayetteville’s broader goals for multimodal transportation, equity, and resident connectivity.
- Reflect current community needs and expectations for FAST as a modern, reliable, and appealing transit option that is desirable

Background:

Current threshold for bus stop amenities:

6 or more daily boardings for a bench

15 or more daily boardings for a shelter

Issues/Analysis:

I am requesting that FAST staff evaluate the current thresholds for the installation of bus benches & bus shelters and provide recommendations for updating these thresholds to better serve Fayetteville residents and align with the City's long-term transit goals and move us forward towards a “SYSTEM OF CHOICE”.

Budget Impact:

Options:

Recommended Action:

Attachments:

City Council Agenda Item Request
Page 3 of Transit's Service Standards & Policies



City Council Agenda Item Request

Date of Request: March 26, 2026 **Requester:** Council Member Jones

Agenda Item Title: FAST Amentities

Estimated Cost: Unknown **Anticipated Funding Source:** Unknown

City Department(s) Support Requested: Transit

Estimated Staff Time Required: Approximately 8 Hours

Anticipated Date for Future Council Work Session Discussion: April 6, 2026

Which City Council Priorities within the Strategic Plan does this request directly support?

Goal II: Responsive City Government Supporting a Diverse and Viable Economy
Goal IV: Desirable Place to Live, Work and Recreate

What do you envision accomplishing with this agenda item request?

To adopt new bus stop amenity standards that foster ridership growth, enhance rider/resident safety, improve transit equity, and support Fayetteville's commitment to building a FAST system that residents "choose" because it is comfortable, reliable, and accessible.

Enhancing our goal of creating a "SYSTEM OF CHOICE"

- Improve the safety and comfort of riders waiting at stops with lower but still significant usage.
- Support increased ridership by making stops more attractive and functional for current & new riders, seniors, ADA, and all residents
- Ensure transit access improvements align with Fayetteville's broader goals for multimodal transportation, equity, and resident connectivity.
- Reflect current community needs and expectations for FAST as a modern, reliable, and appealing transit option that is desirabler

Additional Comments:

Possible amenity threshold alternatives:

3-4 boardings a day for benches, as opposed to the current standard of 6 or more daily boardings.

6-8 boardings a day for a shelter, as opposed to the current standard of 15 or more daily boardings.

I am requesting that FAST staff evaluate the current thresholds for the installation of bus benches & bus shelters and provide recommendations for updating these thresholds to better serve Fayetteville residents and align with the City's long-term transit goals and move us forward towards a "SYSTEM OF CHOICE".



Distribution of Transit Amenities:

Bus Shelters	At stops with 15 or more boardings per day or locations where 3 or more routes converge
Bus Benches	At stops with 6 or more boardings per day
Bus Stop Signs	At all stops. Bus stop signs should display FAST name, information contact number and route/schedule information.
Sponsorships	Shelters or benches may be placed at stops that have less boardings than noted above when a non-City entity agrees to provide funding to sponsor such stop.

Vehicle Assignment:

Vehicle Equipment	Revenue vehicles shall be clean, in good condition, with working ramp or lift and working air conditioning or heat (depending on season)
Route Assignment	Higher capacity buses shall be used on routes with the highest ridership and load factors
Vehicle Age/Mileage	Vehicles shall be distributed equally throughout the route system. Vehicle assignments shall be evaluated a minimum of every three (3) months to ensure equitable aging (accumulated miles) and distribution of equipment, including onboard technology features, to all routes.

Evaluating and Altering Services

FAST strives to allocate service resources equitably and efficiently. Circumstances may change requiring that routes be evaluated and adjusted to ensure effectiveness and proper allocation of resources. Routes will be evaluated at least annually. Although several factors are considered, the primary route productivity measure FAST will use is Average Daily Passengers per Revenue Service Hour.

Routes to Review	Less than 80% of system average Passengers per Hour
Routes to Modify	Less than 60% of system average Passengers per Hour



City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0219

Agenda Date: 4/6/2026

Version: 1

Status: Agenda Ready

In Control: City Council Work Session

File Type: Other Items of
Business

Agenda Number: 6.08

TO: Mayor and Members of City Council

THRU:

FROM: Council Member D.J. Haire

DATE: April 6, 2026

RE:

City Council Agenda Item Request - Compliance Dates & Environmental Court Does Not Work - Council Member Haire

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Goal IV: Desirable Place to Live, Work and Recreate

Executive Summary:

I envision code enforcement violations to come compliant within a reasonable time. Environment Courts don't work. What's the purpose of ordinances and compliance dates if they have no power?

Background:

Example: House in the 1800 block of Cascade St in the Seabrook/Broadell neighborhood is a mess. Other locations do exist throughout our city.

