

**AN ORDINANCE TO AMEND CHAPTER 27, ARTICLE 4 AND ARTICLE 9 OF
THE CODE OF DEKALB COUNTY, GEORGIA, AS REVISED 1988 TO ADD
REGULATIONS FOR DATA CENTERS IN DEKALB COUNTY**

WHEREAS, to provide a definition for data centers as storage facilities housing servers for computing functions and regulate their development in DeKalb County;

WHEREAS, to provide design and development standards for data centers to ensure that there is no discernible impact on adjacent properties or residential areas;

WHEREAS, to ensure that all data centers will operate in compliance with applicable environmental standards and best practices within the O-I (Office-Institutional), O-D (Office Distribution), M (Light Industrial) and M-2 (Heavy Industrial) Districts, and to minimize any adverse impacts on neighboring residential, office, or commercial districts, including but not limited to acoustic waste, particle pollution, water usage, and energy consumption;

WHEREAS, to ensure that growth and density around high-capacity transit stops focuses on pedestrian orientation and is not hindered by development that does not generate increased pedestrian activity;

WHEREAS, in pursuit of a more sustainable and equitable future, it is critical to protect at-risk communities, such as parks, trails, schools, daycares, senior care facilities, and other areas from intensive development that pose potential adverse health and environmental impacts;

WHEREAS, it is desirable to promote development that minimizes environmental impact and integrates with existing and planned land use of DeKalb County;

WHEREAS, to recognize the rapid change within the data center industry and reflect the lifecycle of sites, ensuring that development can be adaptively reused and can be revitalized with possibility of future reuse;

WHEREAS, to ensure that development of data centers remains compatible with all character areas and that there use fits within the appropriate character area designated in the 2050 Comprehensive Unified Plan.

NOW THEREFORE, BE IT ORDAINED by the Governing Authority of DeKalb County, Georgia, and be it hereby ordained by the Authority of same, that Chapter 27 of the Code of DeKalb County, as revised 1988, is hereby amended as follows:

PART I. ENACTMENT

By amending Section 27-4.1.3 (Land Use Table) to allow data centers in O-I, O-D, M, and M-2 zoning districts subject to certain supplemental regulations of Section 27-4.2.64; and

KEY:	P - Permitted use		SA - Special administrative permit from director of planning												
	Pa - Permitted as an accessory use		SP - Special land use permit from BoC (SLUP)												
Use	RE	RLG	OI	OIT	NS	C-1	C-2	OD	M	M-2	MU-1	MU-2	MU-3	MU-4,5	See Section 4.2
INDUSTRIAL															
Data Centers															
Data Center, Minor			Pa					P	P	P					
Data Center, Medium			SP					SP	P	P					
Data Center, Major (in Industrial and Light Industrial Character Areas)			SP					SP	SP	SP					
Data Center, Campus (in Industrial and Light Industrial Character Areas)								SP	SP						
Data Centers, Major or Campus in all other Character Areas															

By adding to Section 27. Article 9.1.3 – Defined Terms *of the Code of DeKalb County, as revised 1988, as follows:*

Closed loop system: A system that constantly reuses and recycles an initial load of 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 those technological equipment, applications, 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 minor data center but requires a substation, the data center development shall be classified as a medium data center.

High-Capacity Transit Stop: A high-capacity transit stop is a designated location where transit vehicles designed to transport large volumes of passengers operate. These stops serve major public transportation modes such as Bus Rapid Transit (BRT), Arterial Rapid Transit (ART) Commuter Rail Transit (CRT), Light Rail Transit (LRT), and Heavy Rail Transit (HRT).

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

Megawatt (MW): The unit of measurement for electricity that is equivalent to one million watts. This is used to measure the total power consumption of data centers.

Substations: An electric system facility that converts higher voltages to lower voltages within or separate from a data center to generate sufficient power at maximum efficiency; can operate independently for dedicated site once directly connected to transmission line.

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, and any other exposed equipment, located within property boundaries.

By adding Section 27-4.2.64 -Data Center Supplemental Regulations of the Code of DeKalb County, as revised 1988, as follows:

Sec. 27-4.2.64. - Data center supplemental regulations.

