



TOWN OF BROADWAY PLANNING BOARD

REGULAR MEETING

Monday, July 27th, 2026 at 6:00pm

Broadway Community Center at 111 N. Main Street, Broadway, NC

The Planning Board will attend the joint public hearing with the Broadway Board of Commissioners held in the Broadway Town Hall at 103 N. Main Street beginning at 6:00 PM and then walk across the shared parking lot to the Community Building to officially convene and make a recommendation on the item on the agenda.

CALL TO ORDER – 6:00 PM *(or after the public hearing has been held with the Commissioners)*

Introduction by Chairman: The Broadway Planning Board is an advisory council on matters relating to land development and long-range planning and provides recommendations to the Broadway Board of Commissioners. All information relevant to each case should have been presented during the public hearing. The Planning Board may ask for clarification of information received during the public hearing, but may not receive new information. Recommendations made this evening will be presented to the Broadway Board of Commissioners for consideration on August 28th, 2026, and action may or may not be taken at that time per the discretion of the Commissioners.

- A. APPROVAL OF AGENDA**
- B. REORGANIZATION OF THE BOARD** – *Election of a Chair and Vice Chair*
- C. APPROVAL OF MINUTES** – *February 23rd, 2026 Minutes*
- D. DISCLOSURE OF CONFLICT OF INTEREST**
- E. OLD BUSINESS** - *None*
- F. NEW BUSINESS**

PUBLIC HEARING WITH THE COMMISSIONERS TO CONSIDER THE FOLLOWING ITEM:

1. **ZONING TEXT AMENDMENT: CASE 2026-0701:**

Consideration of a text amendment to the Unified Development Ordinance to add “Data Center” as a new land use within the Permitted Use Matrix in Article 4 of the UDO to be permitted within the LI (Light Industrial) and HI (Heavy Industrial) zoning districts subject to supplemental development standards. Addition of supplemental standards for Data Centers within Article 5, including general development standards, landscaping standards, a noise study requirement, and minimum distances from nearby residences. Lastly, the addition of “data center” as a land use within Article 8’s Minimum Required Parking standards.

Staff Contact: Thomas Mierisch (919-718-4656, ext. 5396 or thomas.mierisch@sanfordnc.net)

- G. OTHER BUSINESS** - *None, unless added by the board*
- H. ADJOURNMENT**

**MINUTES OF THE REGULAR MEETING OF THE
TOWN OF BROADWAY PLANNING BOARD
BROADWAY, NORTH CAROLINA**

The Broadway Planning Board met with the Broadway Board of Commissioners at 6:00 PM on Monday, February 23, 2026, for a joint public hearing in the Broadway Town Hall at 103 N. Main Street, Broadway, N.C. 27505. At 6:16 PM, the Planning Board moved to the Broadway Community Center, after the joint public hearing, to conduct a regular meeting.

ROLL CALL

Members Present: Tammie Adcock
 Wilson Cox, Chair
 Nancy Johnson
 Betsy Kelly
 Donnie Mize Vice-Chair
 Justin Rosser

Members Absent: Shannon Siegfried
 Paul Thomas

Staff Present: Paulette Harmon, Clerk to the Board
 Amy McNeill, Senior Planner

MEETING CALLED TO ORDER

Having noted the presence of a quorum, Chair Cox called the meeting to order and read the Introduction by Chair statement on the agenda cover.

APPROVAL/DISAPPROVAL OF AGENDA

Chair Cox entertained a motion to approve the agenda. Board member Rosser motioned to approve the agenda, which was seconded by Vice-Chair Mize and carried unanimously.

APPROVAL OF MINUTES

Chair Cox entertained a motion to approve the August 25, 2025 meeting minutes. Board member Rosser motioned to approve the minutes, seconded by Vice-Chair Mize and carried unanimously.

DISCLOSURE OF CONFLICTS OF INTEREST

Chair Cox asked each board member to disclose any conflicts of interest in the matters to be considered by the Board this evening. There were none.

