

Data Center Sample Ordinance

Intent.

The intent of this ordinance is to provide requirements for data center developments that provide transparency, accountability, and encourage data centers to be “good neighbors” by protecting critical habitats, public health, and quality of life.

Definitions.

Closed loop system: A system that constantly reuses and recycles water within its operation, significantly reducing the draw on external water sources and minimizing wastewater discharge. A closed loop system shall not use evaporative cooling, and may consist of methods including, but not limited to, air-cooled (dry) cooling, rear-door heat exchanger cooling, hybrid dry economizer cooling, direct-to-chip cooling, or immersion cooling.

Data Center. A physical room, building, or facility that houses infrastructure for building, running, delivering, or transmitting technological applications and services, or for storing and managing the data associated with technological equipment, applications, systems or services.

Data Center, Campus: A data center campus shall include a singular development that has more than one (1) data center with a total development area of a minimum of 500,000 square feet.

Data Center, Major: A major data center shall be between 100,000 square feet and 499,999 square feet.

Data Center, Medium: A medium data center shall be between 20,000 square feet and 99,999 square feet.

Data Center, Minor: Minor data centers shall be under 20,000 square feet. If data center development meets the definition of a minor data center but requires a substation, the data center development shall be classified as a medium data center.

Dark Sky Lighting: Outdoor lighting designed to minimize vertical illuminance generated from the site through glare and energy waste by directing light downward. Lighting following these principles include but are not limited to, shielded fixtures, warm toned light, and motion sensors.

Load: The total power consumed by servers, storage, cooling, ventilation, generators, and other networking devices that operate within a data center.

Substation: An electric utility facility that converts higher voltages to lower voltages within, or separate from, a data center to deliver sufficient power at maximum efficiency; may operate independently as a dedicated site once directly connected to a transmission line(s).

Square footage, data centers: The square footage of a data center shall include the total square footage of each floor in the data center development, the square footage of any supporting uses, and the square footage of any additional exterior equipment, such as

substations, electrical yards, mechanical yards, generators, generator pads, and all other exposed equipment, located within the property boundaries.

1) Supplemental Requirements.

a) Permitted Locations

- i) No data center shall be permitted within 500 feet of the property line of any mixed-use or residentially zoned parcel.
- ii) No data center shall be permitted within 500 feet of the property line of any publicly owned parks, trails, waterbodies, and/or environmentally sensitive lands or wildlife habitats.
- iii) No data center shall be permitted in locations with wetlands requiring Section 404 permits or within 100-year floodplains.
- iv) No data center shall be permitted in conservation opportunity areas (COA) as identified by the 2025 Georgia Statewide Wildlife Action Plan, or any subsequent successor plan.
- v) Major data centers and campus data centers shall maintain a minimum transitional buffer of 100 feet along all property lines abutting any property used for or zoned non-industrial.
- vi) Major data centers and campus data centers shall provide a 40-foot-wide landscaped buffer. The landscape buffer shall be located along all property lines. The landscape buffer may be within the 100-foot transitional buffer and shall include a minimum 8-foot-high wall. A minimum of one native canopy tree shall be planted for every 30 feet of property frontage if the subject site abuts publicly accessible right-of-way or non-industrially zoned properties. These improvements may be located within the required 100-foot transitional buffer.

b) Operations

- i) Substations, generators, generator pads, electrical yards, mechanical yards, and any other exposed equipment shall not be located between the primary data center building and a public road or right-of-way and shall be screened from all adjacent public streets, private streets, trails, and parks.
- ii) All lighting shall have a "Dark Sky" design. There shall be no spillover from the fixture onto surrounding properties, including the street. All light fixtures, hoods, and/or poles shall have a permanent black finish.
- iii) All cooling and ventilation equipment shall operate on a closed-loop system.
- iv) Cooling, ventilation, and other external equipment shall not be located between the primary data center building and a public road or right-of-way, unless located on the rooftop of a data center building.
- v) Substations associated with the operation of a data center shall only be permitted in the heavy industrial zoning districts, and shall be subject to the following requirements:
 - (1) The substation shall be at least fifty (50) feet from any public right-of-way.
 - (2) The substation shall be screened from any adjoining property or public or private street with a minimum eight (8) foot tall decorative brick-faced wall.
 - (3) Vehicle storage and service equipment may not be collocated with the substation.

c) Noise and maintenance

- i) Maximum permissible sound levels shall not exceed sixty-five (65) decibels (dB) during the daytime (7:01 a.m. to 9:59 p.m.) and fifty-five (55) decibels (dB) during the nighttime (10:00 p.m. to 7:00 a.m.) as measured from any property line.
- ii) Any generators on the property, permanent or temporary, shall comply with U.S. Environmental Protection Agency (EPA) New Source Performance Standards (NSPS) for at least Tier 4 emission standards.
 - (1) Testing for these generators shall not exceed 10 hours per month.
 - (2) Testing for these generators shall only occur between the hours of 9:00 a.m. and 5:00 p.m.
 - (3) Generators shall be fully enclosed within a sound attenuation wall for noise reduction and to reduce pollution.
 - (4) A generator testing log demonstrating compliance with these regulations shall be submitted as part of the annual compliance report to the Director of Planning and Sustainability or his/her/their designee.
- iii) Except for generator testing or commissioning activities, generator use is limited to backup/emergency use only. In no circumstances shall generators operate for more than 72 hours consecutively.

