

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.

- Resiliency and infrastructure planning involve requiring early utility coordination documentation and defining the information needed to assess serviceability and the implications for downstream infrastructure.
- 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

X

2. LAND USE POLICES AND STRATEGIES:

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

LAND USE POLICIES 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.

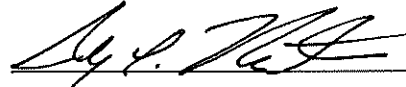
The amendment also benefits the public interest because it:

- 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.

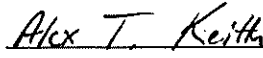
Additional comments:

February 17, 2026

Date

A handwritten signature in black ink, appearing to be "Alex T. Keith", written over a horizontal line.

Vice-Chair Signature

The name "Alex T. Keith" written in black ink over a horizontal line.

Print