NEW BUSINESS

1. FLOOD HAZARD AREA REGULATIONS UPDATE and FLOODPLAIN MAP UPDATE;
PB ITEM 2026-0201

Replacing Article 13 Flood Hazard Area Regulations of the Unified Development Ordinance (UDO) with the latest model Flood Damage Prevention Ordinance provided by the North Carolina Floodplain Mapping Program. Also, updating the FEMA National Flood Insurance Program map for Lee County per the latest map panels provided by the North Carolina Floodplain Mapping Program.

Note: These matters go “hand-in-hand” and will be discussed together, but will require two separate recommendations by the Planning Board and two separate votes by the Commissioners.

DISCUSSION

After an overview of the UDO Flood Hazard Area Regulations and FEMA National Flood Insurance Rate Map updates and information provided at the public hearing, Chair Cox opened deliberation for discussion.

Chair Cox asked staff to verify that two separate motions and votes are required; one for the UDO text amendment updates and one for the floodplain map updates. Staff person replied that this is correct.

Chair Cox asked the board there are questions or discussion on the first item; the UDO text amendment for updating the Flood Hazard Area Regulations.

Board member Rosser asked if this was prompted because we participate in the FEMA flood insurance program. Staff person McNeill replied that these items go “hand-in-hand” and are required because we participate in the FEMA flood insurance program. The ordinance essentially reflects the rules and development standards. While it is important to update the maps so surveyors and engineers have the most current information, updating the ordinance is critical.

Board member Rosser asked if a jurisdiction chose a two-foot elevation standard instead of a four-foot elevation standard would their ability to participate in the FEMA flood insurance program be affected. Staff person McNeill replied that she would anticipate that flood insurance rates would be lower for jurisdictions with higher standards, but they still should be able to participate in the program. She will submit the preferred language for each jurisdiction to our National Flood Insurance Program planner for review, who will then forward it to FEMA for further input.

FEMA recommends a four-foot elevation standard, but allows a minimum of two feet. Each jurisdiction is welcome to provide specific input on the freeboard requirement. This has been a key point of discussion for the planning boards in both Lee County and Sanford.

Chair Cox asked which elevation standard was selected by the City of Sanford. Staff person McNeill replied that the Sanford Planning Board recommended a two-foot elevation requirement of freeboard and that the City Council agreed. She added that the Lee County Planning Board recommended a four-foot elevation requirement of freeboard with their discussion being focused on life safety and that the Commissioners have not yet considered or taken action on this recommendation.

Board member Adcock asked why Sanford choose to keep a two-foot elevation requirement of freeboard. Staff person McNeill replied, that while no specific reason was given, Sanford is very pro-development and doesn't appear to want anything that could slow down development. The possible increase in the cost of construction may be a factor. Also, Sanford recently updated its

subdivision regulations for major subdivisions, which are the large residential developments that you typically see within the City, so that wh floodplain areas are now required to be included in common open space areas rather than on individual lots. This means that floodplain areas are used for parks, walking paths, golf courses, etc., not residential lots. Therefore, floodplain will no longer be included in the individual primate lots that are developed with houses.

In contrast, more floodplain development is likely in Lee County. For example, areas like Carolina Trace around Lake Trace have lots with homes that are at the 100-year floodplain elevation because they were built in the 1970s before current regulations were adopted. Most of the terrain along the lake is flat all the way down to the water. Existing lots like this and lots within new smaller minor subdivisions that you typically see in the County may cause the County to see a greater impact from these updates than the City, where new floodplain lots in larger major subdivisions won't be allowed.

Chair Cox asked if an individual lot could still be affected by the floodplain regulation updates. Staff person McNeill replied that lots within minor subdivisions in any of our jurisdictions may range from one to six lots, which may have all or part of the lot in the floodplain. If any part of a house is within the floodplain, it must comply with the floodplain regulations.

