

AN ORDINANCE

NO. _____

An Ordinance amending the Unified Development Ordinance of the Columbus Code (“the UDO”) to provide for Technology Overlay Districts; establishing underlying zoning districts where such overlay districts are permitted; to redefine Developments of Regional Impact; and for other purposes.

THE COUNCIL OF COLUMBUS, GEORGIA, HEREBY ORDAINS AS FOLLOWS:

SECTION 1.

Article 5 of Chapter 2 of the UDO is hereby amended by inserting a new Section 2.5.25. to read as follows:

“Section 2.5.25. – Technology Overlay District.

(a) Purpose. The purpose of this section is to provide an overlay to permit and regulate data centers and related technology uses, as provided herein, and which supports and encourages the siting of new technologies, computer systems, data infrastructure and data hosting. This overlay is intended to apply solely to large-scale or hyperscale data center campuses as defined by the minimum thresholds set forth in subsection (d). Smaller data processing facilities that do not meet such thresholds remain permitted by right within the General Commercial (GC), Special Activities Center (SAC), Light Manufacturing/Industrial (LMI), and Heavy Manufacturing/Industrial (HMI) districts as set forth in Table 3.1.1.

(b) Underlying zoning. The underlying zoning of a property shall remain unaffected.

(c) Use regulations. *Within the Technology Overlay District*, data centers and related technology uses shall be permitted subject to the requirements of this section.

A. Uses permitted as *Data centers and related technology uses* include:

Computer systems and facilities design, programming operation and management.

Data processing, storage, hosting and related services.

Information product research and development.

Internet website design and hosting.

Public utility facilities.

Software design and development.

Solar, renewable and alternative energy facilities.

Technology consulting and management.

Telecommunications infrastructure and connectivity facilities.

B. Uses NOT permitted as *Data centers and related technology uses* are:

The commercial process by which cryptocurrency transactions are verified and added to the public ledger, known as the block chain, and the means through which new units of cryptocurrencies are released, otherwise known as cryptocurrency mining, which is not permitted as a Data Center. See Section 3.2.77. – Cryptocurrency Mining.

C. *Accessory uses.* Structures and land may be used for uses customarily incidental to any permitted use.

(d) 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.

A-1. *Hyperscale Data Center.* A “Hyperscale Data Center” shall mean a Data Center Development located on a single contiguous tract of land of seventy-five (75) acres or more, with one or more principal buildings.

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, conveyer belts, HVAC equipment, generators and other incidental and uninhabited parts of the structure.

C. *Minimum acreage:* seventy-five (75) acres, comprising a single contiguous tract under common ownership or control. Assemblage of parcels without a replat shall not satisfy this requirement.

D. *Buffers and Setback:* All non-residential buffers and setbacks shall conform to the Development Agreement, as defined in paragraph N. below, the requirements of this code section, or the requirements of the underlying zoning district, whichever is most restrictive.

E. *Minimum buffer requirements:* In addition to required setbacks, a minimum 200-foot wide buffer, which can include required setback, shall be required along all property lines which abut a residential district in order to provide a visual screen. The required buffer shall include vegetative screening sufficient to provide a continuous visual screen at maturity. In no event shall buffer width or screening relieve the data center operator from compliance with the noise standards in subsection (L).

F. *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 walls, fencing, roof elements, or landscaping. This requirement shall not apply where the equipment is more than 200 feet from adjacent property lines.

G. *Front building facade.* The front building facade 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.

H. *Security fencing and structures.* Security fencing and walls shall not be located within the required buffer unless it complies with the general regulations pertaining to fencing for the underlying zoning classification. Fences and walls outside the required setback and buffer provided above shall not be subject to height limitations. Guard houses and secured entry features shall be permitted at public road entrances.

I. *Exception for internal lots.* Required setbacks and buffers shall only apply to external property boundaries with other properties not part of the data center campus. Minimum lot frontages, width and acreage shall not apply to subdivided lots within the data center campus, so long as the entirety of the contiguous data center campus 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.

J. *Private roads.* Private roads are permitted within data center campuses.

K. *Dark sky lighting.* Exterior illumination shall be shielded, downcast and of a luminosity designed to maintain the existing night sky darkness and to prevent light trespass onto adjacent properties. In order to obtain that objective, the following criteria shall be met:

- i. all fixtures shall be full cut-off type fixtures,
- ii. light poles shall be no taller than 25 feet in height,
- iii. all light poles must be setback a minimum of 10 feet from any exterior property line,
- iv. maximum foot-candles at the property line shall be 0.5.

