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 their development in DeKalb County;

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

WHEREAS, to ensure that all data centers operate in compliance with applicable environmental standards and best practices within the 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 more at-risk communities, such as schools, daycares, senior care facilities etc., 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 seamlessly 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

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

a) **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.
b) **Data Center, *Campus***: A singular development that has more than one (1) data center, or a physical room, building, or facility that houses infrastructure for building, running, delivering, or transmitting applications and services, or for storing and managing the data associated with those applications or services. A data center campus shall be a minimum of 500,000 square feet.
c) **Data Center, *Major***: A physical room, building, or facility that houses infrastructure for building, running, delivering, or transmitting applications and services, or for storing and managing the data associated with those applications or services. A major data center shall be between 100,000 square feet and 500,000 square feet.
d) **Data Center, *Medium***: A physical room, building, or facility that houses infrastructure for building, running, delivering, or transmitting applications and services, or for storing and managing the data associated with those applications or services. A medium data center shall be between 20,000 square feet and 100,000 square feet.
e) **Data Center, *Minor***: A physical room, building, or facility that houses infrastructure for building, running, delivering, or transmitting applications and services, or for storing and managing the data associated with those applications or services. Minor data centers shall be under 20,000 square feet and do not require a substation. A minor data center may include data centers as an accessory use if they are under 2,000 square feet.
f) **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).
g) **Load**: The total power consumed by servers, storage, and other networking devices that operate within a data center site.
h) **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.

(Ex. 1 MW is equivalent to one million watts of power, which is enough to power 650 homes.)

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

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

1) Permitted Locations

a. Minor data centers shall be permitted on parcels zoned Office-Institutional (O-I) as an accessory use if under 2,000 square feet or smaller. Any other Minor data centers and Medium data centers shall be permitted by right on parcels zoned in Light Industrial (M) and Heavy Industrial (M-2) districts;

b. Minor and Medium data centers shall be permitted on parcels zoned Office-Institutional (O-I) and Office-Distribution (O-D) with any Future Land Use Designation with a Special Land Use Permit;

c. All Major data centers and Campus data centers shall be permitted in Light Industrial (M) and Heavy Industrial (M-2) zoning districts with a Special Land Use Permit if located within a Future Land Use designation of LIND (Light Industrial) or IND (Heavy Industrial);

d. For campus development see Section 27-4.1 Use Table.

2) Buffer Requirements

a. No new data center development in a light industrial (M) or industrial (M-2) land use shall be permitted within 500 feet of the property line from any residentially zoned parcel;

b. If an interstate roadway, state highway, or major arterial road borders the property line, the required distance between a development and a residentially zoned property may be reduced to 300 feet along the property line where the roadway is located;

c. Major or campus data centers shall not be allowed where any part of the property line is within 2,640 feet of a high-capacity transit stop;

d. Major and Campus data centers shall maintain a minimum transitional buffer of 100 feet along all property lines abutting any properties used or zoned non-industrial and shall be enclosed by a freestanding wall with a minimum height of 8 feet and such a wall shall provide a five (5) to ten (10) dB sound attenuation if any supporting mechanical systems are located outside of a building;

e. Major data centers and Campus data centers shall provide a 20-foot-wide landscaped buffer along all property lines with a minimum 10-foot-high wall with sound attenuation in compliance with the requirements of 2(a). 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 shall be located within the required 100-foot transitional buffer described in (2a) if applicable;
f. Screening requirements listed in this section beyond those otherwise required by the Zoning Ordinance shall not apply to Minor data centers or Medium data centers in Office-Institutional (O-I) and Office-Distribution (O-D) zoned districts;
g. Minor data centers and Medium data centers in Office-Institutional (O-I) and Office-Distribution (O-D) zoned districts shall comply with transitional buffer requirements for designated districts within Section 27-5.4.5;
h. Distance shall be measured from the edge of any building, substation, private driver, or parking lot to the nearest property line;

3) Architectural and Design Requirements

a. If 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 all 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, while maintaining appropriate security and operational standards for data center use. Fenestration requirements listed in this section beyond those otherwise required by the Zoning Ordinance shall not apply to minor data centers;
b. A minimum of ten percent (10%) of the width of side and rear facades shall incorporate decorative windows, architecturally glazed windows or murals, while maintaining appropriate security and operational standards for data center use;
c. Where visible from a publicly accessible street or adjacent residential properties, 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;
d. A development operating as a data center campus shall have unified landscape and architectural elements;
e. Building height shall not exceed seventy five (75) feet in Light Industrial (M) and Heavy Industrial (M2) 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 may not exceed a maximum height of thirty (30) feet.

f. 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;
    i. 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;
    ii. 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.
    iii. No screening shall be required for any green infrastructure, including but not limited to green roofs, rooftop cisterns, and other bioretention equipment.
g. All data centers shall comply with the transitional height plane standards from Section 27-5.2.4.

