

Current

AN ORDINANCE OF MONROE COUNTY, GEORGIA, PROVIDING THAT THE UNIFIED DEVELOPMENT CODE OF MONROE COUNTY, GEORGIA, BE AMENDED AT THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF MONROE COUNTY, HELD ON NOVEMBER 4, 2024.

WHEREAS, application has been made to Monroe County, Georgia, for the amendment of the County's Unified Development Ordinance; and

WHEREAS, the Board of Commissioners and the Planning Commission have conducted duly published public hearings on such text amendment request; and

WHEREAS, the Board of Commissioners find that it is in the best interest of the public welfare of Monroe County, Georgia that the Unified Development Ordinance be amended as follows;

NOW THEREFORE BE IT ORDAINED, AND IT HEREBY IS ORDAINED, by virtue of the authority vested in the Board of Commissioners of Monroe County, Georgia, that the Unified Development Code of Monroe County shall be amended as follows:

SECTION ONE

The Unified Development Ordinance of Monroe County is hereby amended as follows:

A. Section 1.10.00 of the Monroe County Unified Development Ordinance titled "DEFINITIONS" will be amended to add the following defined term:

Data Center: A facility, or campus of facilities, engaged in the storage, management, processing, hosting or transmission of data and related services, which house computer systems, network equipment, servers, appliances and other associated components and structures customarily incidental or related to such operations, but which shall not include the commercial process by which cryptocurrency transactions are verified and added to the public ledger, known as the block chain, and also the means through which new units of

cryptocurrencies are released, otherwise known as cryptocurrency mining, which is not permitted within the definition of Data Center.

B. Section 2.02.02 of the Monroe County Unified Development Ordinance, entitled "TABLE OF PERMITTED USES" will be amended to include a row for Date Center, which shall be marked as "P" for permitted in the column for the C-1 zoning classification.

C. Section 4.02.00 of the Monroe County Unified Development Ordinance titled "SUPPLEMENTAL STANDARDS FOR SPECIFIC USES" will be amended to add a new section 4.02.23, which shall state as follows:

4.02.23 Data Center

4.02.23.01 Purpose

It is the purpose of this regulation to provide development standards for the siting, development and construction of Data Centers.

4.02.23.02 Development Standards

A. *Data Center Development.* A Data Center Development shall mean and refer to the entire contiguous tract of land presented for development as a Data Center.

B. *Height Regulations.* Buildings shall not exceed a height of seventy-five (75) feet, measured from structure pad level. Height limitations shall not apply to accessory structures such as water towers, conveyor belts and other incidental and uninhabited structures.

C. *Front yard setback:* Fifty (50) feet.

D. *Side yard setback:* Fifty (50) feet.

E. *Rear yard setback:* Fifty (50) feet.

F. *Minimum lot frontage:* One hundred ten (110) feet adjoining a street.

G. *Minimum lot width at the building line:* One hundred ten (110) feet.

H. *Minimum lot acreage:* 900 Hundred (900) acres

I. *Minimum buffer requirements:* In addition to required setbacks, a minimum 100-foot wide buffer, which can include required setback, shall be required along all property lines which abut a residential district or use or an agricultural district or use in order to provide a visual screen.

J. *Air conditioning units and HVAC systems.* Air conditioning units and HVAC systems shall be thoroughly screened from view from the public right-of-way and from adjacent properties by using buildings, walls, fencing, roof elements, or landscaping. This requirement shall not apply where the equipment is more than 100 feet from adjacent property lines.

K. *Front building façade.* The front building façade of all principal buildings shall be oriented toward street fronts or adjacent arterial street fronts. This requirement shall not apply if the front of the building is greater than 500 feet from the public right-of-way or not visible from the public right-of-way.

L. *Security fencing.* Security fencing and walls shall not be located within the required buffer unless it complies with the general regulations pertaining to fencing. Fences and walls outside the required setback and buffer provided above shall not be subject to height limitations.

M. *Accessory Structures.* Accessory structures shall be subject to the general provisions of the UDO, provided that if they are to be located outside of the setbacks and buffers provided above, they shall not be subject to the location requirements of Section 5.02.02. Further, notwithstanding other provisions of the UDO, guard houses and secured entry features shall be permitted at public road entrances.

N. Required setbacks and buffers shall only apply to external property boundaries with other properties not part of the Data Center Development. Minimum lot frontages, lot width and minimum lot acreage shall not apply to subdivided lots within the Data Center Development, so long as the entirety of the contiguous tract comprising the overall Data Center Development complies with the requirements of this ordinance, and so long as the subdivided lot has adequate frontage on public or private roads to allow service.

O. *Roads.* Private roads are permitted within the Data Center Development. They shall be designed and built subject to the design guidelines for County public roads.

P. *Utilities.* A Data Center Development is required to have access to public water and sewer.

Q. *Lighting.* All exterior lighting at a Data Center Development shall be shielded to prevent light spillage by providing cutoff luminaries having a maximum 90 degree illumination.

