

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

WHEREAS, Monroe County, Georgia has experienced a great deal of interest in the development of data centers within the County; and,

WHEREAS, the Monroe County Board of Commissioners finds that the regulations the County has regarding data center developments, including the Unified Development Ordinance, need to be amended to better protect the public interest and welfare; and,

WHEREAS, the Board of Commissioners and the Planning Commission have conducted duly published public hearings on such text amendments; 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 Ordinance of Monroe County shall be amended as follows:

SECTION ONE

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

A. Section 2.02.02 of the Monroe County Unified Development Ordinance, entitled “TABLE OF PERMITTED USES” is hereby amended such that the row for Data Center shall be marked as “SU” for Special Use in the column for the M-1 zoning classification. Data Centers shall not be permitted in any other zoning district, except as provided herein.

B. Section 4.02.23 of the Monroe County Unified Development Ordinance titled “Data Center” is hereby restated 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:** Nine Hundred (900) acres
- I. **Minimum data center structure setback and buffer requirement:** In addition to required setbacks, all data center buildings shall be setback a minimum of 500 feet from any property line. Additionally, a **vegetative** buffer at least 200 feet wide shall be contained within the setback and, where a natural vegetative buffer exists, at least 100 feet of the natural buffer shall be retained in its natural condition.
- 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 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 right-of- way or not visible from the public right-or-way.
- L. **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.

M. **Exclusion for Interior Setbacks and Buffers.** Required setbacks and buffers shall only apply to external property boundaries with other properties not part of the Data Center Development.

N **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.

O **Utilities.**

1. The Data Center Development is required to have access to public water and sewer, and shall not use private wells for water resources.
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.

P. **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.
3. Routine testing of generators shall be restricted to normal business hours (10:00 AM to 4:00 PM, Monday through Friday). **Except Holidays.**
4. A third-party acoustical noise study shall be submitted to the Monroe County Community Development 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. **With the exception of short-term emergency power outages.**

Q **Lighting.** The data center operator shall present a lighting plan showing a design and operation of lighting that will be protective of the nighttime skyline of the neighborhood and prevent lighting nuisances to surrounding properties and the public right of way as part of the land disturbance process. **A County Public Works Representative will tentatively approve the plan. Final approval will occur once all lights can be turned on and a visual inspection is completed.** The parking lot must be paved, and all lighting must be compliant with the approved lighting plan submitted for the project. **The lighting plan and parking lot details must be submitted to public works.**

R **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 any **property line**. 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. **Conflicts.** 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 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.

D. 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:

ALAN GIBBS, Chairman

ATTEST:

JANET ABBOTT, County Clerk