Board member Rosser asked if there was floodplain within the jurisdiction of Broadway or the ETJ in Harnett County. Staff person McNeill replied that there is no mapped flood hazard area or floodplain in the jurisdiction of Broadway. This UDO text amendment is being presented to the boards since it the UDO is jointly adopted by all three jurisdictions (Sanford, Lee County, and Broadway) and we want to be consistent in our adoption process so that having multiple jurisdictions is not problematic for future flood insurance claims.

Chair stated that it appears that recommending a four-foot standard wouldn't hurt us and might actually be beneficial for insurance purposes.

Board member Johnson stated that that Broadway should align with whatever standard Lee County adopts.

Board member Kelly asked if there area any areas either within Broadway or its ETJ, that could potentially fall into the floodplain in the near future. Staff person McNeill replied that we currently have "effective" maps and "preliminary" maps, and based on the "preliminary" maps, nothing within Broadway's jurisdiction would fall within the mapped floodplain.

DECISION

With no further discussion, Chair Cox opened the floor for a motion regarding the Planning Boards recommendation to the Broadway Commissioners regarding the replacement/update of the existing floodplain regulations (Article 13 Flood Hazard Area Regulations of the UDO).

Board member Rosser made a motion to recommend that the Broadway Board of Commissioners approve updating Article 13 Flood Hazard Regulations, stipulating a freeboard of four feet above the floodplain. The motion was seconded by Board member Johnson and carried unanimously.

Chair Cox then opened the floor for a motion regarding the Planning Boards recommendation to the Broadway Commissioners regarding the updating of the floodplain maps.

Board member Johnson made a motion to recommend that the Broadway Board of Commissioners adopt the latest FEMA National Flood Insurance Program map updates for Lee County. The motion was seconded by Board member Adcock and carried unanimously.

NEW BUSINESS

None

STAFF REPORTS

None

ADJOURNMENT

With no further business to come before the Board, board member Rosser made the motion to adjourn, seconded by Vice-Chair Mize, and carried unanimously. The meeting was adjourned at 6:29PM.

Adopted this _____ day of _____, 2026.

BY: _____
_____, Chair

ATTEST: _____
Paulette S. Harmon, Clerk to the Board

This is general information provided by the Lee County Attorney for inclusion in the Lee County Planning Board agenda packet as a reference for board members as of 2022-04-18. Staff has added this information to the agenda packets for the Planning Board and Board of Adjustment for Sanford and Broadway also.

Conflict of Interest Policy Related to Land Use Decisions

Pursuant to North Carolina General Statutes 160D-1-9, the following conflict of interest policies will apply to all land use decisions coming before staff, appointed boards or the governing boards as follows:

For Governing Board Members – Broadway Town Commissioners

A Sanford City Council member shall not vote on any legislative decision regarding a development regulation adopted pursuant to Chapter 160D, where the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. A Council member shall also not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business or other associational relationship.

For Appointed Board Members – Town of Broadway Planning Board & Board of Adjustment

Members of the appointed boards shall not vote on any advisory or legislative decision regarding a development regulation where the outcome of the matter being considered is reasonably likely to have a direct, substantial and readily identifiable financial impact on the member. Further, an appointed board member shall not vote on any zoning amendment of the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship. A close familial relationship means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.

For members of any board exercising quasi-judicial functions, the member shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex-parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.

For Administrative Staff – Sanford/Lee County Community Development Department Staff

No staff member shall make a final decision on an administrative decision if the outcome of that decision would have a direct, substantial, and readily identifiable financial impact on the staff member or if the applicant or other person subject to that decision is a person with whom the staff member has a close familial, business, or other associational relationship. A close familial relationship means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships. If a staff member has a conflict of interest, the decision shall be assigned to the supervisor of the staff person or such other staff person as may be designated by the development regulation or other ordinance.

No staff member shall be financially interested or employed by a business that is financially interested in a development subject to regulation under the UDO unless the staff member is the owner of the land or building involved. No staff member or other individual or an employee of a company contracting with a local government to provide staff support shall engage in any work that is inconsistent with his or her duties or with the interest of the local government, as determined by the local government.