4) Operation Requirements

a. 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;
b. All lighting other than street and pedestrian 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.
c. All cooling and ventilation equipment within property boundaries shall operate on a closed-loop system.
d. All cooling, ventilation, and other exceptional equipment used to operate the facility shall not be located between building and publicly accessible rights-of-way.
e. Mechanical and utility equipment shall follow screening requirements for site and parking area landscaping subject to Section 27-4.2.64.3 (e) and (f) and Article 5 of the DeKalb County Zoning Ordinance.

f. In the M and M-2 districts, substations associated with the operation of a data center shall be permitted subject to the following requirements:
    i. The substation shall be at least fifty (50) feet from the public right-of-way;
    ii. The substation shall be screened with a minimum eight (8) foot tall wall from any adjoining property or publicly accessible street;
    iii. The substation shall not involve the storage of vehicles or service equipment.

5) Noise and Maintenance Requirements

a. 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;
b. Any generators on the property shall comply with U.S. Environmental Protection Agency (EPA) New Source Performance Standards (NSPS) of at least Tier 4 emissions. Testing for these generators shall not exceed 10 hours a month unless power outage occurs. Generators shall be enclosed by a sound attenuation for noise reduction and to reduce pollution;
c. Except for generator testing or commissioning activities, generator use is limited to backup/emergency use only.

6) Application Requirements

a. All applications for a data center shall, in addition to any other application requirements of this code, provide the following information:
    i. Applicants shall provide a letter of intent to serve 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;
    ii. **Noise Impact Assessment:** A Noise Impact Assessment shall be required as part of the permitting process for any proposed data center development and assessed from 500 feet of the development. The Noise Impact Assessment shall:
        1. 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.
        2. Measure pre-operation ambient noise, or the existing background noise before any server equipment is installed and provide acoustic mitigation strategies if noise level exceeds 60 dB during any hours of the day or night once equipment for data center development is in operation.
    iii. **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:

1. The vulnerability of project and project site to water scarcity and drought;
2. Disturbance of public services (i.e., transport, communication, sanitation, fresh water, and electricity supply);
3. Identify any drought monitoring and forecasting systems that exist in the project area;
4. Proposed water scarcity/drought management measures to alleviate risk, including water storage, alternative sources, and reduced use of resources;
5. 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.

iv. **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:

1. Estimates of peak electricity demand and strategies for mitigating strain on local power infrastructure;
2. Proposed improvements or alternatives to minimize the need for additional transmission lines and the designated power provider;
3. 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;
4. A decommissioning plan, if 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;

5. Planned use of sustainable practices to limit or offset the center's use of power and water.

v. **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 SLUP application. A complete lighting plan shall be submitted as part of a Land Development Permit application that demonstrates compliance with the requirements if Sec. 27-5.6.1.- Outdoor Lighting.

vi. **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 be consistent with Section 27-4.2.64.2 (c).

vii. **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.

viii. **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.

ix. **Sewer Plan: A Sewer Plan** shall evaluate and include:

1. Actual and expected daily sewerage flow;
2. Identify potential or planned sanitary sewer capacity projects with the purpose of improving the DeKalb County water system;
3. 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;
4. 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;

5. Clear indication of pipe size, material type, percent grade, and length of all pipes;
6. A utility plan with direction of sewer flow;-
7. Disclose pretreatment or discharge permit request if any effluent leaves the closed system to sanitary or storm sewers for the Department of Watershed Management Industrial Pretreatment Program Review;
8. Submit a Closure and Disposal Plan at decommissioning covering treatment systems, chemical waste, and related infrastructure;
9. Disclose Water Usage Effectiveness (WUE) target or performance metric.

b. **Additional Information**: Any additional information required 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;
c. Upon business license renewal, the owner and/or operator is required to provide all application documentation demonstrating annual compliance and monitoring of all applications requirements and conditions of zoning.
d. The burden of establishing compliance with supplemental requirements and/or conditions of zoning is on the applicant and/or owner of the property or use.

7) Special Land Use Requirements:
   a. 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:
   b. **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:
      i. The site was previously developed and contains existing industrial, warehouse, or manufacturing improvements that have been in place prior to December 31, 2024;

ii. 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;

iii. 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;

iv. 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

v. 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.

vi. Redevelopment proposals that do not meet these conditions shall require approval of a Special Land Use Permit (SLUP) prior to permitting.

b. A Special Land Use Permit shall be required for any building alterations or expansion of all data centers;

c. 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, or waste heat recovery.

d. 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:

i. Adequacy of operation and infrastructure equipment that ensures the most sustainable use of resource, energy, and water consumption to serve the proposed use.

ii. 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.

iii. 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.

8) Parking Requirements

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

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.

ADOPTED by the DeKalb County Board of Commissioners, this _____ day of _____, **2025**

_____
MICHELLE LONG SPEARS
Presiding Officer
Board of Commissioners DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this _____ day of _____, **2025.**

_____
LORRAINE COCHRAN-JOHNSON
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

_____
BARBARA H. SANDERS-NORWOOD, CCC
Clerk to the Board of Commissioners and
Chief Executive Officer
DeKalb County, Georgia

APPROVED AS TO SUBSTANCE:

_____
JULIANA A. NJOKU
Director, Planning and Sustainability

APPROVED AS TO FORM:

_____
WILLIAM J. LINKOUS, III
County Attorney