



CITY OF HOGANSVILLE

Planning Commission

Regular Session Agenda

Thursday, July 16, 2026, at 6:00 pm

Chairperson: *Ricky Thrash 2027*

Vice Chair: *Ellen Shellabarger 2027*

Board Member: *Carol Smith 2027*

Board Member: *Andrew Smith 2028*

Board Member: *Adrain Porter 2028*

Board Member: *Richard Woods 2027*

Board Member: *Susan Harrell 2027*

Approval of Agenda

Approval of Minutes – May 21, 2026

New Business

1. Ware Street Lot Split Application, Parcel No. 0244X001007, Owner: John Hardy Jones
2. 811 East Main Street Variance Application, Parcel No. 0213B006006, Owner: Venture Planning & Development
3. UDO Text Amendment – Draft 5.1: Data Center Ordinance – Aaron Fortner

Board Member Comments

Next Meeting – August 20, 2026

Adjourn



City of Hogansville
Planning & Zoning Board
Regular Meeting Minutes

May 21, 2026 at 6:00 pm

Chairperson: *Ricky Thrash 2027*

Board Member: *Ellen Shellabarger 2027*

Board Member: *Carol Smith 2027*

Board Member: *Andrew Smith 2028*

Board Member: *Adrain Porter 2028*

Board Member: *Richard Woods 2027*

Board Member: *Susan Harrell 2027*

Present: Ellen Shellabarger, Vice Chair
Adrain Porter
Andrew Smith
Carol Smith
Richard Woods

Also Present: Lisa Kelly, City Manager
Oasis Nichols, Assistant City Manager
Dhayna Portillo, Community Development Director

Absent Ricky Thrash, Chair
Susan Harrell

CALL TO ORDER AND MOMENT OF SILENCE

This regular Planning and Zoning Board meeting was called to order at 6:05 pm by Ellen Shellabarger, who then called for a moment of silence.

APPROVAL OF AGENDA

CAROL SMITH moved that the meeting agenda be approved as presented. The motion was seconded by Adrain Porter and unanimously approved.

APPROVAL OF MINUTES – APRIL 16, 2026

Upon motion by Adrain Porter, seconded by Carol Smith minutes of the meeting held APRIL 16, 2026 were approved.

NEW BUSINESS

1. Data Center Ordinance – UDO Text Amendment – Aaron Fortner

Aaron Fortner explained that draft 4 was drafted by data center working group which contributed research and input. Baseline data center standards will be in the UDO for consistent and clear regulations. One of the items that were added was adding more information regarding development agreements, which will be required for “developments of impact” (including data centers) to tailor additional conditions. Staff prepared a checklist to guide negotiations, structuring commitments previously handled case-by-case; it is guidance, not zoning code.

Uses can be prohibited, limited, or required; site plan conditions may include densities, buffers, setbacks, footprints, parking, sidewalks, paths, landscaping, lighting, fencing, signage, and design standards. Draft proposes a trigger: before any permit or rezoning approval for developments of impact, an approved development agreement must be in place; applicants must start early or face denial if arriving at rezoning without an agreement.

Motion:

After discussion, Andrew Smith made a motion to recommend for approval of the UDO text amendment regarding the data center and developments of impact regulations. This motion was seconded by Adrain Porter. The motion carries with the majority of the Planning Commission’s recommendation of approval with Carol Smith abstaining from the vote.

By unanimous consent, the meeting was adjourned at 7:06pm

Respectfully submitted,

Dhayna Portillo

Community Development Director ☸

Application Number: LS 26-03



City of Hogansville, GA
Application for Lot Split Approval
5 or less lots

Property Owner Name John Hardy Jones

Address of Project
Ware Street

Hogansville, GA Zip 30230

Phone 678-633-8924 Email jhjones@johnhardyjones.com

Troup Tax Map No. 0244X001007

Acreage of the property? 4.54

Does it meet the zoning requirements? Yes ☒ or No ☐

What is it currently zoned as? CR-MX

Will the proposed lots have their own road frontage? Yes ☒ or No ☐

Describe proposal – Please be as specific as possible.

Subdivide parcel number 0244X001007 into 5 separate parcels

☒ Make sure to submit a digital survey/concept plan that shows the split within the plat

I certify that the foregoing information is true and correct,

this day of June 25 2026


Applicant's Signature


Notary Public





City of Hogansville, GA Checklist

Route 1: Concept Plan Route

Step 1: Submit Concept Plan to Planning Commission

- ☐ Submit lot split concept plan for review and approval

Step 2: Planning Commission Review

- ☐ Receive approval of the concept plan with the condition that the surveyed plat is completed

Step 3: Submit Plat

- ☐ Prepare final plat based on approved concept
- ☐ Submit final plat for Planning Commission chair signature

Step 4: Record Plat

- ☐ Record signed final plat at the Troup County Clerk of Court's Office

Step 5: Notify Community Development Office

- ☐ Provide a recorded copy of the plat to the Planning Office

Route 2: Surveyed Plat Route

Step 1: Submit Surveyed Plat to Planning Commission

- ☐ Submit a complete surveyed plat to Planning Commission for review

Step 2: Planning Commission Signature

- ☐ Obtain signature from Planning Commission on the surveyed plat

Step 3: Record Plat

- ☐ Record the signed plat at the Troup County Clerk of Court's Office

Step 4: Notify Planning Office

- ☐ Provide a recorded copy of the plat to the Planning Office

Application Received: 06-30-2026

Application Accepted: _____

Lot Split Application Instructions:

An application for a lot split approval must be completed and signed by the applicant and submitted to City Hall at least 7 days before the next regularly scheduled Planning Commission meeting.

The Planning Commission will consider the application at its next regular meeting. In order that any questions that arise may be answered, your presence at the meeting will be required. It is the practice of the Commission to deny any application where the applicant is not present. Witnesses may be called, and the applicant has the right to question any witness.

The Commission may, at its sole discretion, include any condition, requirement or limitation to a request which may be necessary to protect adjacent property owners and the public good. If at any time after the lot split has been issued, the zoning administrator or building inspector finds that the conditions imposed and the agreements made have not been or are not being fulfilled by the holder of the application, the APPLICATION shall be terminated.

Site Plan Requirements:

Site Plans shall contain the following information:

1. Property owner and address
2. Street address of subject property
3. Total property acreage
4. Tax Map and Lot Number
5. Date prepared, Map Scale and North Arrow
6. Location of all property lines on neighboring properties and streets or alleys located 50 feet from subject property.
7. Names of adjacent property owners
8. Boundaries of all current zoning districts on the subject properties and all neighboring properties shown on the map. Each zoning district must be labeled.
9. Special markings (shading, cross hatching, or heavy outline) to identify the areas intended to be rezoned.
10. The general location of all existing structures or buildings on the subject property.

SKETCH PLAN DOES NOT HAVE TO BE DRAWN TO EXACT SCALE OR PREPARED BY A PROFESSIONAL, BUT IT MUST BE NEAT AND PREPARED IN INK.

Planning Commission Decision

Approved ☐ Denied ☐



Owner Authorization Form

City of Hogansville

This is a written request from (property owner name): John Hardy Jones,
the legal owner of Property (address): Ware Street, Hogansville, Troup
County, Georgia; Troup County Tax Parcel Number
0244X001007. At this time, we are
requesting that the said property be considered for Lot Split.

Esta es una petición escrito de (nombre del dueño) _____, el
dueño legal de la Propiedad (dirección): _____, Hogansville,
Condado de Troup, Georgia ; El Número de Parcela Fiscal
_____.

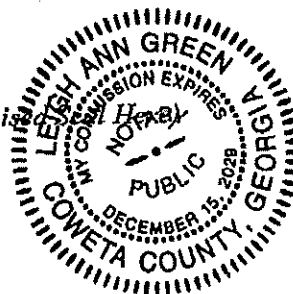
En este momento, estamos pidiendo que se considere la propiedad para estar
_____.

Property Owner Signature/Firma del dueño

6/25/26
Date/Fecha:

Leigh Ann Green
Notary Public

(Affix Raised Seal Here)

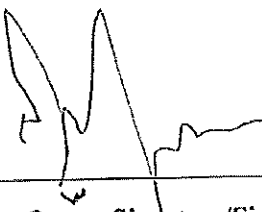




Third Party Authorization Form
City of Hogansville

This is a written request from John Hardy Jones, the legal owner of
Property: Ware Street, Hogansville, Troup County, Georgia and
the Tax Parcel Number 0244X001007. I hereby grant authorization to
Leigh Ann Green & Andrew Villarreal to act as the applicant or agent for submitting
requests related to this property.

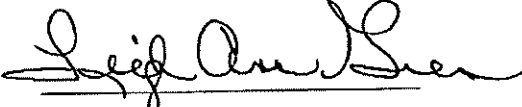
Esta es una petición escrita de _____, el dueño legal de la
Propiedad: _____, Hogansville, Condado de Troup, Georgia y el
Número de Parcela Fiscal _____. Por la presente autorizo a
_____ a actuar como solicitante o representante para presentar solicitudes
relacionadas con esta propiedad.



Property Owner Signature/Firma del dueño

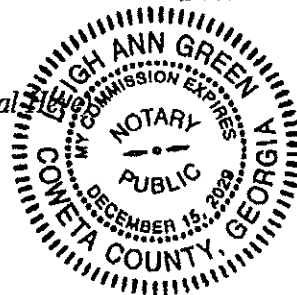
6/25/26

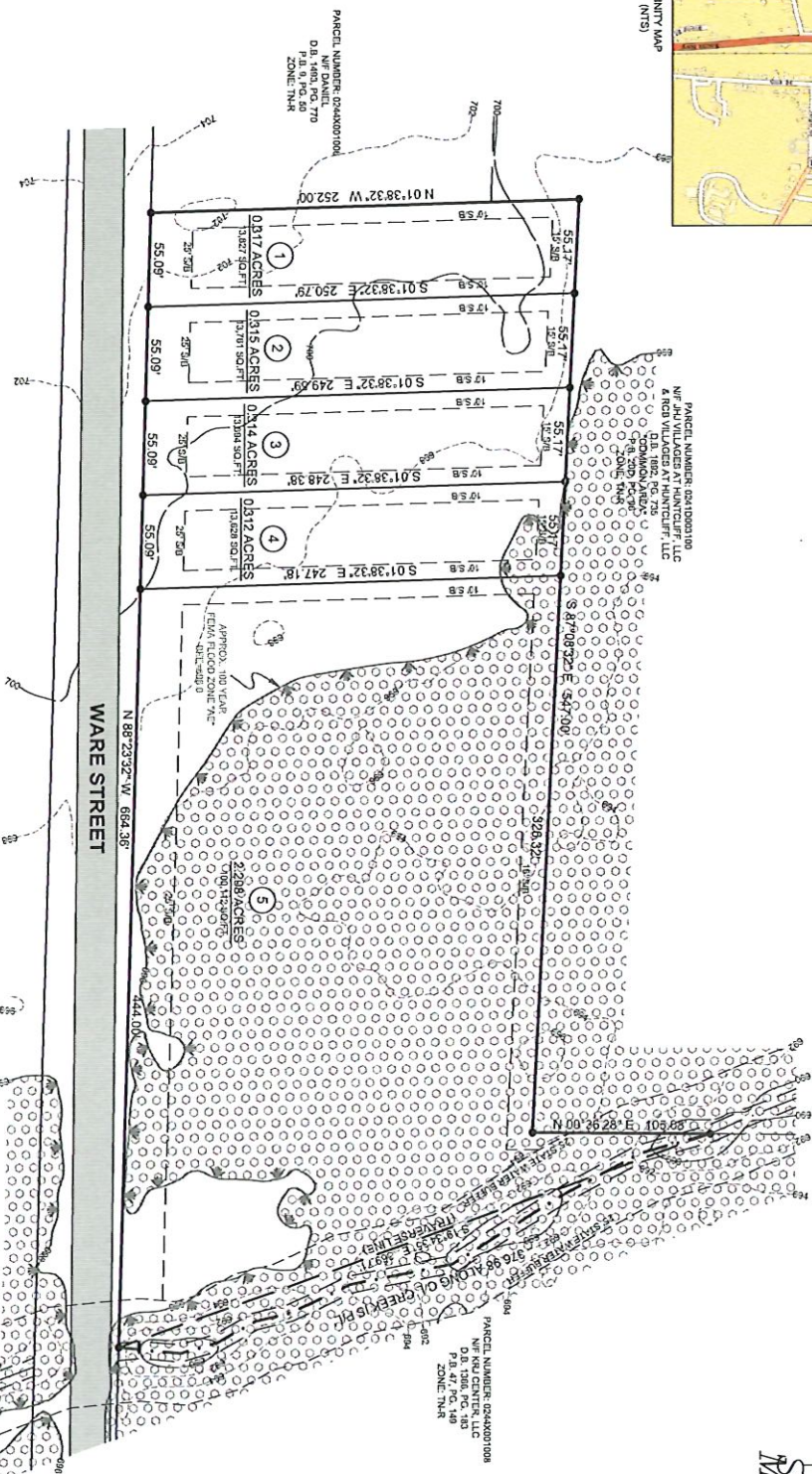
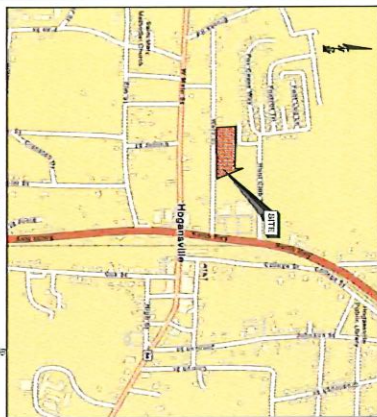
Date/Fecha:



Notary Public

(Affix Raised Seal Here)





LEGEND

GW = GUY WIRE
 PP = POWER POLE
 PDB = POINT OF BEGINNING
 D.B. = DEED BOOK
 P.B. = PLAT BOOK
 P.C. = PAGE
 N.P. = NOW OR FORMERLY
 EX. = EXISTING
 RW = RIGHT OF WAY
 CTP = CHURCH TOP PIPE
 O.T.P. = OTHER TOP PIPE
 P.S. = IRON PIN SET (IN REBAR)
 CWP = CORRUGATED METAL PIPE
 C.C.P. = CORRUGATED CONCRETE PIPE
 EX. FEMA FLOOD:

PROPERTY OWNER INFORMATION

JOHN HARDY JONES
 232 SMOKEHOUSE TRACE
 PEACHTREE CITY, GA 30269

PARCEL NO. 0244X001007
 TOTAL AREA: 3.558 ACRES
 150,021 SQ. FT.

