



City of Fairburn City Council

Agenda

March 4, 2024

4:30 PM

The Honorable Mayor Mario Avery

The Honorable Mayor Pro-Tem James Whitmore

The Honorable Alex Heath

The Honorable Hattie Portis-Jones

Mr. Tony Phillips

Mr. Rory Starkey

Ms. Brenda B. James

The Honorable Linda J. Davis

The Honorable Samantha Hudson

The Honorable Ulysses J. Smallwood

City Administrator

City Attorney

City Clerk

I. Meeting Called to Order:

The Honorable Mayor Avery

II. Roll Call:

City Clerk

III. Invocation:

IV. Pledge of Allegiance:

V. Adoption of the City Council Agenda:

VI. Regular Agenda Items:

1. Benefits Renewal 2024

Recommendation: Request Mayor and Council approval to proceed with the recommended benefit renewal plan which includes a transition to a medical plan option with Cigna Healthcare, vision and dental plan services under United Health Care with the enhanced dental benefit, and renewal with the current providers for basic life, disability, Health Reimbursement (HRA), Flexible Spending Account (FSA) and COBRA administration for the 2024 benefit plan year. **(Human Resources)**

VII. Public Hearings:

2. Data Center Text Amendment

Recommendation: Request Mayor and City Council approval of an Ordinance to amend Chapter 80. Zoning, Article IV. Administrative Permits and Use Permits, Section 80-241 - Data Centers in order to allow for data center with a use permit; to provide for severability; to repeal conflicting ordinances; to provide an effective date and for other purposes. **(Planning & Zoning)**

VIII. Council Comments:

IX. Adjournment:

When an Executive Session is required, one will be called for for the following Issues:
(1) Personnel (2) Real Estate or (3) Litigation



CITY OF FAIRBURN CITY COUNCIL AGENDA ITEM

SUBJECT: Benefits Renewal 2024

ITEM TYPE: Presentation

SUBMITTED: 03/01/2024 **WORK SESSION:** N/A **COUNCIL MEETING:** 03/04/2024

DEPARTMENT: Human Resources

BUDGET IMPACT: The projected cost associated with the 2024 benefit renewal due to the premium rate increase is \$110,000.00 for the remaining FY24 budget year.

PUBLIC HEARING: No

PURPOSE:

Review the City's benefit renewal recommendations facilitated by BKS Partners for the 2024 benefit plan year.

HISTORY:

Each year the assigned broker (BKS Partners), along with City Administration, the Finance and Human Resources departments review the City's employee benefit offerings and costs, and develops a benefits package designed to improve the health and well-being of the employees and their families, while at the same time being affordable to the employee and to the City.

FACTS AND ISSUES:

The City's 2024 benefit program has been designed to offer a full scope of insurance and health care benefits at the greatest value to the City and the employee. The cost associated with the renewal is projected to be a 12.0% increase for the medical plan option with a new carrier (Cigna Healthcare) and a 2.5% increase for the United Health Care dental plan due to enhanced dental benefits.

FUNDING SOURCE:

A budget amendment is required to fund the projected cost associated with the 2024 benefit renewal due to the premium rate increase of \$110,000.00 for the remaining FY24 budget year.

RECOMMENDED ACTION:

Request Mayor and Council approval to proceed with the recommended benefit renewal plan which includes a transition to a medical plan option with Cigna Healthcare, vision and dental plan services under United Health Care with the enhanced dental benefit, and renewal with the current providers for basic life, disability, Health Reimbursement (HRA), Flexible Spending Account (FSA) and COBRA

administration for the 2024 benefit plan year.

ATTACHMENTS:

1. 2024 Benefit Enrollment_Pay Deduction Rates (rev)_Feb 2024
2. City of Fairburn Mayor & Council Presentation(rev)-Final_Feb 2024