A. Permitted locations.

1. Minor data centers shall only be permitted on parcels zoned Office-Institutional (O-I) as an accessory use if under 2,000 square feet. Any other Minor data centers and Medium data centers shall be permitted by-right in Light Industrial (M) and Heavy Industrial (M-2) zoning districts.
2. Minor and Medium data centers on parcels zoned Office-Institutional (O-I) and Office-Distribution (O-D), regardless of Future Land Use Designation, shall require approval of a Special Land Use Permit.
 - a) A minor data center may include data centers that are an accessory use to other allowed uses, if they are under 2,000 square feet.
3. Major data centers and Campus data centers shall only be permitted in the Light Industrial (M) and Heavy Industrial (M-2) zoning districts on parcels with Light Industrial (LIND) or Heavy Industrial (IND) future land use designations, subject to approval of a special land use permit.
4. No data center developments shall be allowed in any Activity Center.

B. Buffer requirements.

1. No data center development in a Light Industrial (M) or Heavy Industrial (M-2) zoning district shall be permitted within 500 feet of the property line of any residentially zoned parcel.
2. No data center development in M or M-2 zoning district shall be permitted within 500 feet of the property line from any DeKalb County parks and trails.
3. If an interstate roadway, state highway, or major arterial road borders the property line, the required distance between a data center development and a residentially zoned property may be reduced to 300 feet along the property line where the interstate roadway, state highway, or major arterial is located.
4. Major or campus data centers shall not be allowed where any of its property lines are within 2,640 feet (a half-mile) of a high-capacity transit stop.
5. Major and Campus data centers shall maintain a minimum transitional buffer of 100 feet along all property lines abutting any properties used for or zoned non-industrial (M or M-2).
6. Major data centers and Campus data centers shall provide a 20-foot-wide landscaped buffer, which shall comply with design requirements of Section 5.4.5. It shall be located around the data center development, and may be within the 100-foot transitional buffer, and include a minimum 10-foot-high wall. The wall shall provide a five (5) to ten (10) dB sound attenuation if any supporting mechanical systems are located on the exterior of a building housing data center infrastructure. A minimum of one 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 described in (Sec. 27-4.2.64 (B)5) if applicable.
7. Screening requirements listed in this section beyond those otherwise required in Chapter 27 shall not apply to Minor data centers or Medium data centers that are within O-I or O-D zoning districts.
8. Minor data centers and Medium data centers within Office-Institutional (O-I) or Office-Distribution (O-D) zoning districts shall comply with the transitional buffer requirements contained in Section 27-5.4.5. of applicable.
9. The required buffer described in Sec. 27-4.2.64 (B) 1, Sec. 27-4.2.64 (B) 2 and Sec. 27-4.2.64 (B) 3 may be reduced by the Board of Commissioners as part of an approved Special Land Use Permit (SLUP).
10. Distance shall be measured from the edge of any building, substation, drive, street, parking lot, structure or improvement to the nearest property line.

C. Architectural and design requirements.

1. Where visible from a publicly accessible road or right-of-way, a Medium, Major, or Campus data center shall have a minimum of thirty (30) percent of the width of the front façade of any buildings at the ground level consist of fenestration. Decorative windows, architecturally glazed windows and painted or applied decorative murals shall be permitted to count towards fenestration requirements after ten percent (10%).

Fenestration requirements listed in this section beyond those otherwise required in Chapter 27 shall not apply to minor data centers.