The Director of Inspections and Code may require a photometric lighting plan which shows conformity with these requirements as part of any building permit application.

L. *Noise.* In order to ensure that data centers and related technology uses do not contribute to noise pollution within the City, all data centers will be subject to the following standards:

- i. Data center operations shall not produce sound that exceeds, as a rolling thirty (30) minute equivalent continuous sound level (Leq), the following thresholds, measured at the data center property line: (a) Daytime (7:00 AM to 10:00 PM): 65 dBA and 75 dBC at any property line abutting a residential district; 70 dBA and 75 dBC at any other property line. (b) Nighttime (10:00 PM to 7:00 AM): 55 dBA and 65dBC at any property line abutting a residential district; 65 dBA at any other property line. For purposes of this section, "rolling thirty (30) minute average" shall mean the equivalent continuous sound level (Leq) calculated continuously over any thirty (30) minute window, with no resetting permitted between measurement intervals. Violations of these sound levels may be prosecuted in the same manner as other zoning ordinance violations and shall be subject to civil action by the City.
- ii. After issuance of the certificate of occupancy for each data center building, the City may obtain sound studies or require the data center operator to provide a sound study (preferbaly by an INCE member measuring both A-weighted (dBA) and C-weighted (dBC)

- sound levels) to verify that the operation is in compliance with the requirements of paragraph (i) above. If a data center is found to be in violation of the requirements of paragraph (i) above, the City may issue a notice of violation, which may direct that the data center take appropriate steps to operate within the requirements of paragraph (i) above. The City manager may require the data center operator to propose a solution, and a time period for implementation. If the City Manager approves such solution, and the data center fails to successfully implement that solution within the time approved, the violator shall be subject to a fine up to one thousand dollars (\$1,000) for each day that the violation exists until full compliance is obtained. Continued non-compliance beyond thirty (30) days after the City Manager's approved solution deadline shall constitute grounds for civil action by the City, including without limitation citation to Recorder's Court for violation of a City Ordinance, injunctive relief and revocation of any certificate of occupancy issued for the affected building or buildings.
- iii. The data center operator shall continue to bear the costs of any sound test or study required to monitor violations in paragraphs (i) or (ii).
- iv. Prior to the issuance of any building permit for a data center facility, the developer shall submit to the Director of Inspections and Code an acoustic impact study prepared by a qualified acoustical engineer licensed in the State of Georgia. The study shall model current and expected A-weighted and C-weighted sound levels at all property lines based on planned equipment selection, equipment placement, and site geography, and shall demonstrate compliance with paragraph (i) above. The acoustic impact study and its operative assumptions shall be incorporated as binding obligations within the Development Agreement.
- v. Routine testing of emergency backup generators shall be conducted only between the hours of 8:00 AM and 5:00 PM Monday through Friday, excluding federal and state holidays. The data center operator shall provide written notification to all property owners within one thousand (1,000) feet of the data center property line, and to the Director of Inspections and Code, not less than seventy-two (72) hours prior to any scheduled generator test. Emergency operation of backup generators during actual loss of utility power is not subject to these notification or time-of-day requirements.
- M. Developers of data centers desiring local utilities must request and receive from each utility provider a utility availability letter confirming the availability of electric, water, sanitary sewer, natural gas, and telecommunications service to the proposed site. The utility availability letters shall be issued only after each affected utility provider has completed system impact studies and confirmed in writing that required service can be provided. The required letters will be made available to the City prior to any permits being issued or beginning construction.
- N. All cooling and ventilation equipment within property boundaries shall not utilize evaporative open-loop cooling. Acceptable cooling systems include, without limitation, closed-loop liquid cooling, direct-to-chip liquid cooling, immersion cooling, or any successor non-evaporative technology that minimizes consumptive water use. All water use, discharge,

flushing, and refills shall comply with the standards of the City of Columbus and Columbus Water Works, including without limitation Article VIII of Chapter 13 of the Columbus Code, applicable industrial pretreatment program requirements, and all applicable state and federal water quality regulations. The data center operator shall obtain all required industrial user permits prior to any discharge to the public sanitary sewer system.