City of Fairburn
2024 Premium Rate Sheet with HRA
April 1, 2024 - March 31, 2025

Coverage Type	Total Monthly Premium	City Contribution	Employee Monthly Contribution	Employee 24-Pay Period Deduction
MEDICAL (CIGNA)				
Employee Only	\$1,007.49	\$907.49	\$100.00	\$50.00
Employee & Spouse	\$2,004.91	\$1,554.91	\$450.00	\$225.00
Employee & Children	\$1,904.17	\$1,554.17	\$350.00	\$175.00
Family	\$3,002.33	\$2,252.33	\$750.00	\$375.00
DENTAL - WITH IMPLANT (UNITED HEALTH CARE)				
Employee Only	\$42.94	\$11.53	\$31.41	\$15.71
Employee & Spouse	\$88.07	\$12.64	\$75.43	\$37.72
Employee & Children	\$77.31	\$12.38	\$64.93	\$32.47
Family	\$132.49	\$13.74	\$118.75	\$59.38
VISION (UNITED HEALTH CARE)				
Employee Only	\$8.36	\$0.00	\$8.36	\$4.18
Employee & Spouse	\$14.66	\$0.00	\$14.66	\$7.33
Employee & Children	\$15.91	\$0.00	\$15.91	\$7.96
Family	\$24.28	\$0.00	\$24.28	\$12.14

HEALTH REIMBURSEMENT ACCOUNT

The HRA plan pays up to \$2,500.00 towards individual deductible costs and up to \$5,000.00 towards family deductible costs for members on the Medical benefits.

FLEXIBLE SPENDING ACCOUNT

The Medical FSA allows employees to set aside pre-tax dollars for qualifying medical, dental, and vision expenses throughout the year.

- IRS limit increased from \$3,050.00 to \$3,200.00
- IRS limit for rollover increased from \$610.00 to \$640.00

The Dependent Care FSA allows employees to set aside pre-tax dollars for qualifying dependent care expenses.

- The Dependent Care FSA contribution amount remains unchanged for 2024 at \$5,000.

City of Fairburn Mayor & Council Meeting



Presented by: BKS Partners
March 4, 2024

- The City's BKS Team**
- Initial Medical, Dental, & Vision Renewal & Recommendations**
- Medical Dental & Vision Exhibits**
- Contribution Strategy**
- 2024 Renewal Plan Decisions**



BKS CLIENT EXPERIENCE TEAM



CARRIE CROWE, MSN, RN
POPULATION
HEALTH LEADER



JOE HARRIS
ADVISOR



LEE ANN SHARPTON
SR. CLIENT SPECIALIST



ASHLEY CHAMBLESS
MSN, RN



DAN NACKERS
CLIENT SERVICE LEADER



PAUL VAN BRUNT
SENIOR COMPLIANCE
DIRECTOR



ISAAC CRUZ
MPA, CWWS,
CWWPM



KAREN MITCHELL, HIA
CLIENT EXECUTIVE



EMPLOYEE CARE CENTER TEAM



**DIRECTOR OF HEALTH
INTELLIGENCE**



CLIENT MANAGER
JAMILA MATHIS



MEDICAL RENEWAL, INITIAL OPTIONS & LIMITED MARKETING RESULTS

Carrier:	Plan Design:	Initial Results:
UHC - Renewal	UHC Current Plan Design with HRA pay first before the member's deductible applies	<ul style="list-style-type: none"> UHC proposed a +25.9% increase. This represents a \$616,740 annual premium increase over current.
Cigna - Medical	<p>Recommended:</p> <ol style="list-style-type: none"> Match current UHC plan with \$3,000/ \$6,000 deductible ; \$6,000/ \$12,000 Out of Pocket Max UHC Dental + Implants UHC Vision Renew as is 	<ul style="list-style-type: none"> Reduces increase to 12% or \$285,726 over current (based on current enrollment) UHC will add implants for a +2.5% increase or an estimated \$2,901 annual total premium over current (The City pays 25% of the employee rate) Rate Pass
UHC – Dental		
UHC – Vision		
UHC – HRA	HRA - \$2,500 / \$5,000 first dollar offsets the annual deductible	<ul style="list-style-type: none"> Annualized, HRA funding was approximately \$150,000.
HRA Administration	A move to Cigna would require HRA administration with an outside vendor	<ul style="list-style-type: none"> The annual cost is estimated at \$7,056 to move the HRA to Admin America for administration.
Medical Stipend	Remove Medical Stipend	<ul style="list-style-type: none"> \$84,000 Savings

Disclaimer: This illustration is intended for comparison purposes only. Refer to the certificate of coverage / proposal for full benefit details and rate details.