R. *Sound.* The operation of a Data Center Development shall not produce sound that exceeds 65 decibels, measured at the adjacent external property boundary between the Data Center Development and a Residential Dwelling. Six (6) months from the issuance of a Certificate of Occupancy for each building, the County may obtain sound studies or require the data center operator to provide a sound study to confirm that the operation is compliant. If the data center operation is found not to be in compliance with this subsection, then the County may issue a Notice of Violation to the operator which may direct that action be taken to remedy the violation within 30 days of service of the notice of violation. If the data center operation fails to come into compliance within 30 days following service of the notice of violation, then enforcement action may be taken by the zoning administrator pursuant to Section 10.04.00 of the UDO.

S. In the event of any conflict between this Section 4.02.23 and other provisions of the UDO, this section shall govern.

SECTION TWO

LEGAL STATUS PROVISIONS

A. Severability.

This Ordinance and each section and subsection thereof are hereby declared to be independent divisions and subdivisions and, notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any provision of said Ordinance, or the application thereof to any person or circumstance, is held to be invalid, the remaining sections or provisions and the application of such sections and provisions to any

Added to
this section

person or circumstances other than those to which it is held invalid shall not be affected thereby, and it is hereby declared that such sections and provisions would have been passed independently of such section or provision so known to be invalid. Should any procedural aspect of this Ordinance be invalidated, such invalidation shall not affect the enforceability of the substantive aspects of this Ordinance.

B. Conflicting Code Provisions Repealed.

All ordinances or parts of ordinances specifically in conflict with this Ordinance are hereby expressly repealed.

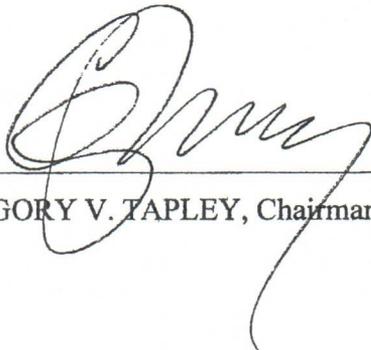
C. Effective Date.

This Ordinance shall take effect and be in force as of the date of its adoption, the public welfare of Monroe County demanding.

Adopted this 4th day of November, 2024.

MONROE COUNTY BOARD OF COMMISSIONERS

BY:



GREGORY V. TAPLEY, Chairman

ATTEST:



JANET ABBOTT, County Clerk

Proposed

AN ORDINANCE OF MONROE COUNTY, GEORGIA, PROVIDING THAT THE UNIFIED DEVELOPMENT CODE OF MONROE COUNTY, GEORGIA, BE AMENDED AT THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF MONROE COUNTY, HELD ON MARCH 3, 2026.

WHEREAS, the Board of Commissioners has determined it is necessary to amend the County's Unified Development Ordinance regarding data centers; and

WHEREAS, the Board of Commissioners and the Planning Commission have conducted duly published public hearing on such amendment; and

WHEREAS, the Board of Commissioners find that it is in the best interest of the public welfare of Monroe County, Georgia that the Unified Development Ordinance be amended as follows.

NOW THEREFORE BE IT ORDAINED, AND IT HEARBY IS ORDAINED, by virtue of the authority vested in the Board of Commissioners of Monroe County, Georgia, that the Unified Development Code of Monroe County shall be amended as follows.

SECTION ONE

C. Section 4.02.23 of the Monroe County Unified Development Ordinance titled "Data Center" will be amended to state as follows:

4.02.23 Data Center

4.02.23.01 Purpose

It is the Purpose of this regulation to provide development standards for the siting, development and construction of Data Centers.

4.02.23.02 Development Standards

A. **Data Center Development.** A Data Center Development shall mean and refer to the entire contiguous tract of land presented for development as a Data Center.

B. **Height Regulations.** Buildings shall not exceed a height of seventy-five (75) feet, measured from structure pad level, including rooftop equipment and parapets. Height limitations shall not apply to accessory structures such as water towers, conveyor belts and other incidental and uninhabited structures.

C. **Front yard setback:** Fifty (50) Feet.

D. **Side yard setback** Fifty (50) feet.

E. **Rear yard setback:** Fifty (50) feet.

F. **Minimum lot frontage:** One hundred ten (110) feet adjoining a street.

G. **Minimum lot width at the building line:** One hundred ten (110) feet.

H. **Minimum lot acreage:** Nine Hundred (900) acres

Current is 100'

I. **Minimum buffer requirement:** In addition to required setbacks, a minimum 200-foot-wide buffer, which can include required setback, shall be required along property lines which abut a residential district or use or an agricultural district or use in order to provide a visual screen.

J. **Air conditioning units and HVAC systems.** Air conditioning units and HVAC systems should be thoroughly screened from view from the public right-of-way from adjacent properties by using buildings, walls fencing, roof elements or landscaping. This requirement shall not apply where the equipment is more than 100 feet from adjacent property lines.