GENERAL NOTE:

PARCEL NUMBER: 0244X001007

ADDRESS: WARE STREET

HOGANVILLE, GA. 30229

TOTAL AREA: 3.558 ACRES / 150,021 SQ. FT.

ZONED: CH-1X

BUILDING COVERAGE: 10% (MAXIMUM, % OF LOT AREA)

MINIMUM LOT FRONT YIELD: 10%

MINIMUM BUILDING HEIGHT: 4'

MINIMUM LOT FRONT YIELD: 10%

MINIMUM BUILDING HEIGHT: 4'

MINIMUM LOT FRONT YIELD: 10%

MINIMUM BUILDING HEIGHT: 4'

MINIMUM LOT FRONT YIELD: 10%

MINIMUM BUILDING HEIGHT: 4'

MINIMUM LOT FRONT YIELD: 10%

MINIMUM BUILDING HEIGHT: 4'

MINIMUM LOT FRONT YIELD: 10%

MINIMUM BUILDING HEIGHT: 4'

MINIMUM LOT FRONT YIELD: 10%

MINIMUM BUILDING HEIGHT: 4'



CONCEPTUAL PLAT FOR:
 MALLARD RESIDENTIAL
 TOTAL AREA = 3.558 ACRES
 CITY OF HOGANVILLE
 LAND LOT 10, 12th. DISTRICT
 TROUP COUNTY, GEORGIA

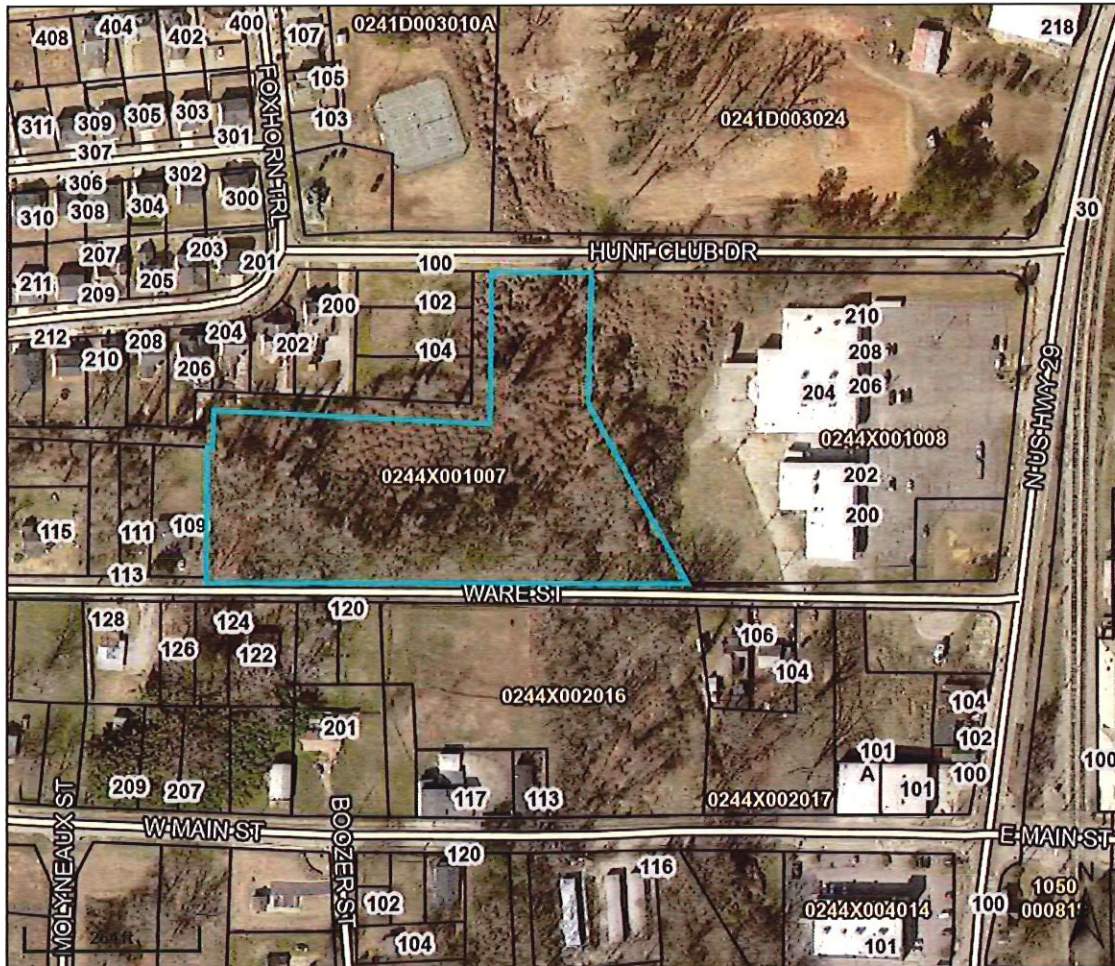
**SIBLEY-MILLER
 SURVEYING & PLANNING INC.**

212 WEST CAMPGROUND RD
 McDONOUGH, GA. 30253
 PHONE: (770) 320-7555
 FAX: (770) 320-7333
 www.sibleysurveying.com

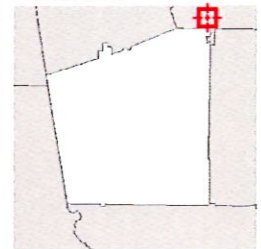
• CIVIL ENGINEERING
 • TOPOGRAPHICAL SURVEYS
 • LAND DEVELOPMENT DESIGN
 • CONSTRUCTION LAYOUT
 • LAND PLANNING
 • LAND SURVEYING



PROJECT #: B26049
 CONCEPTUAL PLAT
 DRAWN BY: PWF
 CHECKED BY: TLM
 SCALE: 1" = 50'
 DATE: 08/18/2024
 SHEET: 1 OF 1



Overview



Legend

- Address Numbers
- Parcels
- Roads

Parcel ID 0244X001007
Class Code Commercial
Taxing District 18 - HOGANSVILLE
City HOGANSVILLE
Acres 4.54

Owner JONES JOHN HARDY
252 SMOKERISE TRCE
PEACHTREE CITY, GA 30269
Physical Address N US 29 HWY
Assessed Value Value \$127100
Land Value Value \$127100
Improvement Value
Accessory Value

Last 2 Sales			
Date	Price	Reason	Qual
9/22/1998	\$45000	N	U
7/2/1997		N	U

(Note: Not to be used on legal documents)

Date created: 7/8/2026

Last Data Uploaded: 7/7/2026 10:59:05 PM

Developed by **SCHNEIDER**
GEOSPATIAL

Application Number: 2026-2V02



Application for Zoning Variance

Property Owner Name: **Venture Planning & Development/Nathan Tilson**

Address: **202 Commerce Street Hogansville, GA 30230**

Phone: **770-301-6947**

Email: **nathantilson@att.net**

Troup Tax Map No.: **0213B006006**

Address for which
variance is requested: **811 E Main Street Hogansville, GA 30230**

Nature of Variance Requested – Please be as specific as possible.

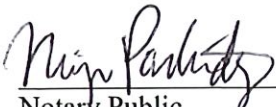
The front of the lot is 66.79' wide and the city's UDO requires 75' minimum. I am requesting a variance for permission to build a home on the lot that has existed since 1967 with 66.79' of frontage in lieu of the 75' minimum required by the current UDO.

You can attach a separate sheet to explain why this variance is necessary.
Attach a simple sketch of the property showing the following:

- ☐ General location of the existing structures and property lines.
- ☐ Present zoning of adjacent property.
- ☐ Existing use of adjacent property.
- ☐ Locations of proposed buildings and land use.
- ☐ A legal description of the property.
- ☐ Setback distances.
- ☐ Parking spaces, if applicable.

I certify that the foregoing information is true and correct,

this ^{29^{NAT}} 28 day of June 2026


Notary Public




Applicant's Signature



City of Hogansville, GA Zoning Variance Checklist

Property Owner **Venture Planning and Development, Inc**

Address for which
variance is requested **811 E Main Street Hogansville, GA 30230**

	By	Date
Application received	DP	06-29
Application accepted	DP	06-29
Public Hearing Date Decided		
Legal Notice Published		
Legal Ad Placed		
Planning action taken		
City Council action taken		

City decision

Approved ☐

Denied ☐



Zoning Variance Application Instructions

The final decision to grant a variance shall be made by the Hogansville City Council after hearing the recommendation of the Planning Commission. Any appeals of the City Council's decision shall be taken to the proper courts.

PLANNING COMMISSION:

- 1) An application for a variance must be completed and signed by the applicant and submitted to City Hall at least 7 days before the next regularly scheduled Planning Commission meeting which staff will review the requests and develops a recommendation which is forwarded to the Planning Commission for review and recommendation.
- 2) The Planning Commission meets on the third Thursday of each month at 6:00 p.m. at City Hall. It is important that the petitioner attend these meetings to answer questions that may arise from board members.
- 3) After hearing interested citizens and after reviewing the request, the Planning Commission votes to recommend APPROVAL, APPROVAL WITH CONDITIONS, DENIAL, OR TABLING of the request.
- 4) This recommendation is forwarded to Mayor and Council.

MAYOR AND COUNCIL MEETINGS:

- 1) The Mayor and Council will hear a report on the request and determine if the request is reasonable.
- 2) If the request is deemed to be reasonable, Mayor and Council will place the request on the agenda for first and second readings at two consecutive meetings.
- 3) Public support in favor or opposition to the request will be received by the Mayor and Council.
- 4) Mayor and Council will vote on the request.

The Commission/Council may, at its sole discretion, include any condition, requirement or limitation to a variance which may be necessary to protect adjacent property owners and the public good. If at any time after the variance has been issued, the zoning administrator or building inspector finds that the conditions imposed and the agreements made have not been or are not being fulfilled by the holder of the variance, the variance shall be terminated.

MATERIALS NECESSARY FOR A REQUEST FOR VARIANCE APPLICATION:

- ☐ An application fee of \$150.
- ☐ A statement outlining the reason for the request listing what extraordinary and exceptional conditions exist with the property in question because of its size, shape or topography, or that a literal enforcement of the ordinance would create an unnecessary hardship, or that there are peculiar conditions involved and that if the variance is granted it would not cause a substantial detriment to the public good.
- ☐ A sketch/site plan of the property showing all the items outlined on the application.
- ☐ Statements from adjacent property owners in support of the variance if applicable
- ☐ Property Authorization Forms
- ☐ One (1) 24x36 sign to be placed at each lot frontage. *
- ☐ One (1) legal advertisement to be published in the LaGrange Daily News. *

The wording will be supplied by the Zoning Administrator and must be posted 15-45 days before the public hearing

REQUIREMENTS FOR VARIANCES:

Please fill the following questions to the best of your ability.