Issues/Analysis:

Budget Impact:

Options:

Recommended Action:

Attachments:

City Council Agenda Item Request



City Council Agenda Item Request

Date of Request: March 26, 2026 **Requester:** Council Member Haire

Agenda Item Title: Compliance Dates & Environment Courts Don't Work

Estimated Cost: Unknown **Anticipated Funding Source:** Unknown

City Department(s) Support Requested: Code Enforcement & Legal

Estimated Staff Time Required: Unknown

Anticipated Date for Future Council Work Session Discussion: April 6, 2026

Which City Council Priorities within the Strategic Plan does this request directly support?

Goal IV: Desirable Place to Live, Work, and Recreate

What do you envision accomplishing with this agenda item request?

I envision code enforcement violations to come compliant within a reasonable time. Environment Courts don't work. What's the purpose of ordinances and compliance dates if they have no power?

Example: House in the 1800 block of Cascade St in the Seabrook/Broadell neighborhood is a mess. Other locations do exist throughout our city.

Additional Comments:

Please visit Cascade St off of Edgecombe Ave in the above neighborhood. I won't give you the exact address, see if you can pick it out. I'm asking for legislation, rules, policies, City & State, that can prohibit this disaster from ever taking place again.

This item has been turned in on a number of occasions.



City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0209

Agenda Date: 4/6/2026

Version: 1

Status: Agenda Ready

In Control: City Council Work Session

File Type: Other Items of
Business

Agenda Number: 6.09

TO: Mayor and Members of City Council

THRU:

FROM: Council Member Deno Hondros

DATE: April 6, 2026

RE:

Council Member Agenda Item Request - Sign Ordinance Discrepancies and Temporary Stay of NoV's - Council Member Hondros

COUNCIL DISTRICT(S):

all

Relationship To Strategic Plan:

- 2) Responsive City Government
- 3) City Invested in Today and Tomorrow
- 4) Desirable Place to Live, Work & Recreate
- 5) Financially Sound City Providing Exemplary City Services
- 6) Collaborative Citizen and Business Engagement Base

Executive Summary:

Recently there has been some discrepancies in Council direction and Staff interpretation regarding our Sign Ordinance and recent revisions to Sign Ordinance.

- 1) Consensus to allow Business & Economic Committee and Staff to research peer city comparisons, reconcile and discrepancies and/or differing interpretations, and bring recommendations to future council meeting and/or work session.
- 2) Void any and all NoV's issued for signs with exception of: electrical/safety concerns, and/or disrepair/conditions
- 3) A sixty (60) day stay on new NoV's (with exception for electrical/safety and/or disrepair condition) to allow council and staff to work through ordinances.

Background:

Issues/Analysis:

Budget Impact:

Options:

Recommended Action:

Attachments:

City Council Agenda Item Request

City Council Agenda Item Request

Date of Request: 3/26/2026 **Requester:** Deno Hondros

Agenda Item Title: Sign Ordinance Discrepancies and Temporary Stay of NoV's

Estimated Cost: N/A **Anticipated Funding Source:** N/A

City Department(s) Support Requested: Development Services

Estimated Staff Time Required: 4-8 hours

Anticipated Date for Future Council Work Session Discussion: 4/6/2026

Which City Council Priorities within the Strategic Plan does this request directly support?

- 2) Responsive City Government
- 3) City Invested in Today and Tomorrow
- 4) Desirable Place to Live, Work & Recreate
- 5) Financially Sound City Providing Exemplary City Services
- 6) Collaborative Citizen and Business Engagement Base

What do you envision accomplishing with this agenda item request?

Recently there has been some discrepancies in Council direction and Staff interpretation regarding our Sign Ordinance and recent revisions to Sign Ordinance.

- 1) Consensus to allow Business & Economic Committee and Staff to research peer city comparissions, reconcile any discrepancies and/or differing interpretations, and bring recommendations to future council meeting and/or work session.
- 2) Void any and all NoV's issued for signs with exception of: electrical/safety concerns, and/or disrepair/condition.
- 3) a sixty (60) day stay on new NoV's (with exception for electrical/safety and/or disrepair/condition) to allow council and staff to work through ordinance.

Additional Comments:



City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0222

Agenda Date: 4/6/2026

Version: 1

Status: Agenda Ready

In Control: City Council Work Session

File Type: Other Items of
Business

Agenda Number: 6.010

TO: Mayor and Members of City Council

THRU:

FROM: Council Member Deno Hondros

DATE: April 6, 2026

RE:

City Council Agenda Item Request - Peer City Comparison - Council Member Hondros

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

- 2) Responsive City Government
- 3) City Invested in Today and Tomorrow
- 4) Desirable Place to Live, Work & Recreate
- 5) Financially Sound City Providing Exemplary City Services
- 6) Collaborative Citizen and Business Engagement Base

Executive Summary:

Better peer city comparisons will be developed by using the ten (10) largest cities in NC:

Charlotte

Raleigh

Greensboro

Durham

Winston-Salem

Fayetteville

Cary

Wilmington

High Point

Concord

Unless otherwise specifically directed by council committee and/or action via adopted motion.

Background:

As all municipalities in the state are governed by the same statutes, and with Fayetteville being the sixth largest city, suing the aforementioned cities listed above provides four or five larger comparables, and 4 smaller comparables.