K. **Front building façade.** The front building façade of all principal building shall be oriented toward street fronts or adjacent arterial street fronts. This requirement shall not apply if the front of the building is greater than 500 feet from the public right right-of- way or not visible from the public right-or-way.

L. **Security fencing.** Security fencing and walls shall not be located within the required buffer unless it complies with general regulations pertaining to fencing, fences and walls outside the required setback and buffer provided above shall not subject to height limitations.

M. **Accessory Structures.** Accessory Structures shall be subject to the general provisions of the UDO, provided that if they are to be located outside of the setbacks and buffers provided above, they shall not be subject to the location requirements of Section 5.02.02. Further, notwithstanding other provisions of the UDO, guard houses and secured entry features shall be permitted at public road entrances.

N. Required setbacks and buffers shall only apply to external property boundaries with other properties not part of the Data Center Development. Minimum lot frontages, lot width and minimum lot acreage shall not apply to subdivided lots within the Data Center Development, so long as the entirety of the contiguous tract comprising the overall Data Center Development complies with the requirements of the ordinance, and so long as the subdivided lot has adequate frontage on public or private roads to allow service.

O. **Road.** Private roads are permitted within the Data Center Development. They shall be designed and built subject to the design guideline for county public roads.

P. **Utilities.**

1. Data Center Development is required to have access to public water and sewer.
2. All operational power shall be provided by a regulated public utility. Electric service to the facility shall be provided at the transmission level (greater than or equal to 115 kV), unless an exemption is granted by the County Utility Director due to system limitations or redundancy requirements. The use of permanent or semi-permanent diesel or gas-powered generators as the primary source of power is strictly prohibited. Backup generators are permitted only for emergency and system testing purposes.

Q. **Generator Standards**

1. Only Tier 4 final emission-compliant generators shall be permitted on site.
2. All generators must be fully enclosed within the principal structure or within a purpose-built enclosure strategically integrated into the building footprint.

Added

Added

- Added
3. Routine testing of generators shall be restricted to normal business hours (8:00 AM to 6:00 PM, Monday through Friday).
 4. A third-party acoustical noise study shall be submitted to the Monroe County Planning Department prior to issuance of a certificate of occupancy.
 5. Generator operations, including testing, shall not exceed 65 decibels (dBA) as measured at the property line.

R. **Lighting.** All exterior lighting at a Data Center Development Shall Be shielded to prevent light spillage by providing cutoff luminaries having a Maximum 90 degree illumination.

S. **Sound.** The operation of a Data Center Development shall not produce sound that exceeds 65 decibels, measuring at the adjacent external property boundary between the Data Center Development and a Residential Dwelling. Six (6) months from the issuance of a Certificate of Occupancy for each building, the County may obtain sound studies or require the data center operator to provide a sound study to confirm that the operation is compliant. If the data center operation is found not to be in compliance with this subsection, then the County may issue a notice of violation to operator which may direct that action be taken to remedy the violation within 30 days of service of the notice of violation. If the data center operation fails to come into compliance within 30 days following service of the notice of violation, then enforcement action may be taken by the zoning administrator pursuant to section 10.04.00 of the UDO.

T. **Architectural Design and Aesthetic Standards.**

The following design standards shall apply to the walls of any data center facing and visible from the public rights-of-way:

- Added
1. Exterior walls of all buildings must include high-quality, durable materials such as brick, stone, glass, architectural metal panels, or a combination thereof.
 2. Each exterior wall must include multiple windows, doors, or other improvements, so as to break up the building exterior.
 3. Rooftop mechanical equipment must be fully screened from public view using parapet walls or screening panels integrated with the building's design.

U. **Parking lot.** The parking lot must be paved and all lighting must follow all exterior lighting requirements outlined in this section.

V. In the event of any conflict between this section 4.02.23 and other provisions of the UDO, this section shall govern.

SECTION TWO
LEGAL STATUS PROVISIONS

A. **Severability.**

This Ordinance and each section and subsection thereof are hereby declared to be Independent divisions and subdivisions and, notwithstanding any other of legislative intent, it is hereby declared to be the controlling legislative intent that if any provision of said Ordinance, or the application thereof to any person or circumstance, is held to be invalid, the remaining sections or provisions to any person or circumstances other than those to which it is held invalid shall not be affected thereby, and it is hereby declared that such sections and provisions would have been passed independently of such section or provisions so known to be invalid. Should any procedural aspect of this

Ordinance to be invalidated, such invalidation shall not affect the enforceability of the substantive aspects of this Ordinance.

B. Conflicting Code Provisions Replaced.

All ordinances or parts of ordinances specifically in conflict with this Ordinance are hereby expressly repealed.

C. Effective Date.

This Ordinance shall take effect and be in force as of the date of its adoption, the public Welfare of Monroe County demanding.

Adopted this ____ day of _____, 2026.

MONROE COUNTY BOARD OF COMMISSIONERS

BY: _____
ALLEN GIBBS, Chairman

ATTEST:

JANET ABBOTT, County Clerk