- a) A mural shall be classified as a very large image, such as a painting, applied directly to a wall. Murals are signs that promote public art and shall not be used for advertising.
2. A minimum of ten percent (10%) of the width of side and rear facades shall incorporate decorative windows or architecturally glazed windows.
3. The following materials shall not be utilized on the building façade: aluminum siding; corrugated steel; vinyl siding; plywood; pressed wood products; synthetic stucco; or unfinished concrete block.
4. A development operating as a data center campus shall have unified landscape and architectural elements.
5. Building height shall not exceed seventy five (75) feet in Light Industrial (M) and Heavy Industrial (M-2) zoning districts and shall be measured from average finished grade (determined by averaging the elevations of finished grade around the entire footprint of the structure) to the top of the highest roof beams on a flat roof, to the deck level on a mansard roof, and to the average distance between the eaves and the ridge level for gable, hip, shed and gambrel roofs, not including any additional rooftop equipment, which shall not exceed a maximum height of thirty (30) feet.
6. Data center developments with any mechanical rooftop equipment, including but not limited to heating, air conditioning, ventilation, generators, and other similar equipment, shall be screened with a parapet wall, false roof, or other building element that shall provide one hundred percent (100%) screening of mechanical equipment from the adjacent roadways, adjacent properties, adjacent waterways, and the site itself.
 - a) The parapet wall, false roof, or building element shall be constructed of the same materials used in the construction of the principal building or structure and shall be designed to be architecturally integrated with the building's overall design.
 - b) No screening shall be required for renewable energy infrastructure equipment, including but not limited to solar energy systems, wind energy systems, and other power generation equipment.
 - c) No screening shall be required for any green infrastructure, including but not limited to green roofs, rooftop cisterns, and other bioretention equipment.
7. All data centers shall comply with the transitional height plane standards from Section 27.5.2.4.
8. If an application includes the use of renewable energy sources to offset at least forty-five (45) percent of a Medium, Major, or Campus data center's total energy usage, the project shall be permitted an increase in building height up to one hundred fifty (150) feet, subject to compliance with any required transitional building height planes. Renewable energy sources may consist of solar panels, an on-site solar farm, small-scale wind turbines, waste heat recovery, or any other types of renewable energy sources.

D. Operation requirements.

1. Substations, electrical yards, mechanical yards, and any other exposed equipment shall not be located between the building and a publicly accessible road or right-of-way and shall be screened from any adjacent publicly accessible street, private street, trail, or park.
2. All lighting other than street and pedestrian scale lighting shall have “Dark Sky” design. There shall be no spillover from the fixture onto surrounding properties, including the street. All lights and poles shall have a permanent black finish.
3. All cooling and ventilation equipment within property boundaries shall operate on a closed-loop system.
4. All cooling, ventilation, and other external equipment used to operate the facility shall not be located between building and publicly accessible rights-of-way, unless located on the rooftop of any data center development or building within property boundaries.
5. Mechanical and utility equipment shall comply with the screening requirements for site and parking area landscaping contained in Section 27-4.2.64.3 (e) and (f) and Article 5 of the DeKalb County Zoning Ordinance.
6. Substations associated with the operation of a data center shall only be permitted in the O-D, M and M-2 zoning districts, and shall be subject to the following requirements:
 - a) The substation shall be at least fifty (50) feet from the public right-of-way.
 - b) The substation shall be screened with a minimum eight (8) foot tall wall from any adjoining property or publicly accessible street.
 - c) The substation shall not involve the storage of vehicles or service equipment.

E. Noise and maintenance requirements.

1. Maximum permissible sound levels shall not exceed sixty-five (65) decibels (DB) during the daytime and fifty-five (55) decibels (DB) during the nighttime as measured from any property line.
2. Any generators on the property shall comply with U.S. Environmental Protection Agency (EPA) New Source Performance Standards (NSPS) of at least Tier 4 emission standards.
 - a) Testing for these generators shall not exceed 10 hours per month.
 - b) Testing for these generators shall only occur between the hours of 9:00 a.m. and 5:00 p.m.
 - c) Generators shall be enclosed by a sound attenuation for noise reduction and to reduce pollution.
 - d) A generator testing log to ensure compliance with these regulations shall be submitted as part of the annual compliance report to the Director of Planning and Sustainability.
3. Except for generator testing or commissioning activities, generator use is limited to backup/emergency use only.