Issues/Analysis:

Budget Impact:

Options:

Recommended Action:

Attachments:

City Council Agenda Item Request

City Council Agenda Item Request

Date of Request: 3/26/2026 Requester: Deno Hondros

Agenda Item Title: Peer City comparissons

Estimated Cost: N/A Anticipated Funding Source: N/A

City Department(s) Support Requested: ALL

Estimated Staff Time Required: N/A

Anticipated Date for Future Council Work Session Discussion: 4/6/2026

Which City Council Priorities within the Strategic Plan does this request directly support?

- 2) Responsive City Government
- 3) City Invested in Today and Tomorrow
- 4) Desirable Place to Live, Work & Recreate
- 5) Financially Sound City Providing Exemplary City Services
- 6) Collaborative Citizen and Business Engagement Base

What do you envision accomplishing with this agenda item request?

Better peer city comparisons will be will be developed by using the ten (10) largest cities in NC:
Charlotte
Raleigh
Greensboro
Durham
Winston-Salem
****Fayetteville***
Cary
Wilmington
High Point
Concord

Unless otherwise specifically directed by council in committee and/or action via adopted motion.

Additional Comments:

As all municipalities in the state are governed by the same statutes, and with Fayetteville being the sixth largest city, using the aforementioned cities listed above provides four or five larger comperables, and 4 smaller comps.



City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
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City Council Action Memo

File Number: 26-0223

Agenda Date: 4/6/2026

Version: 1

Status: Agenda Ready

In Control: City Council Work Session

File Type: Other Items of
Business

Agenda Number: 6.011

TO: Mayor and Members of City Council

THRU:

FROM: Council Member Hondros

DATE: April 6, 2026

RE:

City Council Agenda Item Request - Staff research on City Clerk service under CMO vs. Council - Council Member Hondros

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

- 2) Responsive City Government
- 3) City Invested in Today and Tomorrow
- 4) Desirable Place to Live, Work & Recreate
- 5) Financially Sound City Providing Exemplary City Services
- 6) Collaborative Citizen and Business Engagement Base

Executive Summary:

Research comparison of pros and cons of Clerk serving under CMO vs. under Council, including but not limited to NCGS and UNC School of Government's best practices recommendations and guidelines, and peer city and county comparisons.

Charlotte, Mecklenburg County
Raleigh, Wake County
Cary, Wake County
Greensboro, Guilford County
Wilmington, New Hanover County
Durham, Durham County
High Point, Guilford County
Winston Salem, Forsyth County
Concord, Cabarrus County
Fayetteville, Cumberland County Board of Commissioners

Background:

Per NCGS the Council in cities with a council-manager form of government commonly appoint the Clerk.

City Clerk serving at the pleasure of Council ensures political independence, allowing the

Clerk to act as a neutral keeper of records.

One practical reason for the Clerk to serve under Council instead of the CMO is that they can keep personnel folder with the City Attorney's and City Manager's employment agreement(s) and annual performance evaluations.

Issues/Analysis:

Budget Impact:

Options:

Recommended Action:

Attachments:

City Council Agenda Item Request

City Council Agenda Item Request

Date of Request: 3/26/2026 **Requester:** Deno Hondros

Agenda Item Title: Staff research on City Clerk service under CMO vs. Council

Estimated Cost: N/A **Anticipated Funding Source:** N/A

City Department(s) Support Requested: CAO (and CMO?)

Estimated Staff Time Required: 1-4 hours

Anticipated Date for Future Council Work Session Discussion: 4/6/2026

Which City Council Priorities within the Strategic Plan does this request directly support?

- 2) Responsive City Government
- 3) City Invested in Today and Tomorrow
- 4) Desirable Place to Live, Work & Recreate
- 5) Financially Sound City Providing Exemplary City Services
- 6) Collaborative Citizen and Business Engagement Base

What do you envision accomplishing with this agenda item request?

Research comparison of pros and cons of Clerk serving under CMO vs. under Council, including but not limited to NCGS and UNC School of Government's best practices recommendations and guidelines, and peer city and county comparissons.

Charlotte: ? ; Mecklemberg County: ?

Raleigh: ? ; Wake County: ?

Cary: ? ; Wake County: ?

Greensboro: ? ; Guilford County: ?

Wilmington: ? ; New Hanover County: ?

Durham: ? ; Durham County: ?

High Point: ? ; Guilford County ?

Winston Salem: ? ; Forsyth County: ?

Concord: ? ; Cabarrus County ?

Fayetteville: CMO; Cumberland County: Board of Commissioners

Cary: ? ; Wake County: ?

Additional Comments:

Per NCGS the council in cities with a council-manager form of government commonly appoint the clerk.

City Clerk serving at the pleasure of council ensures political independence, allowing the clerk to act as a neutral keeper of records.

One practical reason for the clerk to serve under council instead of the CMO is that the can keep personnel folder with CA's and CM's employment agreement(s) and annual performance evals.