1. The variance request arises from a condition that is unique and particular to the land, structures and buildings involved **The variance is requested because the current UDO requires a 75' minimum lot width and 811 E Main Street is 66.79' in width at the front. There are at least 2 properties that I identified from public that do not meet this requirement of 75' of frontage that exist in the same zoning district as 811 E Main Street. 811 E Main Street had a residence on it at one time and it was left in disrepair and was removed from the property at some point. All surrounding properties are used for residential use and the approval of this variance will not affect any of those properties negatively.**
2. The variance is necessary because of the particular physical surroundings, size, shape or topographical condition of the specific property involved that would result in unnecessary hardship for the applicant; as distinguished from a mere inconvenience, if the provisions of the Unified Development Ordinance (UDO) were literally enforced **Should the variance not be approved by the city, the lot at 811 E Main Street would be considered condemned and unusable. This would leave an empty space with no residence, no additional tax dollars for the city and a loss of investment for a locally established company.**
3. The condition requiring requested relief is not ordinarily found in properties with the same zoning district designation as the subject property **The lot at 811 E Main Street is recorded back to 1967 according to the Troup county tax assessors office. It, along with other properties have road frontages that do not meet the existing UDO road frontage requirements. However, the other lots have existing homes on them and are allowed to exist, based on the "grandfathered" system. The lot at 811 E Main street has not had a residence or structure on it for some time, and when the requirement of 75' of frontage was adopted, the lot remained and the owners did not apply for the variance at that time. It was not until Venture Planning & Development decided to build on the lot that it was realized that the frontage did not meet the minimum requirement, and was not "grandfathered" in as a lot of record when the minimum frontage requirements were adopted. Therefore, in order to construct a new residence on this lot, the hardship for variance is requested.**
4. The condition is created by the regulations of the UDO and not an action or actions of the property owner or the applicant **The lot has existed for well over 50 years in the city of Hogansville with the same road frontage. The UDO created the issue, not the property owners or the applicant.**

5. The granting of the variance will not impair nor injure other properties or improvements in the neighborhood in which the subject property is located, nor impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety or substantially diminish or impair property values within the neighborhood **The construction of new home on the lot at 811 E Main Street will only improve the curb appeal, property values and overall beautification of the streetscape on Main Street Hogansville.**
6. The variance is the minimum variance that will make possible the reasonable use of the land, building or structure **A variance of 8.21' is all that is asked. A 10.9% reduction on requirement.**
7. The variance designed will not be opposed to the general spirit and intent of the UDO or the purpose and intent of the Comprehensive Plan **Should the variance be allowed, the UDO and Comprehensive Plan will be enhanced and complimented by the addition of new construction home on an in-fill lot to add to the existing beauty and charm of the City of Hogansville.**



Owner Authorization Form

City of Hogansville

This is a written request from VENTURE PLANNING & DEVELOPMENT, INC., the legal owner of Property: 811 E. MAIN STREET, Hogansville, Troup County, Georgia and the Tax Parcel Number 0213B006006. At this time, we are requesting that the said property be considered for a variance for the following reason:

_____.

Esta es una petición escrita de _____, el dueño legal de la Propiedad: _____, Hogansville, Condado de Troup, Georgia y el Número de Parcela Fiscal _____. En este momento, estamos pidiendo que se considere la propiedad para tener una variación por la siguiente razón:

_____.

Property Owner Signature/Firma del dueño

06/29/2026

Date/Fecha:

Notary Public

(Affix Raised Seal Here)



RIGHT-OF-WAY AS SHOWN BASED UPON PLATS OF RECORD, AS WELL AS MONUMENTATION RECOVERED. NO RIGHT-OF-WAY DEED OF DEDICATION OR OF TAKING WAS RECOVERED BY THIS SURVEYOR SPECIFIC TO THE SUBJECT PARCEL.

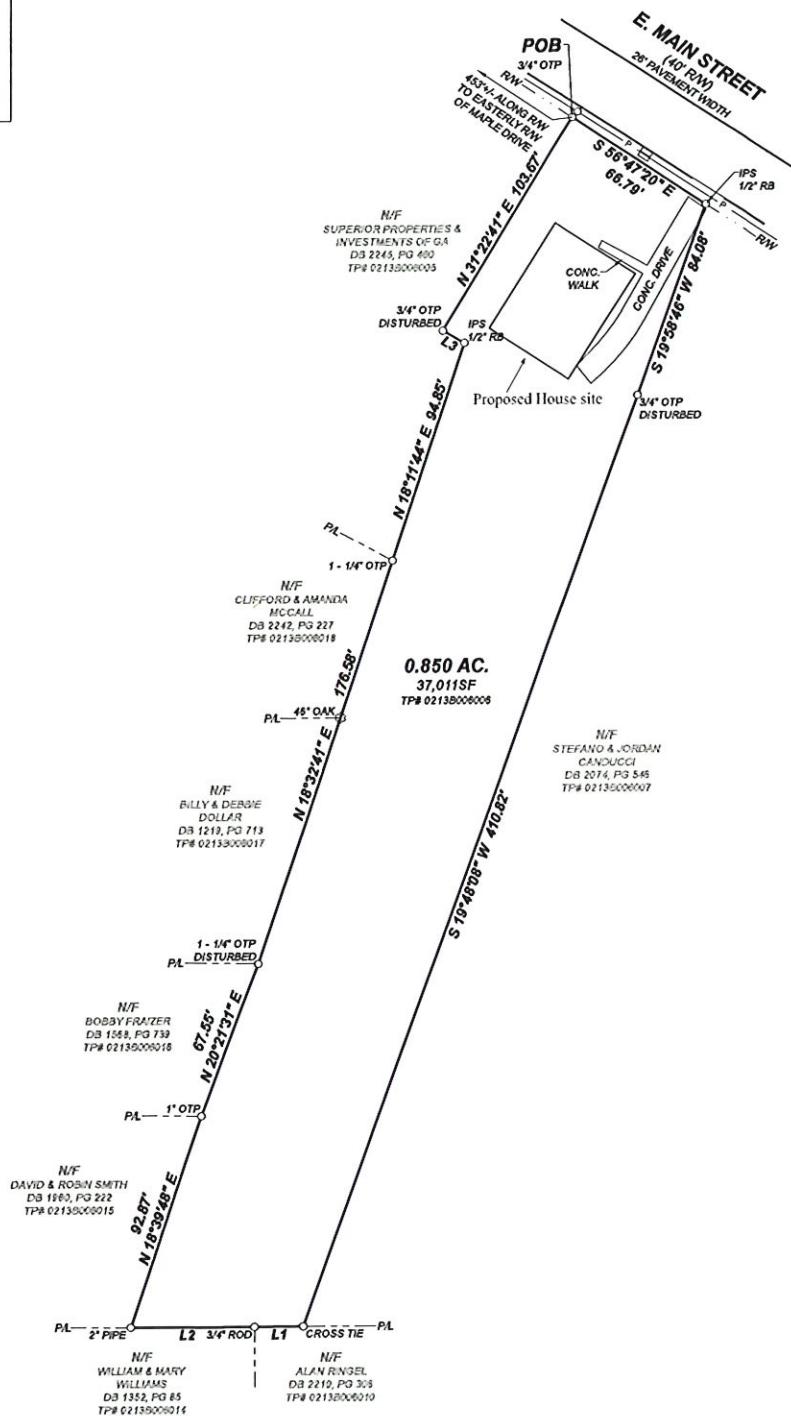
THIS BLOCK IS RESERVED FOR THE
CLERK OF THE SUPERIOR COURT

1. THE BASIS FOR THE DIRECTIONS SHOWN HEREON IS GEODETIC NORTH, G.A. WEST COORDINATE SYSTEM.
2. REFERENCE: PLAT BOOK 28, PAGE 252 OF TROUP COUNTY RECORDS.
3. THE PROPERTY AS SHOWN ON THIS PLAT DOES NOT LIE WITHIN A SPECIFIC FLOOD HAZARD AREA AS DETERMINED BY F.I.R.M. MAP NO. 13285C0070E, DATED 7/20/2012.
4. THE LOCATION OF UNDERGROUND UTILITIES SHOWN IS BASED ON ABOVE GROUND STRUCTURES AND INFORMATION SUPPLIED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES OR STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES OR STRUCTURES MAY EXIST. THE SURVEYOR MAKES NO CERTIFICATION AS TO THE ACCURACY AND COMPLETENESS OF THE LOCATIONS SHOWN HEREON.
5. THE LAST DAY OF FIELD WORK WAS 4/27/2026.
6. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
7. DECLARATION IS MADE TO THE ORIGINAL PURCHASER OF THE PROPERTY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
8. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE TITLE REPORT TITLE RECORD WOULD REVEAL.
9. ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES UNLESS OTHERWISE SPECIFIED.
10. ZONING: R-1

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT 148.995 FEET.

SITE DATUM AND COORDINATES FOR THIS SURVEY WERE ESTABLISHED USING A CHC 207L GPS 3 FREQUENCY SYSTEM IN STATIC MODE. DATA WAS PROCESSED BY AND CORRECTIONS DERIVED FROM NGS OPUS POST-PROCESSING SOFTWARE.

SUBSEQUENT MEASUREMENTS WERE OBTAINED USING STANDARD BASE ROVER RTK MODE. THE RELATIVE POSITIONAL ACCURACY IS 0.05' HORIZONTAL AND 0.07' VERTICAL AT THE 95% CONFIDENCE LEVEL.



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 89°24'25" W	20.15'
L2	S 89°52'03" W	51.85'
L3	N 60°13'15" W	10.22'

THIS PLAN IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREIN FOR THE PURPOSES OF IDENTIFYING THE EXISTING PARCELS OF LAND, JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAN COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING AND FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.G.A. SECTION 13-B-87.


REGISTERED LAND SURVEYOR

3137
Mo

4/28/2020
DATE

LEGEND

PA	PROPERTY LINE
RAW	RIGHT OF WAY
OTP	OPEN TOP PIPE
IPF	IRON PIN FOUND
IPS	IRON PIN SET
RB	REBAR
NF	NOW OR FORMERLY
PB	PLAT BOOK
DB	DEED BOOK
TP	TAX PARCEL
PGB	POINT OF BEGINNING
⊙	POWER POLE
P	OVERHEAD POWER LINE



DATE: 4/28/2026	ISSUE		
SCALE: 1" = 40'	No.	DESCRIPTION	DATE
ACREAGE: 1.064			
CITY: HOGANSVILLE			
DRAWN: MWR			
CHECKED: WLS			
SHEET #: 1 of 1			
PROJECT: 611 E MAIN ST			

Venture Planning & Development, Inc

811 E. MAIN STREET
LAND LOT 97 - 11th DISTRICT
TROUP COUNTY - GEORGIA



W. LUKE SUTTLES, RLS

NEWNAN, GA 30265
(678) 378-5881

Please return to:
Lawson, Beck & Sandlin, LLC
560 Newnan Crossing Bypass, Suite 100
Newnan, Georgia 30265
File # 23-NWN-0054

STATE OF GEORGIA
COUNTY OF COWETA

eFiled & eRecorded
DATE: 1/26/2023
TIME: 10:58 AM
DEED BOOK: 02204
PAGE: 00170 - 00171
RECORDING FEES: \$25.00
TRANSFER TAX: \$30.00
PARTICIPANT ID: 1138094925,7067927936
CLERK: Jackie Taylor
Troup County, GA
PT61: 1412023000140

LIMITED WARRANTY DEED

THIS INDENTURE made this 26th day of January, 2023 between

Morgan Family Investment Properties LLC

as party or parties of the first part, hereinafter called Grantor, and

Venture Planning and Development, Inc.

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS and other good and valuable consideration (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property:

All that tract or parcel of land lying and being in Land Lot 97 of the 11th Land District, City of Hogansville, Troup County, Georgia, containing 0.8496 acres, and being more particularly shown and delineated on plat of survey prepared by William L. Morkes and Associates dated August 6, 1987, a copy of which is on file in the office of the Clerk of Superior Court of Troup County, Georgia, at Plat Book 28, Page 252, which plat of survey is incorporated herein and made a part hereof by reference thereto for the purpose of a more complete and accurate description.

Subject to restrictive covenants and easements of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by through or under Grantor.

eFiled & eRecorded
DATE: 1/26/2023
TIME: 10:58 AM
DEED BOOK: 02204
PAGE: 00171

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this first day and year first above written.