Town of Broadway

Commissioners & Planning Board

Public Hearing Information

UDO Text Amendment Summary
Monday, July 27th, 2026

*The following text amendment is intended for **Article 5** of the UDO, specifically to add new supplemental standards for a land use of “data centers.” This text amendment will also include an amendment to **Article 4**, specifically the addition of the land use “data center” to the Permitted Use Matrix and an amendment to **Article 8**, specifically the addition of “data center” within Table 8-1, Minimum Required Parking.*

Zoning Text Amendment, Planning Board Case 2026-0701

This text amendment is to modify the following sections within the Sanford/Lee County/Broadway Unified Development Ordinance.

Please note that the black text is language that the JPC (Joint Planning Commission) has approved and recommended for consideration to all three jurisdictions. The **blue text** (or **blue text**) indicates language that was added (or removed) after the April 6th Lee County Board of Commissioners Work Session. This language has been approved by the Lee County Board of Commissioners on April 20th and the Sanford City Council on April 21st.

5.52 DATA CENTERS

5.52.1 DEFINITIONS

The land use of “data center” shall be defined as any building or group of buildings containing one or more large-scale computer systems or networked server computers for data storage, data processing, web hosting, application hosting, streaming services, or other related services for off-site users. Typical supporting equipment includes mechanical and electrical equipment, redundant power supply connections, redundant data communications connections, power generators, cooling units, and enhanced security features.

For the purposes of this Ordinance, the term “data center” shall also encompass “cryptocurrency mining” and other comparable land uses, and the terms shall be used interchangeably. The terms “cryptocurrency mining,” as well as “cryptomining,” or “cryptomining operation” shall be defined as any building or group of buildings containing one or more large-scale computer systems or networked server computers for computationally-intensive applications such as blockchain technology, validating blockchain transactions, cryptocurrency mining, and other similar functions.

The term “dBA” shall indicate the sound or acoustic pressure level, in decibels, as measured by a sound level meter using an A-weighted filter network (an electronic frequency filter that adjusts sound measurements to match how the human ear perceives sound). The A-weighted filter network is designed to stimulate response of the human ear and is expressed by the abbreviation “dBA.”

The terms “dBC” and “dBZ” shall indicate C-weighted and Z-weighted (or Zero-weighted) acoustic pressure levels as measured using their respective filter networks.

The terms “energy usage” or “energy consumption” shall mean the total amount of electricity or other forms of energy consumed, measured in kilowatt-hours.

The terms “water usage” or “water consumption” shall mean the total amount of water consumed, including water used for cooling, measured in gallons.

The term “hazardous materials” shall mean any substance that poses a threat to public health and safety, including, but not limited to, coolants, diesel fuel, biocides utilized for cooling treatments, and heavy metals associated with batteries and computer equipment (lead, lithium, nickel, cadmium, mercury, etc.).

The term “normal operations” shall mean routine activities following the completion of construction and shall not include temporary or non-routine activities such as construction activities, unplanned maintenance, electrical system maintenance, or emergency generator operation during utility outages.

5.52.2 GENERAL STANDARDS

5.52.2.1 Principal structures associated with data centers and accessory structures housing equipment intended for cooling, ventilating, or otherwise operating the facility, including power generators or other power supply equipment and other outbuildings, shall be located no less than 500 linear feet from any existing residential or multifamily structure(s). This distance shall not apply to guardhouse structures at vehicular entry points for the site.

5.52.2.2 Any equipment that is utilized for cooling, ventilating, or otherwise operating the facility (including power generators or other power supply equipment), the screening standards are dependent upon their location:

- For rooftop-mounted equipment, it shall ~~be housed within a~~ include appropriate sound-attenuating technology and shall be screened from view of any public street behind a parapet wall or other screening method.
- For ground-mounted equipment, it shall be fully enclosed by a building or screened on all sides by a masonry wall with a minimum height to exceed the tallest portion of the equipment.

5.52.2.3 Parking areas associated with data centers shall not be located within a required buffer area as set forth in Table 5.52-1.