MEDICAL, DENTAL, & VISION RENEWAL EXHIBITS



CIGNA MEDICAL PLAN DESIGN EXHIBIT

City of Fairburn
Medical & Rx Benefit & Rate Summary
Renewal / Effective Date: April 1, 2024

Carrier	Market Option	
Plan Name / Network	CIGNA Plan to Replace HRA	
Year Maximums (Calendar or Policy Year)	Q3 GC Single Option OAP Q3P2 (28770246)	
Deductible	In-Network	
Individual	Calendar Year	
Family (Individual / Family Aggregate)	\$1,000	
Coinsurance (Amount Member Pays)	\$1,000 / \$3,000	
Out of Pocket Maximum Includes:	Variable	
Individual	Includes Deductible, Per Occurrence Deductible, Coinsurance, Copays & Rx	
Family (Individual / Family Aggregate)	\$6,000	
Facility Services	\$6,000 / \$12,000	
In-Patient Hospital Visit	20%	
Outpatient Surgery - Hospital	20%	
Outpatient Surgery - Ambulatory	20%	
Emergency Room Visit	20%	
Urgent Care Visit	\$100	
Physician Services	\$0	
Preventive	\$0	
Primary Care Physician	\$30	
Specialist	\$60	
Independent Lab and Diagnostic Testing Services	\$0	
Lab (Independent Facility)	\$0	
X-Ray (Diagnostic Facility)	\$0	
Advanced Imaging (Diagnostic Facility)	\$0	
Formulary / Prescription Drug List Name	Member Choice CIGNA 90 Now	
Rx Deductible (Individual / Family)	\$0	
Medicare Part D Creditable Coverage	\$15	
Pharmacy Benefit Tier Structure	Tier 1:	\$15
	Tier 2:	\$45
	Tier 3:	\$85
	Tier 4:	\$125
	Specialty:	See PDL
Mail Order Rx (90 day supply)	2.5 x Tier Copay	
Out of Network Benefits	Out of Network	
Deductible (Individual / Family)	\$10,000 / \$20,000	
Coinsurance (Amount Member Pays)	Variable	
Out of Pocket (Individual / Family)	\$17,000 / \$34,000	



UHC DENTAL PLAN DESIGN WITH IMPLANTS

City of Fairburn

Dental Benefit Summary

Renewal / Effective Date: April 1, 2024

Carrier
Plan Name / Network
Definition of Eligibility (Define Classes)
Employer Contribution
Primary Dentist Required?
Individual / Family Calendar Year Deductible
Reimbursement Basis
Preventive Care
<i>Benefit Percentage</i>
<i>Deductible Waived?</i>
Other Services
<i>Basic Services</i>
<i>Major Services</i>
<i>Endodontics/Periodontics (Covered under Basic or Major?)</i>
<i>Calendar Year Maximum</i>
Orthodontia
<i>Benefit Percentage</i>
<i>Deductible Waived?</i>
<i>Adult, Child(ren) Coverage</i>
<i>Lifetime Maximum</i>
<i>Rollover Benefit and/or Implants Included?</i>
Out of Network Benefits
Individual / Family Calendar Year Deductible
Reimbursement Basis
Preventive Services
<i>Deductible Waived?</i>
Basic Services
Major Services
Orthodontia
Calendar Year Maximum (Preventive, Basic & Major)
Lifetime Maximum (Orthodontia)

UHC Implants Included
PPO 30
All FT Ees and Mayor/Council
25% of Employee Only
In-Network
No
\$50 / \$150
Negotiated Fee Schedule
0%
Yes
20% after Deductible
50% after Deductible
Covered under Basic
\$2,000
50%
Yes
Adults & Children
\$2,000
Rollover & Implants Included
Out of Network
\$50 / \$150
90th Percentile
0%
Yes
20% after Deductible
50% after Deductible
50%
\$2,000
\$2,000



UHC VISION EXHIBIT

City of Fairburn
Vision Benefit & Rate Summary
Renewal / Effective Date: April 1, 2024

Carrier
Plan Name / Network
Definition of Eligibility (Define Classes)
Employer Contribution
Eye Exam
<i>Exam Copay</i>
<i>Frequency</i>
Lenses
<i>Single Vision</i>
<i>Bi-Focal</i>
<i>Tri-Focal</i>
<i>Lenticular</i>
<i>Frequency</i>
Frames
<i>Frame Benefit / Allowance</i>
<i>Frequency</i>
Contact Lenses
<i>Elective</i>
<i>Medically Necessary</i>
Laser Vision Correction
<i>Benefit / Discount</i>
Rate Guarantee