Signed, Sealed and delivered in the presence of:

Rachel Bishop
Unofficial Witness
Emily Miller
Notary Public

Morgan Family Investment Properties LLC

BY: *[Signature]*
Timothy Morgan, Member, Authorized Signer



CITY OF HOGANSVILLE VARIANCE REQUEST STAFF ANALYSIS AND REPORT

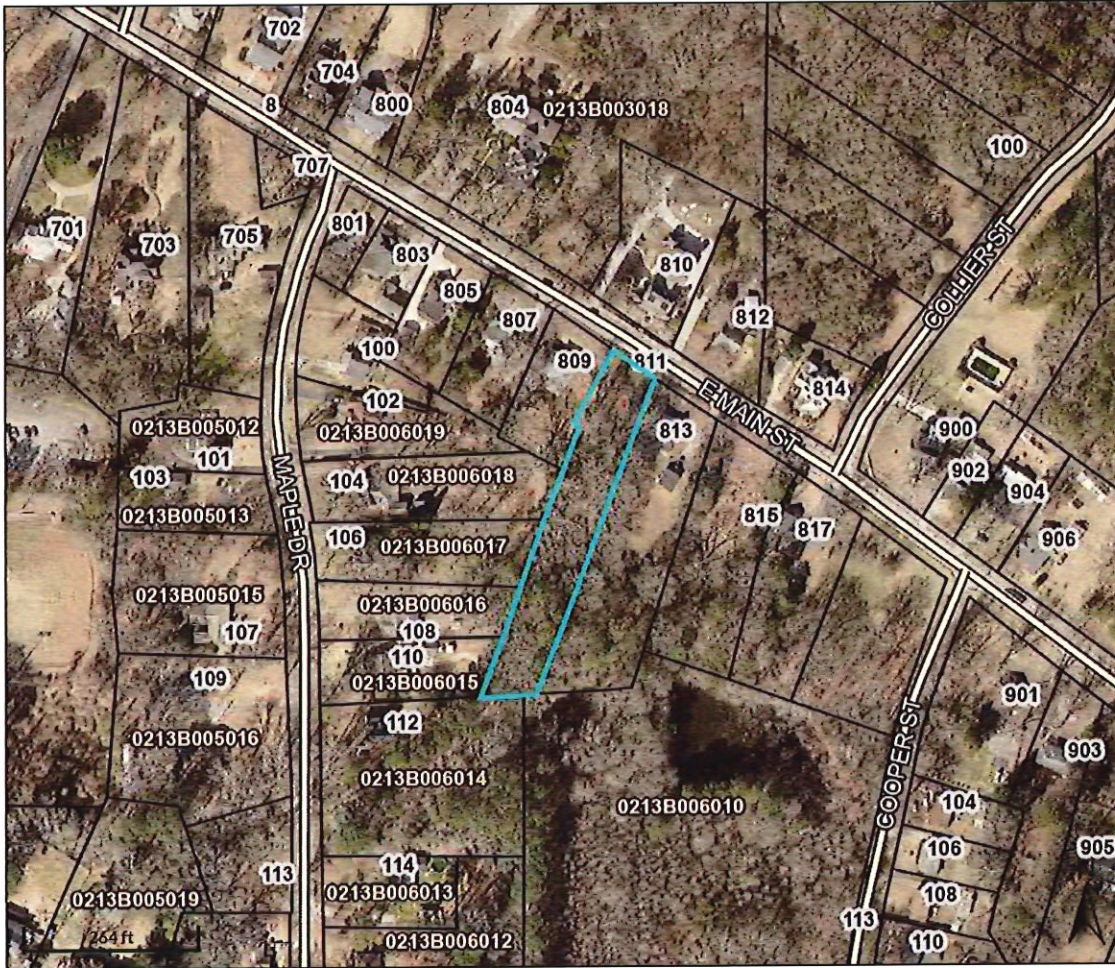
Case # : 2026-V02 Date: 07/07/2026 Owner: VENTURE PLANNING & DEVELOPMENT INC Location: 811 East Main Street Parcel Number: 0213B006006 Acreage: .85 Zoning: Estate Single Family Residential Character Area: Traditional Residential Public Notification: July 22, 2026 Notice in Paper: July 22, 2026 Sign Posted: July 22, 2026 P/Z: July 16, 2026 Date of Public Hearing/1st reading: August 17, 2026 DRI Review: N/A	Request: To reduce the required minimum 75' to 66.79ft to allow for a new single family residential home. Location Map:  Existing Land Uses: Adjacent uses consist of the following: WEST: 104-110 Maple Drive – ES-R – there are four 1263-2445 square feet homes to the west of the property NORTH: 810 East Main Street – ES-R – a 3831 square feet single family home to the north of the property EAST: 813 East Main Street – ES-R – a 1619 square feet single family home to the east of the property SOUTH: 112 Maple Drive – ES-R – a 1288 square feet single family home to the south of the property
---	---

	Previous Related Actions: June 16, 2026 - Historic Preservation Commission approved the Certificate of Appropriateness applied for this property to allow new construction. Findings: 1: This site is surrounded by single family homes that have similar square footage as the proposed 1900 sqft home. 2: This site is located within the Historic District <u>Requirements for Variances:</u> 1) There are extraordinary and exceptional conditions to the particular piece of property in question because of its size, shape or topography. <i>Yes, due to the size of the lot it limits the property's ability to be developed for permitted residential use without the variance.</i> 2) Such conditions are peculiar to the particular piece of property involved. <i>Yes</i> 3) Such conditions are not a result of any action of the property owner. <i>Yes, the applicant did not create the existing frontage deficiency.</i> 4) Denial of this variance would create unnecessary hardship. <i>Yes, denial of this variance would mean the lot cannot be developed for a single family home which limits the reasonable use of the property.</i> 5) Relief, if granted, would not cause a substantial detriment to the public good or impair the purposes and intent of the City of Hogansville Unified Development Ordinance. <i>Yes</i>
--	--

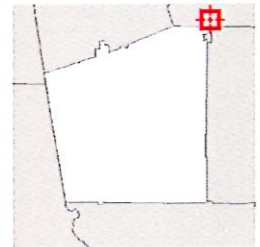
The recommendations made herein are the opinions of the City of Hogansville staff and do not constitute a final decision. The Hogansville City Council makes the final decision on all Zoning Applications at their regularly scheduled meetings.

	Staff Recommendation: Staff recommend approval of the proposed variance request. The application satisfies all five (5) variance standards. Approval of the requested variance will not adversely affect the public health, safety, or welfare and will make the subject parcel consistent and compatible with the surrounding properties.
--	---

The recommendations made herein are the opinions of the City of Hogansville staff and do not constitute a final decision. The Hogansville City Council makes the final decision on all Zoning Applications at their regularly scheduled meetings.



Overview



Legend

- Address Numbers
- Parcels
- Roads

Parcel ID	0213B006006	Owner	VENTURE PLANNING & DEVELOPMENT	Last 2 Sales			
Class Code	Residential		INC	Date	Price	Reason	Qual
Taxing District	18 - HOGANSVILLE		1028 FINCHER RD	1/26/2023	\$30000	LM	Q
City	HOGANSVILLE		MORELAND, GA 30259	5/28/2020	\$80000	IP	U
Acres	0.85	Physical Address	811 E MAIN ST				
		Assessed Value	Value \$30000				
		Land Value	Value \$30000				
		Improvement Value					
		Accessory Value					

(Note: Not to be used on legal documents)

Date created: 7/8/2026

Last Data Uploaded: 7/7/2026 10:59:05 PM

Developed by **SCHNEIDER**
GEOSPATIAL

7.8.26 UDO AMENDMENTS SUMMARY (HI ZONING + DATA CENTERS)

With new revisions highlighted in yellow

Heavy Industrial Zoning

- Data Centers to be prohibited in all existing zoning districts including the Light Industrial district
- Data Centers to be permitted in a new Heavy Industrial district

Data Center Standards

- Additional conditions imposed by the city council. As established in Sec. 102-B-12-14, the city council may impose reasonable conditions, safeguards, and restrictions upon the approval of any rezoning or other development approval for a data center when such conditions are determined to be necessary to protect the public health, safety, and welfare and to promote the purposes of this UDO. In evaluating a proposed data center, the city council may consider site-specific characteristics, including but not limited to: existing topography; the location of streams, wetlands, floodplains, groundwater recharge areas, and other environmentally sensitive features; the relationship of the proposed use to adjoining properties and surrounding land uses; the adequacy of existing and proposed roads, utilities, and other public infrastructure; the need for transportation, water, sewer, stormwater, or utility improvements; emergency vehicle access; building orientation and site design; buffering, landscaping, screening, lighting, and noise mitigation; and other factors reasonably related to the proposed development and its anticipated impacts. Any conditions imposed shall be reasonably related to the characteristics of the site and the anticipated impacts of the proposed data center and shall be designed to ensure compatibility with surrounding development and the orderly growth of the city.
- Minimum lot area. 50 acres
- Minimum lot coverage. 50%
- Buffers and Setbacks
 - o 300' minimum buffer and increased plantings at 400% of the code requirements
 - o 750' setback from the property line of any residential or public/institutional principal use
 - o Setback may be increased due to topographic conditions
- Building design. Buildings visible from a right-of-way must be architecturally enhanced
- Equipment
 - o HVAC and mechanical equipment shall not be visible from a public right-of-way
 - o Substations shall be 500' 750' min from ES-R, SU-R, G-RL, TN-R, or TN-MX zoning districts
 - o Transmission/power lines that are 18 kV or lower shall be buried underground
- Generators
 - o Only permitted as a backup energy source
 - o Shall meet EPA Tier 4 Final standards
 - o The developer and the city shall assess the feasibility of requiring the utilization of city natural gas to power any on-site generators. This assessment will evaluate the feasibility of accessing an available gas line and the potential impact on neighboring properties that may result.
 - o Generators shall utilize acoustic walls and barriers or sound-attenuated enclosures
- Water cooling
 - o Open-loop water cooling systems are prohibited
 - o Must have a Water Usage Effectiveness (WUE) rating of 0.2 L/kWh or less
- Buffers and screening
 - o Not allowed to be visible from a right-of-way: Loading areas; parking areas; fencing; lighting

- Not allowed to be located in buffer areas: Loading areas; parking areas; fencing
- Parking. Areas for future parking must be provided (1/2,000 sqft of gross floor area)
- Lighting
 - 90 degree cut-off luminaires fixtures shall be required
 - Lighting poles shall be no taller than 25' in height
 - The maximum foot-candles within the required buffer shall be .5
 - Lighting shall not be located within 500' of any residential dwelling
- Noise
 - The pre-construction noise levels will be measured by a consultant selected by the city and paid for by the applicant
 - Pre-construction sound level measurements may not be blended or averaged around the perimeter of the property
 - Between 9p and 7a, noise shall not exceed:
 - 40 dB(A) or 5 dB(A) above the pre-construction ambient noise level, whichever is less
 - 60 dB(C)
 - Between 7a and 9p, noise shall not exceed:
 - 65 dB(A) or 10 dB(A) above the pre-construction ambient noise level, whichever is less
 - 70 dB(C)
- Construction requirements
 - Financial guarantees and assurances
 - The developer will fund or construct all necessary upgrades to water, sewer, electrical, roadway, and stormwater infrastructure directly or indirectly caused by the project
 - Infrastructure improvements should be completed prior to or in conjunction with each phase of development, as determined by the zoning administrator
 - Financial guarantees, bonds, or other security assurances are required to ensure completion of potential improvements
 - All repairs shall meet city standards and be completed to the satisfaction of the City Engineer or designated official
 - Limitations on activities
 - Weekday construction working hours are limited to 7a to 8p
 - Weekend construction working hours are limited to 9a to 8p
 - Pile driving, jackhammering, and blasting are banned on weekends and federal holidays **and restricted to 6a to 6p on weekdays**
 - Prior to the issuance of a land disturbance permit, a construction plan must be submitted and approved by the zoning administrator, which shall include the following:
 - A plan to control dust, erosion, and sediment control
 - A plan for noise and vibration mitigation during construction
 - Information on the blasting/construction techniques that will be utilized
 - A traffic route plan that must be approved by the governing jurisdiction for each roadway
 - A plan for ongoing site maintenance and environmental compliance
- Data Center Decommissioning and Equipment Disposal Plan.
 - Data centers shall be deemed abandoned when discontinued for more than 12 months
 - Decommissioning to begin 90 days of the date of the determination of abandonment
 - Plans shall include the following elements:

- Equipment replacement estimate
- Data destruction compliance procedures
- E-waste and hazardous materials management plan
- Recycling strategy
- Facility decommissioning procedures
- Site restoration plan
- Financial assurance
- The following reporting will be required:
 - Water and sewer capacity
 - Electric consumption
 - Environmental impact
 - Cooling and ventilation
 - Emergency response
 - Traffic and transportation
 - Noise impact

Data Center Definitions

- Added the following new definitions:
 - Cryptocurrency Mining
 - Cryptocurrency Processing, Related Services
 - Data Centers – this definition would allow for a data center as an accessory use to an otherwise permitted use but would be limited to a maximum of 20,000 sq ft or 10% of the total floor area of the total development/property, whichever is less.