5.52.3.4 Principal structures shall be located at least 100 feet away from any publicly-maintained road.

5.52.2.5 Site plans must include a photometric plan that adequately verifies that adjoining properties shall not be adversely impacted by any exterior lighting associated with a proposed data center, including security lighting. The photometric plan shall be included with the TRC application packet.

5.52.2.6 Generator testing during non-emergency operations shall be limited to the hours between 9:00am and 5:00pm. Except for generator testing, generator or electrical system maintenance, or commissioning activities, generator use shall be limited to utility service disruptions or other emergency events (inclement weather, etc.) and must cease generator usage as soon as primary electricity sources are restored.

5.52.2.7 Principal structures associated with data centers shall not exceed 75 feet in height. This measurement shall include any roof-mounted equipment.

5.52.2.8 Minimum paved parking requirements shall be 1 parking space per on-site employee at maximum shift.

5.52.2.9 Principal structures for data centers shall have exterior building facades constructed of brick, wood, stucco, sandstone, or other native stone. Tilt-up concrete panels and concrete masonry units (CMUs) shall also be permitted except where prohibited by §10.7 and §10.8 of this Ordinance. Under no circumstances shall pre-fabricated metal or vinyl siding be utilized for exterior building materials. Under no circumstances shall intermodal freight containers (commonly referred to as “shipping containers” or “conex boxes”) or other similar modular containers be utilized to house data equipment. Such structures shall only be utilized for temporary storage purposes, and subject to temporary use permits as detailed in §5.34 of this Ordinance.

5.52.2.10 A comprehensive master plan detailing all planned structures, internal driveways, parking, fencing/walls, landscaping, and other design elements shall be submitted and reviewed as part of the TRC review process. If approved, the master plan may be constructed in phases. Substantial deviations from the approved comprehensive master plan will necessitate a new or amended TRC approval.

5.52.3 MINIMUM LANDSCAPING BUFFER & BUILDING SETBACK STANDARDS

5.52.3.1 Minimum perimeter landscaping buffers and minimum building setbacks shall be determined by each exterior property line’s abutting land use and/or development type at the time of site plan submittal, as put forward in **Table 5.52-1**. For reference, the abutting land use or zoning category (Class 1, Class 2, etc.) is further explained in Table 7-2 in Article 7 of this Ordinance. The landscaping points values are further explained in Table 7-1 and Table 7-4 in Article 7 of this Ordinance.

For the purposes of interpreting Table 5.52-1, existing land uses shall take precedence over existing zoning districts if there is an existing legal nonconformity. (e.g.: if an abutting property has a commercial zoning district but is developed with only a single-family dwelling, and that dwelling is determined to be existing legal nonconforming use, the residential dwelling would be used to determine the appropriate setback and buffer for the data center, not the commercial zoning).

TABLE 5.52-1 PERIMETER LANDSCAPE BUFFER & MINIMUM BUILDING SETBACK REQUIREMENTS

ABUTTING LAND USE OR ZONING CATEGORY	MINIMUM BUILDING SETBACK	MINIMUM BUFFER WIDTH	MINIMUM REQUIRED LARGE TREES	MINIMUM REQUIRED SMALL TREES	MINIMUM REQUIRED POINTS PER LINEAR FOOT
Class 1 & Class 2 (Residential & Multifamily)	150 feet	100 feet	3 per 50ft	3 per 75ft	2.4
Class 3 (Light Commercial, Office, & Civic Uses)	125 feet	75 feet	2 per 50ft	2 per 75ft	1.2
Class 4 (General Commercial Uses)	100 feet	50 feet	2 per 50ft	1 per 75ft	1.0
Class 5 (Industrial Uses)	50 feet	0 feet	n/a	n/a	n/a

NOTE: Refer to **§5.52.2.1** regarding minimum separation standards between proposed data centers and existing residential and multifamily structures.

5.52.3.2 Existing vegetation may be counted towards satisfying the minimum landscaping standards set forth in **Table 5.52-1**. Existing vegetation shall be identified and delineated on a landscaping plan (in the form of a survey of existing tree and shrub species) and shall be included in the applicant's site plan submittal signed and sealed by a licensed design professional.