2) Application Requirements

All applications for any new data center shall, in addition to any other application requirements of this code, provide the following information:

- a) Prior to an application for a land disturbance permit, the applicant shall provide written confirmation that the applicable utility service providers have agreed to provide service. The applicant must comply with all applicable laws, regulations, and ordinances pertaining to its activities at the site.
- b) A noise impact assessment shall be required as part of the permitting process for any proposed data center and shall be assessed at a distance of 500 feet from the data center property line. The noise impact assessment shall:
 - i) Define the scope of the assessment, including the geographic area, the noise sources to be studied, and the specific objectives of the assessment.
 - ii) Measure pre-operation ambient noise, existing background noise, and provide acoustic mitigation strategies to ensure the post construction noise levels do not exceed sixty-five (65) decibels (dB) during the daytime (7:01 a.m. to 9:59 p.m.) and fifty-five (55) decibels (dB) during the nighttime (10:00 p.m. to 7:00 a.m.) as measured from all property lines.
- c) A water conservation plan shall demonstrate that water usage will not significantly strain the local water supply. The water conservation plan shall specifically demonstrate:
 - i) The vulnerability of the project and project site to water scarcity and drought.
 - ii) Anticipated disturbance of public services, including but not limited to: transport, communication, sanitation, fresh water, and electricity supply.
 - iii) A description of effective water conservation programs.
 - iv) A drought contingency plan and practices that will ensure compliance with the state's drought management rules and regulations, and any limitations imposed by the state.

- v) The adoption of advanced low-water or water-free cooling systems that align with the regional drought and water-scarcity planning of the applicable water planning district. This includes but is not limited to the operation of a closed-loop system.
- d) A report on water demand projections based on data center's water budget. This report shall also include the expected source of water, the average daily water withdrawal, and the maximum expected water withdrawal.
- e) Energy Consumption and Sustainability Plan: An Energy Consumption Sustainability Plan shall contain the estimated energy load before construction and the daily operational load once constructed. This assessment shall outline:
 - i) Estimates of peak electricity demand and strategies for mitigating strain on local power infrastructure.
 - ii) Proposed improvements or alternatives to minimize the need for additional transmission lines and the designated power provider. The use of sustainable alternatives for on-site water or power generation, such as solar panels, rooftop cisterns, small-scale wind turbines, or other renewable energy sources which shall offset at least 10% of total power or water usage.
 - iii) A decommissioning plan, in the event data infrastructure is not sold or transferred, for recycling all on-site electronic infrastructure through certified recyclers.
 - iv) Planned use of sustainable practices to limit or offset the center's use of power and water.
 - v) A natural disaster resilience plan, in the event of a hurricane or other natural disasters.
- f) A lighting plan shall show compliance with "Dark Sky design" principles, demonstrating that there will be no spillover onto surrounding properties. A conceptual lighting plan shall be submitted with the initial application.
- g) A transmission line impact assessment shall identify the need for new or upgraded transmission lines to meet the data center's electricity requirements. This assessment shall include the potential environmental impact on public land, including tree removal from county-owned land and rights-of-way. This plan shall also include information on any planned substation's location and shall show the screening mechanism(s), which shall include a minimum of an eight (8) foot tall decorative brick-faced wall if potentially visible from a public or private right-of-way.
- h) A tree preservation and reforestation plan shall outline plans to minimize tree removal and enhance native urban forestry efforts.
- i) A stormwater management plan shall address how the site's development and operation shall manage stormwater runoff, as well as any mitigation measures to prevent negative impacts on local water systems and adjacent properties.
- j) The owner and/or operator shall submit an annual compliance report that details any changes to, and continuation of all, assessments submitted with an application and demonstrating compliance and monitoring of all application requirements and conditions no later than the first of January of each year. The burden of showing compliance with all supplemental requirements of this section and/or conditions of zoning is the responsibility of the applicant and/or owner of the property or use.
- k) Parking requirements will only apply to the portion of the data center building that is utilized for office space. Parking requirements will be based on a staffing plan provided by the applicant to inform the minimum number of parking spaces needed.

- 1) Applicant shall submit a community benefit report that includes the quantifiable data on the post construction staffing plan and job opportunities, tax revenue, and any community improvement plans the applicant will implement to mitigate and/or counterbalance the negative impacts from the data center construction and/or operations.

3) Use Table

Use	Size	LI (If two Industrial Zones)	HI or if only one Industrial Zone	DRI Required
Minor Data Center	Less than 20,000 square feet, and does not require a substation for operation.	S(Rural)	S	-
Medium Data Center	Less than 99,999 square feet, or less than 20,000 square feet and requires a substation for operation.	–	S	-
Major Data Center	Less than 499,999 square feet.	–	S (Rural Only, Not Permitted in Urban Areas)	-
Campus Data Center	Over 500,000 square feet.	–	S (Rural Only, Not Permitted in Urban Areas)	X