Developments of impact

- Developments or Regional Impact (DCA) and Developments of Local Impact which are:
 - Residential development greater than 125 new lots or units.
 - All uses within the H-I zoning district.
 - Industrial uses greater than 175,000 gross square feet; or employing more than 500 workers; or covering more than 125 acres.
- Development agreements required for developments of impact based on the following process:
 - City council approval prior to the approval of zoning map changes, preliminary plat approval, final plat approval, land disturbance permit, variance, or special permit.
 - A public hearing is required.
 - Amendments to development agreements must adhere to the process listed above.
- Development agreements will include, at a minimum, the following elements:
 - Commitments for public improvements including but not limited to traffic improvements, parks and open space improvements, sidewalks and path improvements, public utility improvements, construction restrictions and conditions;
 - Utility agreements including but not limited to details related to public utility usage; and
 - Zoning or development conditions including but not limited to site plans, yards and buffers, building placement, roadway and driveway placement, parks and open spaces, and parking and loading areas.

7.8.26 HOGANSVILLE UDO UPDATES

SUBCHAPTER 102-B

- Yellow highlights indicate proposed revisions
- Red ~~crossed-out~~ text indicates proposed deleted text
- Bold text indicates proposed new text

Sec. 102-B-2-12. **G-HI, general heavy industrial district.**

Purpose and intent. This zoning district is intended primarily for large-site development of heavy industrial uses and businesses.

Sec. 102-B-2-1 **23.** PUD, planned unit development special zoning district.

Purpose and intent. This zoning district is an overlay district intended primarily for facilitating development that is located on property containing abnormal topographical or environmental constraints.

Sec. 102-B-2-1 **34.** - Historic district special zoning district overlay.

Purpose and intent. This zoning district is an overlay district intended primarily as the historic district for the downtown of the city.

Sec. 102-B-2-1 **45.** - Downtown business special district overlay.

Purpose and intent. This zoning district is an overlay district intended primarily as the entertainment district for the downtown of the city.

Sec. 102-B-4-1. Dimensional standards of zoning districts.

Space Dimensions Table

SPACE DIMENSION S	ES- R ¹²	SU- R ¹²	TN- R ¹²	TN- MX ^{1,10}	CR-MR	CR- MX ¹⁰	DT-MX	G- RL	G- B	G- LI	G- HI
Maximum number of primary dwellings (per lot)	1	1	1	N/A	N/A	N/A	N/A	1	N/A	N/A	N/A
Building Coverage (Maximum, % of lot area)	50% ²	50% ²	70% ²	80% ²	60% ²	80% ²	100%	50%	80%	80%	80%

Lot Size (Minimum, square feet)	14,000	8,000	5,000 ^{2,3}	None	None	None	None	1 acre	10,000	1 acre	1 acre
Lot Frontage (Minimum)	75' ¹¹	60' ¹¹	50' ^{2,11}	50' ²	50' ²	50' ²	None	100'	100'	100'	100'
Building Height ^{4,2} (Maximum)	35'	35'	40'	40'	40' ⁹	40' ⁹	40' ⁶	35'	40' ⁹	75' ⁹	75' ⁹
Side Yard (Minimum) ⁵	15' ²	10' ²	5' ²	None	10' ²	10' ²	None	20'	15'	15'	15'
Street Side Yard (Minimum)	10' ²	10' ²	5' ²	None	10' ²	10' ²	None	15'	10'	10'	10'
Rear Yard (Minimum)	25' ^{2,7}	25' ^{2,7}	20' ^{2,7}	25' ²	25' ²	15' ²	None	40'	15'	15'	15'
Front Yard - Arterials and Collectors (Minimum) ^{8,1} ₃	35' ²	35' ²	30' ²	25' ²	25' ²	25' ²	None	40'	40'	40'	40'
Front Yard - All other street types (Minimum) ^{8,1} ₃	20' ²	20' ²	20' ²	25' ²	25' ²	25' ²	None	25'	25'	25'	25'
Front Yard (Maximum) ^{8,} ₁₃	None	None	None	40' ²	None	None	40' ²	None	None	None	None

Sec. 102-B-4-5. Fences and retaining walls.

(2) General conditions.

(e) Barbed wire shall be permitted on fences and walls on properties within G-RL, **and G-LI,**
and G-HI zoning districts. Fences and walls for all other uses are prohibited from utilizing
barbed wire.

Sec. 102-B-4-5. Fences and retaining walls.

(3) Fences, general.

(a) Fences in the front yard:

(i) Maximum height. Fences shall not exceed four feet in height and shall not extend into the public right-of-way. See section 102-B-4-6 for corner lot restrictions. Properties within G-R, and G-LI, and G-HI zoning districts are allowed fences up to six feet in height. Fence posts and pillars shall be permitted to be located an additional one foot higher than the maximum height allowed for the remaining fencing elements.

(ii) Materials. Fences shall not be made of wire, woven metal, or chain link, unless located on property within G-RL, and G-LI, and G-HI zoning districts. All other fences shall be ornamental or decorative fences constructed of brick, stone, stucco, split rail, wood, aluminum, or wrought iron. The fence shall be a minimum of 50 percent transparent. Exposed block, tires, junk or other discarded material shall be prohibited fence materials. No barbed wire, razor wire, chain link fence or similar elements shall be visible from any public plaza, ground level or sidewalk level outdoor dining area, street or thoroughfare, or public right-of-way.

Sec. 102-B-5-2. Building typology.

BUILDING TYPE	ES-R	SU-R	TN-R	TN-MX	CR-MR	CR-MX	DT-MX	G-RL	G-B	G-LI	G-HI
Garage Apartment	P	P	P	P	P	P		P			
Backyard Cottage	P	P	P	P	P	P		P			
Cottage House			P	P ¹	P ¹	P ¹					
Detached House	P	P	P	P	P	P		P			
Cottage Court			P	P	P	P					
Two-Family Dwelling			P	P	P	P					
Attached House				P	P	P					
Townhouse				P	P	P					
Walk-up Flat				P	P	P					
Stacked Flat				P	P	P					
Single-Story Shopfront				P		P	P		P	P	P
Mixed Use Building				P		P	P				
General Building				P		P			P	P	P
Civic Building				P		P	P		P		

Manufactured Home											
-------------------	--	--	--	--	--	--	--	--	--	--	--

Sec. 102-B-5-3. Building architecture.

- (1) Additional standards for G-LI and G-HI zoning districts. No building shall be constructed with a wooden frame. The exterior finish of all buildings shall be common brick, concrete blocks, tile bricks, enamel metal siding, their equivalent or better, but no building thereon shall be covered with asbestos siding or galvanized sheet metal. If the exterior walls are constructed of concrete or concrete blocks, unless the exterior finish is stucco, gunite or their equivalent, the joints shall be rubbed down and the walls covered sufficiently with standard waterproofing paint.

Sec. 102-B-5-4. Transitional heights.

(1) Transitional heights.

(a) Transitional height planes. A transitional height plane is an imaginary plane having a vertical component and angular component specifically designed to restrict the maximum height of all parts of buildings or structures within CR-MR, CR-MX, DT-MX, G-B, and G-LI, and G-HI zoning districts and their relationship to adjoining ES-R, SU-R, TN-R, TN-MX, and G-RL districts.

Transitional height planes shall comply with the following components and regulations:

- (i) A vertical component measured at the required yard or buffer setback adjoining the common property line by a 40-foot vertical distance above the finished grade;
 - (ii) An angular component extending inward over an adjoining CR-MR, CR-MX, DT-MX, G-B, and G-LI, and G-HI district at an angle of 45 degree;
 - (iii) Such vertical and angular component calculations shall be made on a point-by-point basis and not average grade; and
 - (iv) No portion of any structure shall protrude through the transitional height planes specified in subsection (1)(b) below.
- (b) Where CR-MR, CR-MX, DT-MX, G-B, and G-LI, and G-HI zoning districts adjoin ES-R, SU-R, TN-R, TN-MX, and G-RL districts without an intervening public street, height within this district shall be limited by the transitional height plane requirements.

Sec. 102-B-6-1. Table of permitted and prohibited uses.

TABLE OF PERMITTED AND PROHIBITED USES	SUPPLEMENTAL	ES	SU	TN	TN	CR	CR	DT	G	G	G	HI
		ES	SU	TN	TN	CR	CR	DT	G	G	G	G
ACCESSORY USES												
Accessory Dwelling, Attached	Y	A	A	A	A	A	A	A	A			
Accessory Dwelling, Detached	Y	A	A	A	A	A	A	A	A			

Cafeteria							A	A		A	A	A
Car Wash							A			A	A	A
Cargo Containers	Y	A	A	A			P		A		P	P
Club Houses, Recreation associated with Residential Subdivisions		A	A	A	A	A	A		A			
Day Care - Adult Day Care Center, After School Program, Day Care Center, Nursery School (As Accessory Uses for Places of Worship Only)	Y	A	A	A	A	A	A	A	A	A		
Donation Bin	Y						A			A	A	A
Drive-Thru Facility							A			A	A	A
Farmers' Market					A		A	A	A	A		
Garden, Hobby		A	A	A	A	A	A	A	A	A	A	A
Greenhouse, Non-Commercial		A	A	A	A	A	A	A	A	A	A	A
Helicopter Landing Area							A		A	A	A	A
Home Occupation	Y	A	A	A	A	A	A	A	A			
Horse Stables	Y								A			
Ice Vending							A			A		
Kennel and Animal Boarding, Hobby	Y	A	A						A		A	A
Live Outdoor Entertainment	Y				A		A	A				
Livestock Raising	Y								A		A	A
Outdoor Dining	Y				A		A	A		A		
Outdoor Display and Sales	Y				A		A	A		A	A	A
Outdoor Storage	Y						A			A	A	A
Parking Lots, Parking Decks					A	A	A	A		A	A	A
Poultry Raising	Y	A	A	A					A			
Recreational Vehicle and Boat Parking (for Single-Family Dwelling uses only)	Y	A	A	A					A			
Solar Panels, Wind Turbines, Rainwater Collection Systems		A	A	A	A	A	A	A	A	A	A	A
Swimming Pools and Tennis Courts		A	A	A	A	A	A	A	A			

AGRICULTURAL USES												
Camping, Campgrounds, Glamping	Y	SUP	SUP	SUP					P			
Commercial Agriculture, Forestry, Fishing	Y									P	P	P
Commercial Community Garden	Y	SUP	SUP	SUP	P		P	P	P			
Farmers markets, Roadside markets, Roadside stands	Y						SUP		SUP	P		
Non-commercial Agriculture, Forestry, Fishing		P	P	P		SUP			P		P	P
Timber Harvesting	Y								P			
COMMERCIAL USES												
Alcoholic Beverages, Packaged and Retail Sales							P	P				
Amusement and Recreation Industries							SUP	SUP		P		
Automobile Dealers							P			P	P	P
Automotive Parts, Accessories, Tire Stores							P			P	P	P
Automotive Repair, Maintenance	Y						P			P	P	P
Bars, Taverns					P		P	P				
Bed-and-Breakfast Inns	Y	SUP	SUP		P		P	P	SUP			
Brewpubs, Microbreweries					SUP		P	P		P		
Building Material, Garden Equipment, Supplies Dealers					SUP		P			P	P	P
Car Washes (Commercial)							P			P	P	P
Cemeteries (Private)	Y	SUP	SUP						SUP	P	P	P
Cemeteries (Religious, Institutional)	Y	SUP	SUP									
Civic and Social Organizations					SUP		P	P		P	P	P
Commercial and Industrial Machinery and Equipment, Including Sales and Rental					SUP		P			P	P	
Commercial Banking					P		P	P		P		
Commercial Parking Lots, Parking Decks	Y				SUP		P	P		P	P	P

Consumer Fireworks Retail Sales Facility, Retail Sales Stands	Y										P	P
Convenience Stores					P		P	P		P	P	P
Data Processing, Hosting, Related Services							P			P	P	
Distilleries, Microdistilleries							P	P		P	P	P
Drive-In Motion Picture Theaters							P			P		
Dry Cleaning, Laundry Services					SUP		P	P		P	P	P
Farm Wineries							P	P		P	P	P
Flea Market							P			P	P	P
Funeral Homes, Funeral Services, Crematoriums					P		P			P	P	P
Furniture and Home Furnishings Stores					P		P	P		P	P	P
Gasoline Stations	Y						P			P	P	P
General Merchandise Stores, including Warehouse Clubs and Supercenters							P	P		P		
General Rental Centers							P			P		
Grocery Stores					P		P	P		P		
Hotels, Motels	Y				P		P	P		P	P	P
Kennels and Animal Boarding (Commercial)							P		SUP	P	P	P
Libraries, Archives							P	P		P		
Massage and Spa Establishments	Y				SUP		SUP	SUP		SUP	P	P
Mobile Food Vendors	Y				P		P	P		P	P	P
Motion Picture Theaters (except Drive-Ins)							P	P				
Motor Vehicle Dealers (Sales and Rental), including Recreational Vehicles, Boats, and Utility Trailers							P			P	P	P
Museums, Similar Institutions					P		P	P				
Non-traditional Tobacco Paraphernalia							SUP					
Open Yard Sales	Y						P			P	P	P