F. Application requirements.

1. All applications for a data center shall, in addition to any other application requirements of this code, provide the following information:
 - a) Applicants shall provide a letter of intent from the relevant utility provider(s), confirming that preliminary coordination has occurred and that service to the proposed facility is technically feasible subject to final engineering review.
 - b) Noise Impact Assessment: A Noise Impact Assessment shall be required as part of the permitting process for any proposed data center development and assessed at a distance of 500 feet from the data center development. 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 for the proposed development.
 - ii. Measure pre-operation ambient noise, or the existing background noise before any server equipment is installed, and provide acoustic mitigation strategies if noise level is proposed to exceed 60 dB during any hours of the day or night once equipment for data center development is in operation.
 - c) Water Consumption and Sustainability Plan: A Water Consumption and Sustainability Plan shall address conservation and scarcity, outlining the total water requirement of the data center, including cooling needs, and any strategies to reduce or mitigate excessive water usage. The plan shall demonstrate that the water usage shall not significantly strain DeKalb County's water supply. The Water Consumption and Sustainability Plan shall specifically evaluate:
 - i. The vulnerability of the project and project site to water scarcity and drought.
 - ii. Disturbance of public services (i.e., transport, communication, sanitation, fresh water, and electricity supply).
 - iii. Identify any drought monitoring and forecasting systems that exist in the project area.
 - iv. Proposed water scarcity/drought management measures to alleviate risk, including water storage, alternative sources, and reduced use of resources.
 - v. The adoption of advanced low-water or water-free cooling systems that align with the regional drought and water-scarcity planning from the Metropolitan North Georgia Water Planning District.
 - d) 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.
 - iii. 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.

- iv. A decommissioning plan, in the event data infrastructure is not sold or transferred, for recycling all on-site electronic infrastructure through certified recyclers that follow Responsible Recycling (R2) Standard for Electronics Recyclers and/or e-Stewards® Standard for Responsible Recycling and Reuse of Electronic Equipment.
- v. Planned use of sustainable practices to limit or offset the center's use of power and water.
- e. Lighting Plan: A Lighting Plan shall show compliance with "Dark Sky design" principles, demonstrating that there shall be no spillover from the fixture onto surrounding properties. A conceptual lighting plan shall be submitted with the initial application. A complete lighting plan shall be submitted as part of a Land Development Permit application that demonstrates compliance with the requirements of Sec. 27-5.6.1.- Outdoor Lighting.
- f. Transmission Line Impact Assessment: 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 the planned substation's location and shall show the screening mechanism(s), which shall include a minimum of an eight (8) foot tall decorative brick wall if potentially visible by the public. Screening shall comply with Section 27-4.2.64.2 (c).
- g. Tree Preservation and Reforestation Plan: A Tree Preservation and Reforestation Plan shall outline efforts to minimize tree removal and enhance urban forestry efforts, especially when transmission lines cross public land or park areas.
- h. Stormwater Management Plan: 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.
- i. Sewer Plan: A Sewer Plan shall evaluate and include:
 - i. Actual and expected daily sewerage flow.
 - ii. Identify potential or planned sanitary sewer capacity projects with the purpose of improving the DeKalb County water system.
 - iii. An on-site treatment plan, including any necessary equipment to conduct trace analyses and consistent monitoring of chemical use for on-site water preparation and treatment.
 - iv. An analysis of the community's treatment system, or a private treatment system, to determine whether either has adequate capacity to serve the forecasted growth, or has programmed improvements to add capacity to accommodate the forecasted growth.
 - v. Clear indication of pipe size, material type, percent grade, and length of all pipes.
 - vi. A utility plan with direction of sewer flow.

- vii. Disclose pretreatment or discharge permit request if any effluent leaves the closed loop system to sanitary or storm sewers for the Department of Watershed Management Industrial Pretreatment Program Review.
- viii. Submit a Closure and Disposal Plan at decommissioning covering treatment systems, chemical waste, and related infrastructure.
- ix. Disclose Water Usage Effectiveness (WUE) target or performance metric.

2. Additional Information: Any additional information requested by DeKalb County's Department of Watershed Management, Department of Fire Rescue, Department of Public Works, Code Compliance Administration, and Department of Planning & Sustainability shall be submitted before the application is deemed complete.
3. The owner and/or operator is required to submit an annual compliance report that details any changes to and continuation of all assessments submitted with an application demonstrating compliance and monitoring of all applications requirements and conditions of zoning to the Director of Planning and Sustainability no later than the first of January of each year.
4. The burden of showing compliance with supplemental requirements and/or conditions of zoning is on the applicant and/or owner of the property or use.