O. Prior to the issuance of land disturbance permits, certificates of occupancy, or other development approval the data center developer shall enter into a development agreement reasonably acceptable to the City whereby the Developer will be financially responsible for any system upgrades required in providing for the installation of required project improvements and addressing the provision of public utilities, public services, or public safety needs to serve the project. The Development Agreement shall, at minimum, address: (1) all infrastructure costs and timing for water, sewer, electric, gas, and telecommunications service, including any required on-site or off-site upgrades; (2) the acoustic impact study and binding noise commitments required under subsection (L); (3) cooling system specifications, water use commitments, and industrial pretreatment requirements required under subsection (N); (4) buffer composition, vegetative screening, and visual-screening commitments required under subsection (E); (5) construction phasing, build-out timeline, and any conditions limiting expansion or megawatt capacity beyond the initial approved scope; and (6) where extension of public sanitary sewer service to the data center site triggers mandatory connection of adjacent residential properties to public sewer under state or local law, the Developer's responsibility for any reasonable costs incurred by such adjacent residential property owners arising from such mandatory connection; (7) need and option for service district inclusion; (8) project abandonment and reclamation protections. Developer shall be required to provide a fund to be set aside for decommissioning in an amount determined in the Development Agreement which will be held in the custody of and managed by the City. If the City is unable to reasonably provide the required utilities to serve the project, then the City may decline to enter into a development agreement with the developer and therefore no land disturbance permits, certificates of occupancy or other development approval will be granted.

P. Creating a Technology Overlay District for a property shall follow the requirements of Chapter 10.2 – **Zoning Changes** of the Unified Development Ordinance of the City Code. For clarity and consistency with the requirements of Chapter 10.2, application of the Technology Overlay District to any specific parcel shall require: (a) submission of a complete application including a site plan and the studies required under subsections (E), (L), and (M); (b) posting of the property and written notification to all property owners within three hundred (300) feet of the subject property (or such greater radius as the Planning Advisory Commission determines appropriate); (c) a public hearing before the Planning Advisory Commission; and (d) two readings before the Columbus Council, with the first reading constituting a public hearing.

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SECTION TWO

Chapter 3 of the UDO is amended by revising Table 3.1.1. by permitting the following use in the following districts under the subheading of Communications, Mining, Transportation and Utilities and revising the Legend to add TO = Technology Overlay:

Use	H I S T	R E 10	R E 5	R E 1	R T	S F 1	S F 2	S F 3	S F 4	R M F 1	R M F 2	M H P	U P T	C R D	N C	R O	C O	G C	S A C	L M I	H M I	T E C H	N O T E S
Technology Overlay District		T O	T O	T O												T O	T O	T O		T O	T O	T O	

Legend: see Article 2

Blank = Prohibited Use P=Permitted Use

SE=Special Exception Use TO = Technology Overlay* Additional standards apply Sec.2.5.25.

SECTION 3.

Article 2 of Chapter 10 of the UDO is hereby amended by striking Section 10.2.9. in its entirety and substituting a new section 10.2.9. in its place to read as follows:

Section 10.2.9. – Development of Regional Impact.

Any application that would result in a zoning change that meets or exceeds any of the thresholds listed at <https://dca.georgia.gov/community-assistance/coordinated-planning/regional-planning/developments-regional-impact>, or as otherwise adopted by the Georgia Department of Community Affairs, shall be considered a Development of Regional Impact (DRI).

SECTION 4.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5.

This ordinance will become effective 10 days after it is signed by the Mayor and returned to the Clerk of Council.

Introduced at a regular meeting of the Council of Columbus, Georgia held on the ____ day of _____ 2026; introduced a second time at a regular meeting of said Council held on the ____ day of _____ 2026 and adopted at said meeting by the affirmative vote of ____ members of said Council.

- Councilor Allen voting _____
- Councilor Anker voting _____
- Councilor Barnes voting _____
- Councilor Chambers voting _____

Councilor Cogle voting _____
Councilor Crabb voting _____
Councilor Davis voting _____
Councilor Garrett voting _____
Councilor Huff voting _____
Councilor Tucker voting _____

Lindsey G. Mclemore

Clerk of Council

B. H. "Skip" Henderson, III

Mayor