Other Professional and Business Offices					P		P	P		P	P	P
Pawn, Title Services							P			P	P	P
Spectator Sports, Related Industries							P	P		P		
Personal Care Services					P		P	P		P		
Pet Care, Veterinary Services	Y				P		P		SUP	P	P	P
Radio and Television Broadcasting							P	P		P	P	P
Restaurants					P		P	P				
Retail Stores					P		P	P		P		
Sexually Oriented Businesses											P	P
Short Term Vacation Rental	Y	P	P	P	P	P	P	P	P			
Special Event Centers, Commercial Entertainment, Performing Arts							SUP	SUP		P	P	P
Taxidermy Services					P		P	P	SUP	P	P	P
Telephone Call Centers							P			P	P	P
Used Merchandise Stores					P		P	P		P		
LIGHT INDUSTRIAL USES												
Commissary Kitchens							SUP			P	P	P
Cryptocurrency Processing, Related Services												
Data Centers												P
Distribution Centers										P	P	P
Junkyard, Salvage Yard	Y										SUP	SUP
Light Manufacturing										P	P	P
										SUP	SUP	
Motor Vehicle Towing	Y										P	P
Personal Storage	Y						P			P	P	P
Recreational Vehicle and Boat Storage	Y						P			P	P	P
Recycling Centers											SUP	P
											P	
Recycling Collection							SUP			SUP	SUP	P
							P			P	P	
Remediation, Other Waste Management Services											SUP	SUP

Sewage Treatment Facilities					P		P	P		P	SUP P	P
Support Activities for Transportation Services							P			P	P	P
Truck Stop										P	P	P
Truck Terminals										P	P	P
Warehousing	Y						SUP			P	P	P
Waste Collection											SUP	SUP
Wreckage, Inoperable Vehicle Storage											SUP	P
PUBLIC/INSTITUTIONAL USES												
Child and Youth Services							SUP			P		
Colleges, Universities, Professional Schools							SUP			P	P	
Day Care - Adult Day Care Center	Y				SUP		P	P				
Day Care - After School Program	Y				SUP		P	P				
Day Care - Day Care Center	Y				SUP		P	P				
Day Care - Family Day Care Home	Y	SUP	SUP	SUP					SUP			
Day Care - Nursery School	Y				SUP		P	P				
Elementary and Secondary Schools	Y	P	P	P	P	P	P	P	P	P		
Hospitals					P		P			P		
Individual and Family Services					P		P	P		P		
Medical and Diagnostic Laboratories							P	P		P	P	P
Offices of Health Practitioners					P		P	P		P		
Places of Worship	Y	SUP	SUP	SUP	SUP	SUP	P	P	SUP	P	P	P
Services for the Elderly and Persons with Disabilities							P	P		P		
RESIDENTIAL DWELLING USES												
Dwellings, Manufactured Home	Y								P			
Dwellings, Multi-family	Y				P	P	P	P				

Dwellings, Single-family attached	Y				P	P	P	P				
Dwellings, Single-family detached	Y	P	P	P	P	P	P	P	P			
Dwellings, Townhome	Y				P	P	P	P				
Dwellings, Two-family	Y			P	P	P	P	P				
RESIDENTIAL GROUP LIVING USES												
Social Service Facility, including Halfway House, Drug Rehabilitation Centers, Drug Dependency Treatment Facilities	Y						SUP			SUP		
Assisted Living Facility, Nursing Home	Y					SUP	P			P		
Continuing Care Retirement Communities, Assisted Living Facilities for the Elderly						SUP	P			P		
Dormitories, Fraternities, Sororities										SUP		
Monastery, Convent						SUP	P			P		
Personal Care Home (2-4 residents)	Y	P	P	P	P	P	P		P	SUP		
Personal Care Home (5-15 residents)	Y	SUP	SUP	SUP		P				SUP		
Personal Care Home (16-24 residents)	Y	SUP	SUP	SUP	SUP	P	SUP	SUP		SUP		
Roominghouse, Boardinghouse	Y	SUP	SUP	SUP	P	SUP	P	P		P		
TEMPORARY USES												
Construction Field Office	Y	P	P	P	P	P	P	P	P	P	P	P
Open Air Seasonal Sales	Y				P		P	P	P	P	P	P
Real Estate Sales Offices, Model Homes	Y	P	P	P	P	P	P	P	P	P	P	P
Special Events and Festivals	Y	P	P	P	P	P	P	P	P	P	P	P
Temporary Portable Storage Container	Y	P	P	P	P	P	P	P	P	P	P	P
Warming Center	Y				P			P		P	P	P
Yard/Garage Sales	Y	P	P	P	P	P	P	P	P	P	P	P

Sec. 102-B-7-3. Accessory uses.

(3) Cargo containers.

(c) Cargo containers utilized for an accessory use shall be permitted without restriction in G-LI and G-HI districts.

(d) Cargo containers utilized for an accessory use shall have the following additional requirements:

(i) Cargo containers for storage purposes only shall be allowed on a permanent basis. Such cargo containers shall be permanently and fully screened from view from all adjacent properties, with either opaque fencing material one foot higher than the height of the cargo container or planted landscape material that within six months of installation is one foot higher than the height of the cargo container and which is opaque.

(ii) Placement of cargo containers shall comply with all applicable building and setback lines. No more than one permanent cargo container shall be allowed per lot, regardless of lot size.

(iii) Cargo containers within the CR-MX, and G-LI, and G-HI districts shall be allowed on a temporary basis on lots of less than one acre, but not for greater than 90 days. Neither a permit nor screening shall be required for the placement of a temporary cargo container.

(e) Cargo containers utilized for a principal use within CR-MX, and G-LI, and G-HI districts shall be permitted and shall be classified as a single story shopfront building type (section 102-B-5-2).

Sec. 102-B-7-6. Industrial uses.

(1) *Data Center standards.*

(a) Additional conditions imposed by the city council. As established in Sec. 102-B-12-14, the city council may impose reasonable conditions, safeguards, and restrictions upon the approval of any rezoning or other development approval for a data center when such conditions are determined to be necessary to protect the public health, safety, and welfare and to promote the purposes of this UDO. In evaluating a proposed data center, the city council may consider site-specific characteristics, including but not limited to: existing topography; the location of streams, wetlands, floodplains, groundwater recharge areas, and other environmentally sensitive features; the relationship of the proposed use to adjoining properties and surrounding land uses; the adequacy of existing and proposed roads, utilities, and other public infrastructure; the need for transportation, water, sewer, stormwater, or utility improvements; emergency vehicle access; building orientation and site design; buffering, landscaping, screening, lighting, and noise mitigation; and other factors reasonably related to the proposed development and its anticipated impacts. Any conditions imposed shall be reasonably related to the characteristics of the site and the anticipated impacts of the proposed data center and shall be designed to ensure compatibility with surrounding development and the orderly growth of the city.

(b) Lot area. Minimum of 50 acres.

(c) Lot coverage. Maximum of 50 percent.

(d) Buffers and setbacks.

- (i) An undisturbed buffer a minimum depth of three hundred feet (300) shall be required along all property lines. See Sec. 102-C-8-21 for requirements and standards related to undisturbed buffers.
 - (ii) Buffer planting requirements shall be provided at 400% the minimum number of planting rows required in Sec. 102-C-8-21(4).
 - (iii) Structures shall be setback a minimum distance of 750 feet from the property line of any residential or public/institutional principal use. Additional setback stipulations may be required by the city council based on topographic conditions.
- (e) Building design.
- (i) All buildings must be designed to minimize adverse visual impacts on surrounding development as demonstrated by the submission of elevations, architectural sketches, or sight lines studies.
 - (ii) All accessory structures shall be screened to prevent visibility of such structures from any public right-of-way.
 - (iii) Exterior building materials shall include at least two of the following for any elevations viewable from a public right-of-way:
 - (A) Brick, stone, or architectural precast concrete panels.
 - (B) Architectural metal panels with non-reflective finish.
 - (C) High-quality fiber cement panels.
 - (iv) Portions of buildings visible from a public right-of-way shall incorporate at least two of the following design features to break up the building mass:
 - (A) Vertical or horizontal articulation of the façade at intervals not exceeding 50 feet.
 - (B) Variation in building height of at least 10% across the facade, or stepped rooflines.
 - (C) Use of architectural projections or recesses at least 2 feet in depth.
 - (D) Changes in facade materials or colors with a minimum of two types of materials.
- (f) Equipment.
- (i) All HVAC and mechanical equipment shall be screened to prevent visibility of such equipment from any public right-of-way.
 - (ii) HVAC and mechanical equipment shall not be permitted within the required buffer.
 - (iii) Generators shall only be allowed as a backup energy source and not as a primary source.
 - (iv) Generators shall be classified as stationary sources and shall meet Tier 4 Final standards.
 - (v) The developer and the city shall assess the feasibility of requiring the utilization of city natural gas to power any on-site generators. This assessment will evaluate the feasibility of accessing an available gas line and the potential impact on neighboring properties that may result.
 - (vi) Open-loop water cooling systems are prohibited for all liquid cooling and ventilation equipment. Periodic refilling shall be permitted to maintain proper

system operation. Only closed-loop water systems and direct-to-chip cooling capabilities operating in a sealed, recirculating loop shall be permitted.

(vii) Water cooling systems shall achieve a Water Usage Effectiveness (WUE) rating of 0.2 L/kWh or less.

(viii) Electrical power substations shall be located a minimum of 750 feet from any ES-R, SU-R, G-RL, TN-R, or TN-MX zoning district.

(ix) Transmission/power lines that are 18 kV or lower shall be buried underground as part of any future development.

(g) Loading.

(i) All loading areas shall be screened to prevent visibility of such areas from any public right-of-way.

(ii) Such areas shall not be permitted within the required buffer.

(h) Parking.

(i) All surface parking lots shall be screened to prevent visibility of such areas from any public right-of-way.

(ii) Such areas shall not be permitted within the required buffer.

(iii) The applicant shall set aside land area to accommodate 1 space per 2,000 square feet of gross floor area (GFA). The final number of parking spaces actually constructed shall be determined and approved by the zoning administrator.

(i) Lighting.

(i) All lighting shall provide 90 degree cut-off luminaire fixtures to prevent light spillage.

(ii) Lighting poles shall be no taller than twenty-five feet (25) in height.

(iii) The maximum foot-candles within the required buffer shall be .5.

(iv) Lighting shall be permitted within the required buffer but shall not be visible from any public right-of-way.

(v) Lighting shall not be located within 500 feet of any residential dwelling.

(j) Fencing.

(i) Fencing and screening walls shall be permitted within the required buffer, but shall not be visible from any public right-of-way.

(k) Noise.

(i) The applicant shall engage with a noise and acoustical consultant to perform a pre-construction ambient noise survey. Prior to conducting the survey, the scope of the noise survey will be determined in coordination with the zoning administrator and an independent acoustical firm hired by the city (paid for by the applicant). However, as a minimum, 90th-percentile sound levels (L90) and equivalent sound levels (Leq) shall be logged with a Type 1 or Type 2 sound level meter, as defined by ANSI standard S1.4, at least every hour in A-weighted decibels, dB(A), using slow meter response at any noise-sensitive residential property boundary line(s). Measurements should be taken over a minimum period of 72-hours. A report detailing the results of the noise survey and predicted impact of the proposed development must be provided to the zoning administrator to be reviewed by an independent firm hired by the city (paid for by the applicant). Noise levels must be

measured and reported on a point-by-point basis representing all property lines and are not to be presented as a blended or weighted averaging. The report must be approved prior to the issuance of the land disturbance permit.

- (ii) Between 9:00 p.m. and 7:00 a.m., the data center shall not generate noise (as measured at the property line) that is in excess of: 40 dB(A) or 5 dB(A) above the pre-construction ambient noise level, whichever is less; and 60 dB(C).
- (iii) Between 7:00 a.m. and 9:00 p.m., the data center shall not generate noise (as measured at the property line) that is in excess of: 65 dB(A) or 15 dB(A) above the pre-construction ambient noise level, whichever is less; and 70 dB(C).

(iv) Generators.

- (A) Testing of backup generators is limited to twice per month on weekdays during the hours between 9:00 a.m. and 5:00 p.m. and shall not occur on Federal holidays.
- (B) Use of backup generators that exceed the maximum sound levels is permitted during emergency power outages.
- (C) Generators shall utilize acoustic walls and barriers or sound-attenuated enclosures to reduce the noise of generators. Such treatments shall utilize acoustic insulation materials and engineered intake and exhaust silencers.