5.52.3.3 For parcels proposed for development with a data center, the minimum street yard buffer shall be a Type D landscaping buffer (see Table 7-4 in Article 7 of this Ordinance), with the preservation of existing vegetation encouraged to maintain separation buffers and opacity. Where newly planted landscaping is necessary, at least 50% of the planting species shall be evergreens.

5.52.4 PRE-APPLICATION MEETING REQUIREMENT

5.52.4.1 It shall be the responsibility of the data center subject property owner and/or applicant to schedule a pre-application meeting with Community Development Department staff to discuss the review and approval process for their project prior to the formal submittal of any site plan.

5.52.5 NOISE MITIGATION STANDARDS

5.52.5.1 The data center subject property owner and/or applicant shall have a pre-construction sound study performed by a third-party licensed acoustic engineer to determine baseline ambient noise levels (as measured in dBA) along all exterior property lines of the proposed data center. The study shall provide data for the measured A-weighting, C-weighting and Z-weighting and narrow band frequency analysis/tonal analysis. The noise study shall include a noise contour map and shall be sealed and signed by the licensed acoustic engineer. Ambient noise/decibel levels shall be documented from all perimeter property lines of the subject property on which the data center is proposed. The pre-construction noise study shall be submitted as part of the TRC application.

5.52.5.2 Data centers shall be constructed to incorporate sound mitigation methods sufficient to prevent the sound levels emitted from the data center structure(s) from exceeding permitted decibel levels during normal operations. Post-construction sound levels along the exterior property lines of the data center site shall not exceed the documented pre-construction sound level (as measured in dBA, dBC, and dBZ) or 65 dBA, whichever is greater.

5.52.5.3 The Zoning Administrator may require a noise study to be prepared by a licensed third-party acoustical engineer of the choosing of the local jurisdiction having zoning authority over the subject property at the applicant's expense at any time upon receipt of a noise complaint or as is needed to ensure compliance with noise mitigation standards found in this Ordinance. Complaint-based noise studies shall be limited to a two (2) within one (1) calendar year, unless the subject property is found to be in violation of the ~~baseline decibel level or the 65 dBA maximum~~ established noise limits as described in §5.52.5.2. Upon the determination of a valid complaint in which the data center's measured decibel exceeding the ~~baseline~~ established noise limits as described in §5.52.5.2, the applicant and/or property owner shall be financially responsible for as many noise studies as necessary until no violation of the pre-construction ~~noise level is measured~~ established noise limits as described in §5.52.5.2. In addition to the costs of the acoustical engineer's services to perform a sound study, the applicant and/or property owner shall incur a civil penalty of \$10,000, paid to the local government having jurisdiction, for every completed noise study that determines the decibel level measured at the exterior property line has exceeded the established ~~noise level~~ noise limits as described in §5.52.5.2, until a subsequent noise study conducted by a licensed third-party acoustical engineer determines that the noise violation has been abated.

5.52.6 WATER USAGE STANDARDS

5.52.6.1 Data centers shall not utilize groundwater, well water, or surface water (e.g.: lakes, rivers, ponds, etc.), as a water source, but instead must utilize and connect directly to municipal water sources.

5.52.6.2 It shall be the responsibility of the subject property owner and/or applicant to provide written confirmation from the local water utility provider that adequate water capacity is available to serve the proposed data center development. This documentation shall be included with the TRC application.

5.52.7 WASTEWATER USAGE STANDARDS

5.52.7.1 Data centers shall not utilize a private septic system for wastewater discharge, but instead must utilize and connect directly to a local/regional public wastewater reclamation and treatment system.

5.52.7.2 It shall be the responsibility of the subject property owner and/or applicant to provide written confirmation from the local wastewater utility provider that adequate wastewater capacity and reclamation/treatment capability is available to serve the proposed data center development. This documentation shall be included with the TRC application.