Current & Renewal	
United Healthcare	
UHC Vision Plan	
All FT Ees and Mayor/Council	
0%	
In Network	Out of Network
\$10	Up to \$40
Once Every 12 Months	
\$25	Up to \$40
\$25	Up to \$60
\$25	Up to \$80
Once Every 12 Months	
\$130 Allowance	Up to \$45
Once Every 12 Months	
\$130 Allowance	Up to \$105
\$0 After Copay	Up to \$210
Up to 15%	N/A
Renewal Rates Valid Until 4/1/2025	



City of Fairburn
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April 1, 2024 - March 31, 2025

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Renewal Decisions

Renewal	Key Decision	In Force Carrier Rate Impact
<ul style="list-style-type: none"> ▪ Medical - Cigna 	<ul style="list-style-type: none"> <input type="checkbox"/> Move to Cigna 	<ul style="list-style-type: none"> <input type="checkbox"/> +12% or \$285,726 over current
<ul style="list-style-type: none"> ▪ Dental – UHC 	<ul style="list-style-type: none"> <input type="checkbox"/> Renew with UHC & add implants 	<ul style="list-style-type: none"> <input type="checkbox"/> +2.5% or \$2,901 over current
<ul style="list-style-type: none"> ▪ Vision – UHC 	<ul style="list-style-type: none"> <input type="checkbox"/> Renew UHC vision plan with no changes 	<ul style="list-style-type: none"> <input type="checkbox"/> 0% increase (Rate pass)
<ul style="list-style-type: none"> ▪ Lincoln – Basic Life Enhancement 	<ul style="list-style-type: none"> <input type="checkbox"/> Implement Option 3 at 1X times annual salary-based benefit up to \$150 Max ✓ No changes to Dependent Life 	<ul style="list-style-type: none"> <input type="checkbox"/> Estimated monthly premium \$2,128 / \$113 savings to current February, billed amount ✓ No changes to Dependent Life billed \$99.00 /Feb
<ul style="list-style-type: none"> ▪ Medical Stipend ▪ Retiree Coverage ▪ Move to a 1/1/2025 annual renewal date 	<ul style="list-style-type: none"> <input type="checkbox"/> Remove medical stipend <input type="checkbox"/> Implement Retiree coverage <input type="checkbox"/> Move annual renewal date to 1/1/2025 	<ul style="list-style-type: none"> <input type="checkbox"/> \$84,000 Annual Savings

Questions





CITY OF FAIRBURN CITY COUNCIL AGENDA ITEM

SUBJECT: Data Center Text Amendment

ITEM TYPE: Other

SUBMITTED: 03/01/2024 **WORK SESSION:** N/A **COUNCIL MEETING:** 03/04/2024

DEPARTMENT: Planning & Zoning

BUDGET IMPACT: N/A

PUBLIC HEARING: Yes

PURPOSE:

To approve the text amendments for Data Centers.

HISTORY:

N/A

FACTS AND ISSUES:

Staff received a request to prepare a text amendment for data centers. A data center is a facility that houses computer servers and network connections. Data centers can be developed as stand-alone buildings or as part of a complex that may include other uses.

Data centers have evolved in recent years from privately owned, tightly controlled on-premises facilities housing traditional IT infrastructure for the exclusive use of one company to remote facilities or networks of facilities owned by cloud service providers housing IT infrastructure for the shared use of multiple companies and customers.

Some benefits that data centers bring are job creation with few impacts on transportation systems or schools and positive tax revenue. Data centers are developed with optimal cooling and other systems to support computer servers and for high reliability. However, data centers are industrial uses that may impact surrounding uses (through noise and visual impacts), or affect energy demand and associated greenhouse gas emissions, air quality, and water supplies. Most data centers require a lot of electricity and water to run and cool the facilities and access to fiber-based broadband connectivity.

FUNDING SOURCE:

N/A

RECOMMENDED ACTION:

Request Mayor and City Council approval of an Ordinance to amend Chapter 80. Zoning, Article IV. Administrative Permits and Use Permits, Section 80-241 - Data Centers in order to allow for data center with a use permit; to provide for severability; to repeal conflicting ordinances; to provide an effective date and for other purposes.