(I) Construction requirements.

(i) Financial guarantees and assurances.

- (A) The developer shall be required to fund or construct all necessary upgrades to water, sewer, electrical, roadway, and stormwater infrastructure directly or indirectly caused by the project.
- (B) All required infrastructure improvements shall be completed prior to or in conjunction with each phase of development, as determined by the zoning administrator.
- (C) Financial guarantees, bonds, or other security assurances shall be required to ensure completion of all required improvements.
- (D) All required improvements and necessary repairs shall meet city standards and be completed to the satisfaction of the City Engineer or designated official.

(ii) Limitations on activities.

- (A) Weekday construction working hours are limited to between 7:00 AM and 8:00 PM.
- (B) Weekend construction working hours are limited to between 9:00 AM and 8:00 PM.
- (C) Pile driving, jackhammering, and blasting are banned on weekends and federal holidays.

(iii) Prior to the issuance of a land disturbance permit, a construction plan shall be submitted and approved by the zoning administrator, which shall include the following:

- (A) A plan to control dust, erosion, and sediment control.
- (B) A plan for noise and vibration mitigation during construction.
- (C) Information on the blasting/construction techniques that will be utilized.

- (D) A traffic route plan that must be approved by the governing jurisdiction for each roadway
- (E) A plan for ongoing site maintenance and environmental compliance.
- (m) Data Center Decommissioning and Equipment Disposal Plan.
 - (i) Determination of discontinuance.
 - (A) Data centers shall be deemed discontinued when the use is discontinued for more than 12 months. The zoning administrator shall notify the property owner of the determination of discontinued by certified mail. The property owner shall initiate decommissioning within 90 days of the date of the determination of discontinued.
 - (B) Prior to commencement of decommissioning, the property owner and the zoning administrator shall agree to a schedule to complete the decommissioning process. Such decommissioning processes shall be complete a maximum of 2 years from the date of the determination of abandonment.
 - (C) The zoning administrator may revise a determination of discontinuance upon presentation from the property owner of evidence of continued use or of attempts to transfer ownership of the property to another data center operator.
 - (D) The zoning administrator shall be notified of any change of property ownership with contact information of the new owner.
 - (ii) Plans shall include the following elements:
 - (A) Equipment replacement estimate. Description of servers, storage systems, and associated equipment and the estimated quantities and replacement cycles.
 - (B) Data destruction compliance procedures. Procedures for secure destruction or sanitization of data in compliance with all state and federal standards.
 - (C) E-waste and hazardous materials management plan. Identification of all waste sources and procedures for compliance with all state and federal standards.
 - (D) Recycling strategy. Procedures for the recycling of equipment including certified vendors and landfill disposal plans.
 - (E) Facility decommissioning procedures. Procedures for power-down and disconnection, removal of servers and supporting infrastructure, removal of cooling systems and backup power systems, and the identification of responsible parties.
 - (F) Site restoration plan. Plan details for how buildings will be re-used or demolished in compliance with all city, state, and federal codes and ordinances.
 - (G) Financial assurance. The applicant shall provide a financial assurance mechanism, such as a surety bond, letter of credit, or an escrow account in the amount necessary to cover the costs of the removal and disposal of all equipment.
- (n) Compliance reporting. Prior to the approvals noted in the charts provided in this section, the applicant shall submit a compliance report that includes the details provided for in the below charts. Reports shall be made public and a public hearing shall be held prior to any application approvals. Such public hearings shall be advertised according to the Notice of Public Hearings in Sec 102-B-12-4(5).

Water and Sewer Capacity	
Rezoning	- An analysis of raw water needs, including the predicted daily demand, daily wastewater generation, and daily consumptive use for every phase of the project construction. - A letter from the public water purveyor indicating sufficient capacity to serve the proposed development.
Preliminary Plat	- All reporting elements required for the rezoning. - Details on the various measures, strategies, techniques, and technologies that will be utilized to reduce the consumption of water, reduce the loss of water, improve the efficiency in the use of water, and establish use of reclaimed water with rationale explaining which method is chosen for the project. - Plans to reduce water demand and alter operations in the event of a water disruption, significant drought events affecting water supplies for critical facilities, or emergency periods of water shortage. - Confirmation from the public water purveyor that any water treatment chemicals used by the development have been approved by the public water purveyor.
During Construction	- Confirmation of compliance with all city, state, and federal codes and ordinances related to this element. - Confirmation of compliance with the city approved construction plan throughout the construction process
Post Certificate of Occupancy	- Such reports shall be required to be submitted annually prior to January 31 of each year or by a schedule approved by the city council. - Reporting on the amount of water used for the prior calendar year. - Reporting on the mean amount of water used daily for the prior calendar year. - Reporting on the amount of water discharged daily as wastewater for the prior calendar year. - Confirmation of compliance with all city, state, and federal codes and ordinances related to this element.

Power	
Rezoning	- A letter of intent to serve the proposed project from the applicable utility provider(s), confirming that preliminary coordination has occurred and that service to the proposed project is feasible subject to final engineering.
Preliminary Plat	- All reporting elements required for the rezoning. - A proposed power line route plan reflecting the applicable utility provider's plans for all electric lines serving the project.

During Construction	- Confirmation of compliance with all city, state, and federal codes and ordinances related to this element. - Confirmation of compliance with the city approved construction plan throughout the construction process
Post Certificate of Occupancy	- Such reports shall be required to be submitted annually prior to January 31 of each year or by a schedule approved by the city council. - Confirmation of compliance with all city, state, and federal codes and ordinances related to this element.

Environmental Impact	
Rezoning	- An environmental impact assessment for the proposed project to determine and quantify the potential impacts of the proposed project and to identify steps to mitigate such impacts. - The environmental impact assessment shall be based upon research, site visits, and accepted environmental sampling and investigative practices for water resources, air quality, ecology, archaeology, stormwater management, wildlife assessment, and cultural/historical resources.
Preliminary Plat	- All reporting elements required for the rezoning. - A 10-year plan for how the development will mitigate any identified environmental impacts.
During Construction	- Confirmation of compliance with all city, state, and federal codes and ordinances related to this element. - Confirmation of compliance with the city approved construction plan throughout the construction process
Post Certificate of Occupancy	- Such reports shall be required to be submitted annually prior to January 31 of each year or by a schedule approved by the city council. - Progress report and reporting on the implementation of the 10-year plan required as part of the land disturbance permit application. - Confirmation of compliance with all city, state, and federal codes and ordinances related to this element.

Cooling and Ventilation	
Rezoning	- Specifications on the proposed cooling and ventilation equipment for the development.
Preliminary Plat	- All reporting elements required for the rezoning.
During Construction	- Confirmation of compliance with all city, state, and federal codes and ordinances related to this element.

	- Confirmation of compliance with the city approved construction plan throughout the construction process
Post Certificate of Occupancy	- Such reports shall be required to be submitted annually prior to January 31 of each year or by a schedule approved by the city council. - Confirmation of compliance with all city, state, and federal codes and ordinances related to this element.

Emergency Response

Rezoning	- Reporting not required
Preliminary Plat	- The development shall coordinate with the City's Fire and Emergency Services provider to conduct specialized emergency response training at least once per year. Such training shall include all applicable public safety agencies that may respond to the facility. The City's Fire and Emergency Services provider shall coordinate the training with the 911/EMA Director and other responding agencies, as needed. - The development shall reimburse the City's Fire and Emergency Services provider for all costs associated with conducting the training, including personnel, materials, and any necessary equipment related to emergency response at the data center facility. - A BESS Thermal Runaway Management Plan for responding to lithium-ion battery emergencies (when lithium-ion batteries are utilized).
During Construction	- Confirmation of compliance with all city, state, and federal codes and ordinances related to this element. - Confirmation of compliance with the city approved construction plan throughout the construction process
Post Certificate of Occupancy	- Such reports shall be required to be submitted annually prior to January 31 of each year or by a schedule approved by the city council. - Documentation of all emergency responses for the development over the prior calendar year. - Reporting on annual training which shall occur annually with all applicable public safety agencies. Training processes, dates, and outcomes shall be included in the annual report. - Confirmation of compliance with all city, state, and federal codes and ordinances related to this element.

Traffic and Transportation

Rezoning	- A Transportation Management Plan (TMP) to be approved by the city. The plan shall delineate strategies for ensuring the traffic generated by the project is able to be accommodated without creating adverse impacts on the city transportation
----------	---

	network. Plans should also include strategies for promoting the use of alternative forms of transportation such as walking and biking.
Preliminary Plat	- Updated Transportation Management Plan (TMP) materials. - A Construction Traffic Management Plan (CTMP) to be approved by the city. A surety bond shall be required to cover costs related to potential damage to public roads and right-of-way. Transportation improvements that are determined to be necessary to serve the development must be designed in conjunction with the site development plans and must be under construction prior to the issuance of any building permits for permanent structures on the property.
During Construction	- Confirmation of compliance with all city, state, and federal codes and ordinances related to this element. - Confirmation of compliance with the city approved construction plan throughout the construction process
Post Certificate of Occupancy	- Such reports shall be required to be submitted annually prior to January 31 of each year or by a schedule approved by the city council. - Progress report and reporting on the implementation of the TMP and CTMP required as part of the land disturbance permit application. - Confirmation of compliance with all city, state, and federal codes and ordinances related to this element.

Noise Impact	
Rezoning	- Proposed actions that will be taken to ensure the project complies with all city ordinances and regulations for noise.
Preliminary Plat	- All reporting elements required for the rezoning. - The daytime and nighttime base-line noise level at a point on the property line closest to the primary residential dwelling on an adjoining parcel, and the estimated noise level generated by the proposed project. - A map depicting the noise study area radius, project boundaries, sound level monitoring locations, and the nearest receptor locations. - The projected maximum levels of high and low frequencies.
During Construction	- Confirmation of compliance with all city, state, and federal codes and ordinances related to this element. - Confirmation of compliance with the city approved construction plan throughout the construction process
Post Certificate of Occupancy	- Such reports shall be required to be submitted annually prior to January 31 of each year or by a schedule approved by the city council. - Newly submitted reporting on all elements required in for the Preliminary Plat. - Confirmation of compliance with all city, state, and federal codes and ordinances related to this element.

Community Benefits Agreements	
Rezoning	- A community benefits agreement process shall be agreed-to by the applicant and the zoning administrator. The process will include proposed dates for public meetings, staff engagement, and elected officials engagement as part of an overarching schedule to create a community benefits agreement proposal. - A proposal of community improvements and investments that the developer will implement as part of a future development. - Proposed projects including traffic and intersection improvements; bike-pedestrian improvements such as paths and sidewalks; landscaping improvements; aesthetic improvements such as lighting, signage, fences, screening, and gateway markers; and the utilization of specific architectural and building materials. - Plans, elevations, and cross sections that visually communicate the committed elements of the proposed agreement.
Preliminary Plat	- All reporting elements required for the rezoning. - Updated plans, elevations, and cross sections that visually communicate the committed elements of the proposed agreement.
During Construction	- Confirmation of compliance with all community benefits agreement commitments through construction. - Confirmation of compliance with the city approved construction plan throughout the construction process
Post Certificate of Occupancy	- No reporting required.

(2) Junkyard, salvage yard.

(3) Motor vehicle towing.

(4) Personal storage.

(5) Recreational vehicle and boat storage.

(6) Warehousing.

Sec. 102-B-10-11. Sign standards for CR-MX, G-B, ~~and~~ G-LI, ~~and~~ G-HI zoning districts.

In the CR-MX, G-B, ~~and~~ G-LI, ~~and~~ G-HI zoning districts, the following signs are permitted:

- (2) Freestanding signs are permitted on individual parcels subject to the following:
 - (a) One freestanding sign per street frontage.
 - (b) Maximum height. In CR-MX, G-B, ~~and~~ G-LI, ~~and~~ G-HI zoning districts, the maximum height is 15 feet.
 - (c) Maximum freestanding sign face area. In CR-MX, G-B, ~~and~~ G-LI, ~~and~~ G-HI zoning districts, the freestanding sign face area is 100 square feet.
-

Sec. 102-B-10-11.

