

Chris Bowley

RE: EXTERNAL: RE: Zoning Verification and ROW Closure

June 14, 2024 at 12:28 PM EDT

To: Katherine Cathey

Cc: TC Morphis; Brandy Lynch; Royall, Brent; Moss, Don

Hi, Katherine. Please see below for a determination of a data center use as Light Industrial.

- Appendix B, Definitions, of the adopted Planning Ordinance (Ordinance) does not have a definition for data center.
- Appendix C, Table of Permitted Uses, of the Ordinance does not have data center as a listed use.
- From research, it appears that a large-scale data center that needs a high volume (industrial-scale) of electrical power is typically an on-premise, Tier III or Tier IV facility.
- At the industrial-scale use of power and an on-premise facility type, it will be considered a Light Industrial use, not a commercial use.
- Appendix C is a Permitted Use in the General Industrial (G-I) zoning district, with reference to Note #2 (see attached Pg. 123).
- Note #2 includes language that the use promotes industrial development with minimal impacts on public health, safety, and welfare.
- Note #2 provides reference to use NAICS codes to determine whether for an office activity or factory activity.
- Note #2 also provides examples of uses that lists electrical/electronic and telecommunication equipment.
- Data centers can have many functions; however, the high-volume use of electrical power, project scale and tier, and telecommunication components qualify as Light Industrial use, rather than commercial (often co-location or cloud data centers with rentable space to others).
- NAICS Code 518210 (see attached) is the most appropriate code, as this proposed facility has been described.
- Examples provided by NAICS for Code 518210 include application hosting, cloud-storage services, computer data storage services, computing platform infrastructure provision, infrastructure as a service, platform as a service, etc.
- NAICS Code 541513 is a potential code, but does not apply to the proposed facility, based on the statement that computer data processing services at their own facilities are within Code 518210.

Please let me know if you need anything additional

Thanks,



Chris Bowley, AICP

Planning & Zoning Director

Person County Government

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From: Katherine Cathey <kcathey@personcountync.gov>

Sent: Thursday, June 13, 2024 4:31 PM

To: Chris Bowley <cbowley@personcountync.gov>

Cc: TC Morphis <morphis@broughlawfirm.com>; Brandy Lynch <blynch@personcountync.gov>; Royall, Brent <Brent.Royall@colliers.com>; Moss, Don <Don.Moss@colliers.com>

Subject: RE: EXTERNAL: RE: Zoning Verification and ROW Closure

Good afternoon, Chris,

Please share the specific NAICS codes that you are relying upon in determining that data centers are allowed in Person County's general industrial zoning district. Attorneys for the project would like to review this information.

Thank you,
Katherine



Katherine M. Cathey, ICMA-CM

County Manager

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 kcathey@personcountync.gov

 304 S. Morgan Street, Room 212, Roxboro, NC 27573

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From: Chris Bowley <cbowley@personcountync.gov>
Sent: Tuesday, June 11, 2024 9:20 AM
To: Royall, Brent <Brent.Royall@colliers.com>; Katherine Cathey <kcathey@personcountync.gov>; Moss, Don <Don.Moss@colliers.com>
Cc: TC Morphis <morphis@broughlawfirm.com>; Brandy Lynch <blynch@personcountync.gov>
Subject: RE: EXTERNAL: RE: Zoning Verification and ROW Closure

Good morning, Brent. Yes, the rezoning to General Industrial allows for both light and heavy industrial uses as Permitted Uses. No text amendment is required. Please see below for the link to the NAICS Code search.

<https://www.naics.com/search/>

Thanks,



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From: Royall, Brent <Brent.Royall@colliers.com>
Sent: Monday, June 10, 2024 6:50 PM
To: Katherine Cathey <kcathey@personcountync.gov>; Moss, Don <Don.Moss@colliers.com>
Cc: TC Morphis <morphis@broughlawfirm.com>; Brandy Lynch <blynch@personcountync.gov>; Chris Bowley <cbowley@personcountync.gov>
Subject: EXTERNAL: RE: Zoning Verification and ROW Closure

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In reading through the Interoffice Memo, dated June 4, 2024 regarding the Mega Park Zoning Verification for Light Industrial Land Use Entitlements, it appears what you're saying is a text amendment would not be required, that if just rezoned to Light Industrial, then the contemplated use would be covered. Is there any ambiguity there where this could be interpreted differently or is this 100% certain? Can you also direct us to the referenced NAICS codes?

Thank you!

Brent Royall SIOR | CCIM
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From: Katherine Cathey <kcathey@personcountync.gov>
Sent: Friday, June 7, 2024 9:14 AM
To: Royall, Brent <Brent.Royall@colliers.com>; Moss, Don <Don.Moss@colliers.com>
Cc: TC Morphis <morphis@broughlawfirm.com>; Brandy Lynch <blynch@personcountync.gov>; Chris Bowley <cbowley@personcountync.gov>
Subject: Zoning Verification and ROW Closure

Good morning, Brent and Don,

Please see attached for two memos from Planning Director Chris Bowley.

We propose the following timelines for each process:

Rezoning

- Prior to June 17 – Economic Development Director Brandy Lynch completes rezoning application
- June 17 – Board of Commissioners authorizes submittal of rezoning application
- July 11 – Planning Board public hearing, followed by Planning Board recommendation
- Aug. 5 – Board of Commissioners public hearing, followed by Board of Commissioners decision

Road Closure

- June 17 – Board of Commissioners adopts a resolution requesting abandonment of a portion of state road from the NC state-maintained secondary road system
- July 10 – North Carolina Board of Transportation considers abandonment request
- July 15 – Board of Commissioners adopts a resolution declaring its intent to close the public road and calling a public hearing on Aug. 5
- Aug. 5 – Board of Commissioners public hearing, followed by Board of Commissioners decision

Please let me know if you have any questions or feedback related to the processes and timelines outlined above.

Thank you,
Katherine



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