ATTACHMENTS:

1. Draft Ordinance.TA Data Center_03012024_

1 Re: AMENDMENT TO CITY OF FAIRBURN ZONING
2 ORDINANCE _____
3

4 **AN ORDINANCE TO AMEND CHAPTER 80. ZONING, ARTICLE IV.**
5 **ADMINISTRATIVE PERMITS AND USE PERMITS, SECTION 80-241 – DATA**
6 **CENTERS IN ORDER TO ALLOW FOR DATA CENTERS WITH A USE PERMIT; TO**
7 **PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO**
8 **PROVIDE AN EFFECTIVE DATE AND FOR OTHER PURPOSES**
9

10 BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FAIRBURN,
11 GEORGIA, AND IT IS HEREBY ORDAINED BY AUTHORITY OF THE SAME THAT:
12

13 **Whereas**, zoning ordinance amendments are important in order to continue the realization of the
14 vision, goal and policies set forth by Staff and the community in the most recent Comprehensive
15 Land Use Plan update;
16

17 **Whereas**, pursuant to the requirements of the Zoning Procedures Act and the City Zoning
18 Ordinance, a properly advertised public hearing on the city-initiated zoning ordinance text
19 amendment was held not less than 15 nor more than 45 days from the date of publication of notice,
20 and which public hearing was held on the 26th day of February, 2024; and such public hearing
21 was continued to the specially called public hearing on March 4, 2024;and
22

23 **Whereas**, in accordance with the requirements of the Zoning Ordinance, the Planning and Zoning
24 Commission of the City of Fairburn has forwarded its recommendation to the Mayor and City
25 Council that the amendment to Chapter 80. Zoning. Article IV, Administrative Permits and Use
26 Permits, Section 80-241 be approved in order to allow for data centers with a use permit in the M-
27 1 (Light Industrial) and M-2 (Heavy Industrial) zoning districts; and
28

29 **Whereas**, after the aforementioned public hearing, the Mayor and Council have determined that
30 adoption of the amendment to Chapter 80. Zoning. Article IV, Administrative Permits and Use
31 Permits, Section 80-241 in order to allow data centers with a use permit in the M-1 (Light
32 Industrial) and M-2 (Heavy Industrial) zoning districts would be in the best interest of residents,
33 property owners, businesses and citizens of the City of Fairburn; and
34

35 **NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of**
36 **Fairburn, Georgia, and it is hereby ordained by the authority of same that Chapter 80.**
37 **Zoning. Article IV, Administrative Permits and Use Permits, Section 80-241 Data Centers**
38 **be added in the Fairburn Zoning Ordinance as depicted on Exhibit A:**
39

40 **Section 1.** Adoption of an amendment to Chapter 80- Zoning, Article IV, Administrative Permits
41 and Use Permits, Section 80-241 Data Centers.
42

43 **Section 2.** In the event any section, subsection, sentence, clause, or phrase of this Ordinance shall
44 be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect
45 the previously existing provisions of the other sections, subsections, sentences, clauses or phrases
46 of this Ordinance, which shall remain in full force and effect as if the section, subsection, sentence,

1 clause or phrase so declared or adjudicated invalid or unconstitutional were not originally a part
2 thereof. The City Council declares that it would have passed the remaining parts of this Ordinance
3 or retained the previously existing Ordinance if it had known that such part of parts hereof would
4 be declared or adjudicated invalid or unconstitutional.

5
6 **Section 3.** This Ordinance shall become effective on the 4th day of March 2024.

7
8 **Section 4.** All Ordinances and parts of Ordinances in conflict with this Ordinance are repealed to
9 the extent of the conflict.

10
11 APPROVED this 4th day of March 2024, by the Mayor and Council of the City of Fairburn,
12 Georgia.

13
14 _____
15 Mario Avery, Mayor

ATTEST:

16
17 _____
18 Brenda James, City Clerk

19 APPROVED AS TO FORM:

20
21 _____
22 Rory K. Starkey, City Attorney

Data Center shall be defined as any 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, services, 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 any other associated utility infrastructure to support operations.

Data Center.

Data centers may only be considered in the Light and Heavy Industrial zoning districts with a Use Permit. The application for the installation or construction a data center, or for modifications to a lawfully existing data center beyond routine maintenance, shall follow the application procedures for Use Permits and any other procedures as may be required by this Ordinance for data centers, such as zoning map amendments, platting, or variances. In addition, the applicant shall provide the following:

1. Applicant name(s) and contact information. The applicant must also identify on the application, if different than the applicant, the owner of record of the property.
2. A narrative describing the proposed project, including a description of how the project meets market demand, the estimated facility's processing capacity, and the facility's anticipated water and electricity needs.
3. A study prepared by an acoustical engineer that describes the anticipated noise level of the facility and any proposed mitigation efforts such as sound walls, baffles, ventilation silencers, etc.
4. A site plan, drawn to scale, showing the location and dimensions of all existing and proposed structures, screening, fencing, lighting, electrical connections, property lines, and roadway access.
5. Four sided elevations showing the building height, color and materials shall be provided.
6. Boundary survey (sealed by a Registered Land Surveyor)
7. Letter of capability or commitment to serve water, sewer, and power.
8. A map of the project area showing all single-family and multi-family dwellings, schools, places of worship or assembly, parks, and any other recreational amenities located within 5 miles of the exterior boundaries of the property where the data center will be located.
9. At least one neighborhood meeting must be held to discuss proposed sound mitigation aspects of the project design prior to the first Planning and Zoning commission meeting. The neighborhood meeting must comply with standards and procedures outlined in Sec. 80-474 and Sec. 80-475.
10. Before the first neighborhood meeting, a third-party acoustic engineer must conduct a sound study to measure noise level at any property line shared with residentially zoned or planned land, or shared with other "noise sensitive use," as determined by the City Staff.

Development Standards

A Data Center use shall be subject to the following:

1. **Building Height:** All buildings, structures, and appurtenances on the property where the data center will be located shall be limited to 60 ft, unless approved by the fire marshal. The allowable height shall be measured as the vertical distance from the finished grade to the highest point of the structure.
2. **Lights:** Exterior lighting shall be designed and constructed with fully shielded fixtures that direct light downward and into the interior of the property and away from adjacent roads and adjacent properties.
3. **Parking:** Data Centers must be provide - 1 space per 7,500 sq. ft. of gross floor area

4. **Building Facades:** Principal building facades that face adjacent public roads shall meet the following standards.
 - a. If located outside of the Highway 74 overlay district, 75% of each elevation facing a public roadway shall be brick, stone or accent material.
 - b. Principal Façade requirements apply to all the front elevations of all building facades:
 - i. Vary and articulate façades to avoid large monotonous walls. Walls that exceed a length of two hundred fifty feet (250') shall be articulated through changes in the plane of the facade, installation of windows, recessed panels, trellis features, landscaping, wall articulation, arcades, or other features.
 - ii. City officials may consider the use of other textures, color, murals, building material changes, or other treatments.
 - iii. When a building has more than one principal facade, such principal building facades shall be consistent in terms of design, materials, details, and treatment.
 - c. All equipment necessary for cooling, ventilating, or otherwise operating the facility must be contained within an enclosed building or be encompassed on three sides by an opaque barrier wall constructed of durable, non-weathering materials. This includes emergency power generators and other emergency power supply equipment. Barrier walls shall originate no higher than 18-inches above finished grade and shall extend at least 12-inches in height above the tallest mechanical equipment intended to be screened where the use is located. The barrier wall must be continuous and solid with no gaps, holes, or openings outside of the access gate or area. The access gate or area must not be visible from any public street or any common or open area. If barrier wall is constructed of masonry materials, it must be painted a similar color to the principal structure.
 - d. Any other equipment located in a manner found to have no adverse impact on adjacent roads and adjacent property, as determined by the city staff, shall not be required to be screened.
5. 40' heavy planted landscape buffer shall be required along public roadways. Use of natural topography and preservation of existing vegetation, supplemented by new vegetation, if needed, may be substituted for the above requirements when found by Director to provide screening at the appropriate density, depth and height. The landscape shall be maintained for the life of the project.
6. **Separation from sensitive properties**
 - a. No data center building or appurtenance shall be located within 100' of a collector or local roadway. The Mayor and City Council may consider sites which intersect with an arterial or higher classification roadway.
 - b. Site line studies shall be provided to confirm screening of equipment from adjacent roads and properties.
 - c. Noise testing shall be required prior to issuance of a Certificate of Occupancy to ensure compliance with the noise ordinance. The data center must be designed and built with noise mitigation such that noise levels at the property line during operation do not exceed those of the baseline study completed prior to construction of the first building. The data center operator must submit an annual third-party noise study to the city every year for the first seven years of operation. This study must demonstrate no increase in property line noise levels out of compliance with the city ordinance.
 - d. Use and testing of backup generators (outside emergency use during outages) is limited to 9 a.m. to 5p.m., and prior notification must be provided to the city, and posted on a public website announcing the time the generators will be in operation. Notice is required at least 48 hours prior to use or testing.

