

9.3 Data Center Task Force Meeting

DETERMINING POLICY RECOMMENDATIONS



Agenda

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Welcome

Overview: Policy, UDO & Legislative Buckets

Breakout Group Discussions

Full Group Report-Back & Discussion

Next Steps & Closing

What to Expect

What to Expect

- You'll break into your assigned small groups to discuss the three policy buckets: Policy, UDO, and Legislative Requests.
- Each group will work through guided discussion prompts and record key points.
- Groups will have 5 minutes for this discussion; a timer will help keep us on track.
- When time is up, we'll reconvene as one larger group to report out and discuss together.
- City staff will be available to answer questions and keep time.

Policy

Your feedback: City Council does not receive information from Duke Energy regarding secured grid capacity before voting on a data center rezoning.

Question: Would you like Council to have that information before the vote, or is it acceptable to get it later, before construction begins?

Follow-up: If before the vote, how far in advance, and what should count as proof (a utility letter, a signed capacity agreement, an independent study)?

Your feedback: Charlotte Water is often brought in late, sometimes after a project has already advanced.

Question: Should data center developers be required to give Charlotte Water more detailed water usage information earlier in the process?

Follow-up: At what stage should Charlotte Water be looped in (concept plan, formal application, both), and is there a minimum review period they should be guaranteed?

Your feedback: There's interest in closed-loop cooling and reclaimed water systems.

Question: Would you rather see these required where legally possible, or encouraged through incentives without a mandate?

Follow-up: Should any requirement apply to all data centers, or only above a certain size or water-use threshold? What would that threshold be? What should those specific requirements/incentives be (e.g., Energy Star certification)?

Your feedback: There are concerns about noise.

Question: Is it more important to you that projects meet upfront standards before approval, or that there's ongoing monitoring and reporting once a facility is operating?

Follow-up: If setting a noise standard, what's an acceptable decibel limit at the property line? How often should air quality data be reported, quarterly or annually?

Your feedback: Backup generators can cause potential issues.

Question: Do you want to engage outside agencies on guidelines for when generators can/should be used?

Follow-up: How often should air quality data be reported, quarterly or annually?

Your feedback: There's a desire for more transparency on water and energy use.

Question: Would you prefer annual public reporting, or something closer to real-time public access to usage data?

Follow-up: Should reporting be per facility or aggregated citywide? Who should be responsible for publishing it?

Your feedback: You would like a specific plan addressing environmental justice concerns.

Question: Should that plan focus more on where projects can be sited, or on benefits and mitigation directed to nearby neighborhoods? Keep in mind that plans recommend or guide regulatory changes but don't contain regulatory mechanisms themselves.

Follow-up: What distance from a facility should define "nearby" for mitigation purposes, within the community/neighborhood, a quarter mile, a half mile, further?

Your feedback: Requirements for onsite renewable energy may not cover the full energy required to operate a data center.

Question: Should we include on-site renewable energy incentives to cover a portion of the site's energy use?

UDO

Your feedback: The current data center definition dates back to 2011.

Question: Would you like to see a broader definition that captures more types of facilities, a narrower one focused specifically on large-scale hyperscale projects, or a tiered definition?

Follow-up: What threshold should distinguish a "data center" for regulatory purposes: power draw in megawatts, square footage, or something else?

Your feedback: Data centers are currently allowed in 8 zoning districts with no prescribed conditions.

Question: Would you rather see them limited to fewer districts, or allowed broadly but held to stricter, use-specific requirements?

Follow-up: Which of the 8 current districts, if any, should be removed from eligibility? Should there be a minimum lot size or minimum distance from residential zoning districts?

Your feedback: Buildings going up are as close as 50 feet from residential lot lines.

Question: Do you want larger, separation requirements, or standards that flex depending on the use and what's next to it?

Follow-up: What's the minimum distance you'd want from a residential property line, 100 feet, 150 feet, 300 feet? Should larger facilities require a larger landscaped yard than smaller ones?

Your feedback: There are currently no data center-specific landscaping requirements.

Question: Should larger tree and vegetation buffers be mandatory, or should landscaping standards stay flexible and developer-determined?

Follow-up: If mandatory, how wide should the landscape yard be?

Your feedback: The community wants regulations to be more forward-thinking.

Question: Should we include a requirement for decommissioning plans?

Follow-up: Should there be a general statement about site restoration plans being reviewed prior to decommissioning?

Your feedback: There's interest in lighting regulations.

Question: Should those standards be the same citywide, or stricter specifically near residential areas?

Follow-up: Would you want a dark-sky-compliant standard, a lumens cap, shielding requirements, or curfew hours for exterior lighting?

Legislative Requests

Your feedback: State law limits what the city and Charlotte Water can directly require, including water-use caps and cooling-technology mandates.

Question: Should this group's recommendations stay within what's currently enforceable, or reflect what you believe should happen regardless of current legal limits?

Follow-up: If going beyond current law, should the group also spell out what state legislative change would be needed to make that recommendation enforceable?

Your feedback: SB 730, the Ratepayer Protection Act, was the only data center-focused bill to have momentum in the legislature.

Question: Would you like this group to take a position on it, supporting it, opposing it, or proposing changes?

Follow-up: If proposing changes, is the 100MW site-assessment threshold the right line, or should it be lower? What ratepayer protections matter most?

Your feedback: Duke Energy has filed a large load tariff with the NC Utilities Commission.

Question: Would you like this group to recommend submitting comments or feedback to the NCUC regarding the tariff?

Your feedback: Any local ordinance could be overridden by future state legislation.

Question: Would you rather prioritize policies likely to hold up under current law, or ones that make a stronger statement even if their durability is uncertain?

Follow-up: Are there specific near-term protections you'd want in place even if they might not survive a future legislative change?

Your feedback: Down-zoning creates challenges for amending current zoning regulations.

Question: Does that change how far you'd want local regulatory recommendations to go?

Follow-up: Should the group focus its recommendations on new zoning language in anticipation of relief from down-zoning limitations?

Next Steps