5.52.8 ELECTRICITY USAGE STANDARDS

5.52.8.1 Data center developments must connect to and be powered primarily by a regional electricity supplier (including, but not limited to: Duke Progress Energy, Central Electric Membership Corporation, etc.).

5.52.8.2 Under no circumstances shall generators serve as the primary source of electricity for a data center, and generators are only to be utilized during power disruptions and other emergency situations as provided for in §5.52.2.6 of this Ordinance.

5.52.8.3 It shall be the responsibility of the subject property owner and/or applicant to provide written confirmation from the electricity/utility provider that the proposed data center's estimated electricity consumption does not adversely impact existing electrical capacity. This documentation shall be included with the TRC application.

5.52.9 DECOMMISSIONING AND ABANDONMENT

5.52.9.1 The cessation of operations for twelve (12) continuous months shall render a data center to be defunct and/or abandoned unless the property owner (or other responsible party with ownership interest) provides substantial evidence to the Department of Community Development of the intent to maintain and reinstate operation of the facility. In such an event, the applicant or property owner must ensure the remaining technological hardware, infrastructure (e.g.: private on-site substations), fuels, and other hazardous materials (e.g.: biocides or other treatment chemicals) on the premises are properly disposed of and removed and pose no hazard to the public.

5.52.9.2 The property owner or operator of the data center must notify the Department of Community Development when the site is abandoned and when the site's hazardous materials are completely remediated within twelve (12) months of the final day of operations.

5.52.10 RETENTION OF CONSULTANTS

The local government having jurisdiction over the subject property of a potential data center shall retain a consultant or professional services to review application packets for new data centers. The consultant will review all application components (noise study, etc.) and make determinations and recommendations on relevant issues including, but not limited to, verification of the applicant's due diligence, analysis of alternatives, and compliance with state and federal rules and regulations. The applicant shall pay a fee (as determined by the consultant) as part of the TRC application for the costs of the consulting services as

incurred by the local government jurisdiction having authority. The local government having jurisdiction shall require any consultants to disclose any potential conflicts of interest and to hold confidential any proprietary information supplied by the applicant. At the request of the applicant, the Department of Community Development shall arrange an informal consultation with the applicant to review the consultant's report prior to any public hearing on the application.

5.52.11 SITE PLAN/PERMIT SUBMITTAL REQUIREMENTS

5.52.11.1 A complete zoning/building permit application submittal shall include the following:

- a TRC-approved conceptual master plan
- a TRC-approved preliminary landscaping plan
- a TRC-approved photometric plan
- written confirmation of available water capacity from municipal water utility
- written confirmation of available electrical capacity from regional power utility
- a copy of the signed and sealed pre-construction sound study and retained consultant's assessment

5.52.11.2 The review and permitting process shall proceed as follows:

DATA CENTER REVIEW & PERMITTING PROCESS OVERVIEW
1. Pre-application meeting with Community Development staff
2. Completion of required noise study; compilation of water, wastewater, and electricity confirmation notices
3. TRC Conceptual Site Plan Review (<i>optional</i>)
4. Civil plan set submittal to TRC for review
5. Concurrent with TRC review, Community Development staff shall submit the Noise Study provided by the applicant to a retained consultant/professional service for analysis; Applicant shall defray the cost of retained consultant's services.
6. (<i>If/when approved by TRC</i>) Zoning & Building Plan Submittal for Building Permit Application(s)
7. Site inspections by all applicable departments and agencies
8. Certificate of Occupancy/Completion issued

In association with this text amendment to add supplemental standards for the land use of “data center” to Article 5 of the UDO, Article 4’s **Table 4.6-1, *Permitted Use Matrix*** shall also be amended to include the land use of “Data Center” as follows:

Key: "P" means permitted as of right, "S" means permitted as a special use, "D" means development regulations apply (see Article 5), "A" means permitted only as an accessory use, "-" means prohibited. Section numbers as provided in the use column (i.e. § 5.1) provide additional reference regarding the supplemental design standards as found within other sections of this Ordinance. Refer to Appendix A or the sources referred to under "Land Use Coding" for specific definitions of uses.																			
Use		LBCS Function	LBCS Structure	Land Use Coding															
				R-4 Residential Agricultural	RR Restricted Residential	R-20 Residential Single-Family	R-14 Residential Single-Family	R-12SF Residential Single-Family	R-12 Residential Mixed	R-10 Residential Mixed	R-6 Residential Mixed	MF-12 Multifamily	NC Neighborhood Commercial	HC Highway Commercial	C-1 Light Commercial & Office	C-2 General Commercial	O&I Office & Institutional	CBD Central Business District	LI Light Industrial
Contractors' offices/shop without outdoor storage areas	7110-7450			-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P
Data Center (see §5.52)	4240			-	-	-	-	-	-	-	-	-	-	-	-	-	-	P/D	P/I
Dolls, Toys, Games, and musical instruments	3420			-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Electrical equipment, appliance and components manufacturing	3360	2621		-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P

In association with this text amendment to add supplemental standards for the land use of “data center” to Article 5 of the UDO, Article 8’s **Table 8-1, *Minimum Required Parking*** shall also be amended to include the land use of “Data Center” and a minimum parking requirement as follows:

Industrial & Manufacturing Uses	
Contractors’ offices/shop, equipment storage yard	1 per 600 sf of office area GFA
Data Center	1 per employee at maximum shift
Landfill, all types	2 per 3 employees at maximum shift

TOWN OF BROADWAY PUBLIC NOTICE

Notice is hereby given that the Town of Broadway Board of Commissioners and Planning Board will hold a joint public hearing on Monday, July 27th, 2026, at the Broadway Community Center at 111 N. Main Street, Broadway, N.C. The Boards will consider one (1) text amendment to the to the jointly adopted City of Sanford/Lee County/ Town of Broadway Unified Development Ordinance (UDO). The hearing will begin at 6:00 p.m. or as soon thereafter as deemed practical by the Board. The proposed UDO text amendment is described below:

1. UDO ZONING TEXT AMENDMENT: CASE 2026-0701:

Consideration of a text amendment to the Unified Development Ordinance to add “Data Center” as a new land use within the Permitted Use Matrix in Article 4 of the UDO to be permitted within the LI (Light Industrial) and HI (Heavy Industrial) zoning districts subject to supplemental development standards. Addition of supplemental standards for Data Centers within Article 5, including general development standards, landscaping standards, a noise study requirement, and minimum distances from nearby residences. Lastly, the addition of “data center” as a land use within Article 8’s Minimum Required Parking standards.

The public is cordially invited to attend. For those wishing to speak during the public hearing, it is required that the speaker sign up prior to the public hearing in the Commissioners Chambers of the Broadway Town Hall; planning staff will be present to facilitate this sign-up requirement. Written comments may be emailed to the Broadway Town Clerk at clerk@broadwaync.com or dropped off at the Broadway Town Hall at 103 N Main Street during normal business hours, Monday-Friday from 8:00am to 5:00pm. Written comments should include the name and physical address of the person who wrote the comments so that this may be entered into the record during the public hearing. Written comments will be accepted until 4:00pm on Monday, July 27th. The written comments will be read at the public hearing.

Information regarding this text amendment will be posted on the Town of Broadway website at www.broadwaync.com. Should you have any questions, please contact Thomas Mierisch, Zoning Administrator for the Sanford/Lee County Community Department via email at thomas.mierisch@sanfordnc.net, via phone at (919) 718-4656, ext. 5396 or during normal business hours at 115 Chatham Street, Suite 1, Sanford, NC 27330. Upon request and with 24-hour notice, the Town will provide an interpreter for the hearing impaired or any other type of auxiliary aid.

Cualquier ciudadano que tenga preguntas o comentarios de las cosas al referido, puede comunicarse a el departamento de desarrollo para Sanford/Condado de Lee, llame al (919) 718-4656.

By Renee Saville, Clerk
Town of Broadway Board of Commissioners