G. Special Land Use Permit requirements.

1. Redevelopment of Existing Industrial Sites: A Special Land Use Permit (SLUP) shall not be required for the redevelopment, reuse, renovation, or reconstruction of a site to allow a Medium, Major, or Campus data center located within the Light Industrial (M) or Heavy Industrial (M-2) zoning district and designated as Light Industrial (M) or Heavy Industrial (M-2) on the Future Land Use Map, provided that:
 - a. The site was previously developed and contains existing industrial, warehouse, or manufacturing improvements that have been in place prior to December 31, 2024.
 - b. The redevelopment replaces or repurposes obsolete or inactive industrial facilities with a Medium, Major, or Campus data center use that complies fully with the supplemental regulations in Section 27-4.2.64.
 - c. The redevelopment does not expand the site's total impervious surface area or building footprint by more than twenty-five (25) percent beyond existing conditions.
 - d. No portion of the site is within 500 feet of a residentially zoned property, unless separated by an interstate, state highway, or major arterial road as described in Section 27-4.2.64(1)(e); and
 - e. The applicant submits all required technical plans and studies listed under Section 27-4.2.64(6) (Application Requirements) with the Land Disturbance Permit application, to be reviewed administratively by County staff for compliance.
 - f. Redevelopment proposals that do not meet these conditions shall require approval of a Special Land Use Permit (SLUP) prior to permitting.
2. Special Land Use Permit shall be required for any expansion of the building footprint or increase in height of any data centers.

3. In addition to the standard Special Land Use Permit (SLUP) criteria listed in Chapter 27 Article 7.4.6., applications shall also be assessed on:

- a. Adequacy of operation and infrastructure equipment that ensures the most sustainable use of resource, energy, and water consumption to serve the proposed use.
- b. Whether the proposed use demonstrates substantial compliance to all plans and assessments required under this code, including but not limited to: noise impact assessment, water consumption and sustainability plan, energy consumption plan, lighting plan, transmission line impact assessment, tree preservation and reforestation plan, stormwater management plan, and sewer update plan.
- c. Substantial compliance shall consider whether all plans and assessments have been properly submitted, identify potential impacts, and propose feasible mitigation strategies, and minimize adverse impacts on public health, the surrounding environment, and infrastructure.

H. Parking requirements.

1. See Use Table 6.2 for Off-street Parking Ratios, Exhibit 2.

TABLE 6.2: Off-street Parking Ratios

Minimum and Maximum Parking Spaces

Industrial

Use	Minimum Parking Spaces Required	Maximum Parking Spaces Allowed
Heavy and light industrial, data centers		One (1) space for each two thousand five hundred (2,500) square feet of floor area.

Sec. 7.4.7. – Additional criteria for specified uses.

F. In addition to the submission requirements of Article 7, any application for a Special Land Use Permit (SLUP) related to all data centers shall provide the following information as applicable:

1. Adequacy of operation and infrastructure equipment that ensures the most sustainable use of resource, energy, and water consumption to serve the proposed use.
2. Whether the proposed use demonstrates substantial compliance to all plans and assessments required under this code, including but not limited to noise impact assessment, water consumption and sustainability plan, energy consumption plan, lighting plan, transmission line impact assessment, tree preservation and reforestation plan, stormwater management plan, and sewer update plan.
3. Substantial compliance shall consider whether all plans and assessments have been properly submitted, identify potential impacts, and propose feasible mitigation strategies, and minimize adverse impacts on public health, the surrounding environment, and infrastructure.

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Exhibit 1. Use Table 4.1, *Data Centers*

KEY:	P - Permitted use		SA - Special administrative permit from director of planning												
	Pa - Permitted as an accessory use		SP - Special land use permit from BoC (SLUP)												
Use	RE	RLG	OI	OIT	NS	C-1	C-2	OD	M	M-2	MU-1	MU-2	MU-3	MU-4,5	See Section 4.2
INDUSTRIAL															
Data Centers															
Data Center, Minor			Pa					P	P	P					
Data Center, Medium			SP					SP	P	P					
Data Center, Major (in Industrial and Light Industrial Character Areas)			SP					SP	SP	SP					
Data Center, Campus (in Industrial and Light Industrial Character Areas)								SP	SP						
Data Centers, Major or Campus in all other Character Areas															

Exhibit 2. Use Table 6.2, *Off-street Parking Ratios*

TABLE 6.2: Off-street Parking Ratios

Minimum and Maximum Parking Spaces

Industrial		
Use	Minimum Parking Spaces Required	Maximum Parking Spaces Allowed
Heavy and light industrial, data centers		One (1) space for each two thousand five hundred (2,500) square feet of floor area.