CR-MX, G-B, and G-LI, and G-HI Districts Signage Table

Sign Type	Maximum Number	Maximum Size	Maximum Height	Minimum Setback
Freestanding signs	1 per street frontage, up to a maximum of 2 per property	Monument = 150 square feet per sign (up to 50% may be changeable copy, or, in the CR-MX, a changing sign)	Monument = 15 feet	15 feet from the edge of the street pavement or 2 feet behind the right-of-way, whichever is greater; 50 feet from all other freestanding signs
		Pole = 100 square feet per sign (up to 50% may be changeable copy, or, in the CR-MX, a changing sign)	G-B, and G-LI, and G-HI Pole = 15 feet	
Building sign (wall, canopy, awning)	N/A	Single tenant: 10% of the area of the wall, up to 200 square feet	N/A	N/A
		Multi-tenant: 10% of the front façade for each individual business		
Projecting Signs	1 per street facing storefront	16 square feet	At least 8' clearance to bottom of sign	N/A
Gas canopy signs	1 sign on each of 3 sides of the canopy	20% of the area of the canopy wall	N/A	N/A
Special interstate signs CR-MX only)	1 sign on a lot at least 0.75 of an acre and within 1,000 feet of the centerline of I-85 and within 1,500 feet of the centerline of Lafayette Parkway,	400 square feet	75 feet	At least 10 feet but not more than 100 feet from I-85 R/W; At least 40 feet from all other property lines; At least 1,000 feet from all other freestanding signs

	Hamilton Road or Whitesville Road			
Miscellaneous signs	2 per driveway	6 square feet	3 feet if within the setback; 6 feet if beyond the setback	N/A

Sec. 102-B-12-4. Amendments, procedures, and standards.

(4) *Procedures for review.*

(g) Developments of **regional impact (DRI)**. If the proposed amendment would meet the thresholds of a **DRI development of impact**, as described in section 102-B-12-5 of this article, the city shall follow the procedures outlined in said section 102-B-12-5.

Sec. 102-B-12-5. - Developments of **regional impact (DRI)**.

(1) Developments of regional impact (DRI).

(a) When an application for a rezoning, special use permit, variance, preliminary plat review or permit includes any proposed development of a use and intensity that meets the definition of a DRI in the most recently published standards of the Three Rivers Regional Commission (TRRC), it shall be deemed to be a DRI.

(2) Developments of local impact (DLI). The following uses and intensities shall be deemed to be a DLI.

(a) Residential development with a minimum of 125 new lots or primary dwellings.

(b) All uses within the HI zoning district.

(c) Industrial uses in all other zoning districts that are greater than 175,000 gross square feet; or employing more than 500 workers; or covering more than 125 acres.

(3) Required development agreements for developments of impact. All developments of impact shall be required to have a development agreement approved by the city council according to the following provisions:

(a) Process.

(i) City council approval. Prior to the approval of zoning map changes, preliminary plat approval, final plat approval, land disturbance permit, variance, or special permit for a development of impact, applicants shall be required to have a development agreement adopted by the city council as part of such requested approvals.

(ii) Public hearings required. Before deciding on any development agreement, the city council shall provide for public notice and a public hearing thereon. No development agreement shall be decided by the city council unless it has first been submitted to the planning commission for review and recommendation pursuant to the requirements of Sec. 102-B-12-4.

- (iii) Amendments. Amendments to previously approved development agreements shall be required to follow the provisions in (i) and (ii) above.
- (b) Contents. Development agreements shall include at a minimum, the following elements:
 - (i) Commitments for public improvements including but not limited to traffic improvements, parks and open space improvements, sidewalks and path improvements, public utility improvements, construction restrictions and conditions;
 - (ii) Utility agreements including but not limited to details related to public utility usage; and
 - (iii) Zoning or development conditions including but not limited to site plans, yards and buffers, building placement, roadway and driveway placement, parks and open spaces, and parking and loading areas.
- (c) Reporting. Development agreements shall include schedules for reporting which will include at a minimum, the following elements:
 - (i) Water and sewer capacity;
 - (ii) Electric consumption;
 - (iii) Environmental impact;
 - (iv) Cooling and ventilation;
 - (v) Emergency response;
 - (vi) Traffic and transportation; and
 - (vii) Noise impact.

SUBCHAPTER 102-C

- Yellow highlights indicate proposed revisions
- Red ~~crossed-out~~ text indicates proposed deleted text
- **Bold** text indicates proposed new text

Sec. 102-C-8-20. Screening.

(6) Storm water detention and retention facilities shall be screened from view from any public right-of-way. The visual screen shall comply with the standards listed below.

(e) Visual screens in all zoning districts except for ~~G-I~~ **G-LI and G-HI** zoning districts shall be prohibited from utilizing fencing elements when located in front or side yards. Fencing, where permitted, shall be regulated by the fencing standards of section 102-B-4-5 in subchapter 102-B.

Sec. 102-C-8-21. Buffers.

Adjacent Parcel Zoning	Zoning of Parcel to be developed, redeveloped or expanded					
	G-B, and G-LI, G-HI	DT-MX	CR-MR, CR-MX	TN-MX	TN-R	ES-SR, SU-R, G-RL
ES-R, SU-R, G-RL	Type D	None	Type C	Type B	Type A	None
TN-R	Type D	None	Type C	Type A	None	Type A
TN-MX	Type D	None	Type C	None	None	Type A
CR-MR, CR-MX	Type B	None	None	Type A	None	Type B
DT-MX, G-B, G-LI, G-HI	None	None	None	None	None	Type A

(7) Disturbance or encroachments.

- Buffers shall **not** contain ~~any no driveways~~, parking areas, patios, storm water detention facilities, or any other structure or accessory uses except for approved structural buffers.
- Underground utilities, **driveways, vegetated berms, public sidewalks, paths, and trails** may be permitted ~~to cross within~~ a buffer if the screening standards of this article will be subsequently achieved to the satisfaction of the zoning administrator.

SUBCHAPTER 102-D

- Yellow highlights indicate proposed revisions
- Red ~~crossed-out~~ text indicates proposed deleted text
- **Bold** text indicates proposed new text

The following definitions should be added in alphabetical order to Sec. 102-D-1-2.

Sec. 102-D-1-2.

Cryptocurrency Mining. The commercial process by which cryptocurrency transactions are verified and added to the public ledger, known as the block chain, and also the means through which new units of cryptocurrencies are released, through the use of server farms or data centers employing data processing equipment.

Cryptocurrency Processing, Related Services. A building or structure whose primary use is operating data processing equipment for Cryptocurrency mining; excludes spaces for commercial offices, storage, shipping and receiving, warehousing, or any other space that is not electronic processing.

Data Centers. A building, structure, complex, or group of buildings and/or structures, facility, or dedicated space within a building, structure, complex or facility that houses information technology related infrastructure, including but not limited to, computer systems, networks, servers, applications, appliances, services, and other associated components or facilities used for the remote storage, processing, or transmission of digital data associated with those computer systems, networks, servers, applications, appliances, service, and other associated components or facilities. Associated components and facilities may also include air handlers, water cooling towers, generators, fuel storage cells, storage facilities, utility substations, and other associated utility infrastructure to support operations. When a building or buildings meets the definition of a data center but is accessory to an otherwise permitted use on the property, such accessory areas are limited to a maximum of 20,000 sq ft or ten (10) percent of the total floor area of the combined property or development, whichever is less.

Setbacks

- 750' setback from any residential or public/institutional principal structures.
- I would like to see 1000' buffer for any wetland or stream buffers (what are your buffers/setbacks today - look at your wetlands/stream setback) because of the unknowns - there is currently a river keeper lawsuit pending in Fayetteville against QTS for the sewer spill they caused.
- Request for 1000' for other scenarios – recommend doing this through zoning conditions – turn this into a reference that council can add requirements based on site conditions

Noise

- Revise to the proposed 45 decibels at night and 55 decibels during the day.
- We can add language that requires testing by qualified professionals selected and paid for by the applicant and approved by the City and that the City shall have the authority to require independent peer review at the applicant's expense.
- Make sure sound level measurements are not blended or averaged around the perimeter of the property.
- Don't know what to do with these:
 - o Low-frequency, tonal, or pulsing noise shall not be audible or perceptible at sensitive protected areas – this is d(B)c – 60 at night / 70 during the day
 - o The most restrictive standard shall apply in all cases of conflict

Buffers

- All recommendations are already in our draft.

Infrastructure

- The developer will fund or construct all necessary upgrades to water, sewer, electrical, roadway, and stormwater infrastructure directly or indirectly caused by the project;
- Infrastructure improvements should be completed prior to or in conjunction with each phase of development, as determined by the City;
- Required financial guarantees, bonds, or other security to ensure completion of required improvements.
- Prior to a rezoning approval.
 - o Water and sewer. A letter from the public water purveyor indicating sufficient capacity to serve the proposed development. An analysis of raw water needs, including the predicted daily demand, daily wastewater generation, and daily consumptive use for every phase of the project.
 - o Electric supply and transmission line impact assessments. A letter of intent to serve the proposed project from the applicable utility provider, specifying the project load and confirming preliminary coordination has occurred and that service to the proposed project is feasible subject to final engineering.
- Prior to preliminary plat approval.
 - o A proposed power line route plan reflecting the applicable utility provider's plans for all electric lines serving the project.

Required Construction Plan

- Limits on construction hours near residential areas.
- Plan to control dust, erosion, and sediment control.
- Plan for noise and vibration mitigation during construction.
- City-approved construction traffic routes.
- Ongoing site maintenance and environmental compliance.
- Required financial guarantees, bonds, or other security for repairing and restoring any public roads damaged by construction.
- All repairs should meet City standards and be completed to the satisfaction of the City Engineer or designated official. The City may require financial security to ensure completion of required repairs.
- Required study on blasting and its impact on water table levels, land disturbance to adjoining properties, etc

Data Center Expansion Threshold

- Allow data center campuses to be approved with a master plan of up to 100 MW of utility power demand.
- However, no campus should be permitted to operate above 50 MW without:
 - o Approval of a Conditional Use Permit;
 - o A public hearing before the Mayor and Council; and
 - o Updated studies addressing water, sewer, power, traffic, noise, environmental, and emergency service impacts.
- The ordinance should state that approval of a 100 MW master plan does not allow operation above 50 MW without additional City approval.
- Any expansion beyond 50 MW must go back through City review.
- Turn this into language that says that all permits, zoning conditions, etc cannot be changed without coming back to be re-approved through the normal processes for rezonings

Enhanced Public Reporting Requirements

The ordinance should require annual reporting to the City on key operational impacts, including:

Development Agreements are required

PUT DEVELOPMENT AGREEMENT REPORTING CHARTS HERE

- Utility power demand and peak usage;
- Water consumption and wastewater discharge;
- Noise monitoring and compliance results;
- Emergency generator testing and runtime;
- Confirmation of compliance with all applicable City, state, and federal regulations.
- The ordinance should provide that these reports are maintained as public records and made available for public inspection, and presented to the Mayor and Council upon request.
- Include a provision requiring City review if there are material changes to an approved data center facilities even if the approved megawatt (MW) limit is not exceeded. A "material change" should include, but not be limited to:

- Significant increases in generator capacity or backup power systems;
- Changes in cooling systems that increase water demand or operational intensity;
- Construction of additional substations or major electrical infrastructure upgrades;
- Any major expansion or modification that could increase noise, water use, or overall site intensity beyond what was originally approved.
- Any material change should require additional City review and approval to ensure continued consistency with approved plans and infrastructure capacity.

Infrastructure Re-Verification Trigger

I don't think you need to say any of this – if any regulations or usage agreements are not being met you already have the ability to address it

- Require additional review if measured operational impacts exceed approved or projected levels by a defined threshold, including:
 - Water use exceeding approved projections by approximately 10–15%;
 - Power demand or electrical load exceeding initial approved assumptions; or
 - Noise levels exceeding baseline or approved compliance thresholds.
- Upon triggering these thresholds, the City may require updated studies and, if necessary, additional review or approval to ensure continued compliance with infrastructure capacity, environmental standards, and surrounding land use compatibility.

This does not need to be said – this is already how your zoning works...

- Ownership and Transfer Continuity. Include a provision requiring that all approved conditions for a data center facility remain in effect regardless of changes in ownership. The new owner or operator should be fully responsible for complying with all previously approved conditions, limitations, and requirements.
- I am concerned about the amount of time these facilities are under construction- I am concerned with the addition of buildings after initial drawings. Any substantial change in the increase of what is approved should have a process or require approval. Fayette started with 4 buildings and has grown to 9.

Decommissioning

I would like to request more clarification and understanding of what would be required for decommissioning - as this is a process no one has any experience with at this point- the impact on brown field sites in America because decommissioning of facilities was not an issue until sites were left abandoned and in a circle of who's responsible or potential of taxpayers footing the bill (thinking on a small scale the old rec department in town). Like Michael mentioned the other night - a bond or escrow account will be needed. But who knows the cost- amount?

Not for Zoning...

- The inspections on these facilities is constant and expensive- somehow we have to make sure that the development fees are covering 100% of the inspection and oversight. The amount of erosion control and inspection alone is exorbitant.

- I believe we have to address capacity at our water treatment plant and the impact of their needs- whatever Turnipseed determines would be required for upgrades would be on the developer- I feel like this is needed on the front end- we can't approve and rezone properties without a full understanding.
- Requirement for local contractors.