

## **AN ORDINANCE**

### **AN ORDINANCE TO AMEND ARTICLE III AND IX OF THE CITY OF DACULA ZONING RESOLUTION TO PROVIDE REGULATIONS RELATED TO DATA CENTERS AND FOR OTHER PURPOSES.**

WHEREAS, the City has adopted and maintained a comprehensive Zoning Ordinance including definitions and provisions related to uses; and

WHEREAS, changes in development patterns, proposed land uses, infrastructure and other matters warrant reviewing and updating portions of the Zoning Resolution; and

WHEREAS, it is in the best interest of the health, safety and welfare of the citizens of the City to review and evaluate the current Zoning Resolution in view of current development trends and future land use plans in and near the City; and

WHEREAS, as a part of that review process, the Planning Commission and City Council have conducted public hearings in accordance with Georgia law seeking comment on the amendments and updates to the Zoning Resolution; and

WHEREAS, it is in the best interest of the health, safety and welfare of the citizens and businesses within the City of Dacula to amend the Zoning Resolution as outlined herein;

NOW THEREFORE, THE MAYOR AND CITY COUNCIL OF THE CITY OF DACULA HEREBY ORDAINS that the existing Article III – Definitions and Article IX – Use Provisions Ordinance is amended as follows:

#### **SECTION 1.**

The following Definitions are hereby approved and adopted for inclusion in the City's Zoning Resolution:

Data Center. A building, dedicated space within a building, or group of structures used to house and maintain electronic hardware, computer systems and associated components, such as telecommunications and data processing systems, to be used for the remote storage, management, processing, or distribution of electronic data. Examples of such data include, but are not limited to, computationally-intensive applications such as blockchain technology, cryptocurrency mining, weather modeling, genome sequencing, data management, data monitoring, and related uses. Such facilities may also include air handlers, power generators, water cooling and storage facilities, utility substations, transformers, and other associated utility infrastructure to support operations.

The following amendments are approved and adopted:

Subsection 908(D)(8) is adopted to add provisions for data centers:

8. Data centers with a lot area of twenty (20) acres or less, provided that the following conditions are met:
  - a. Minimum Distance from Residential. Any data center building must be located at least 250 feet from the property line of a parcel zoned residential, property with an approved concept plan for residential use, or property developed with residential use.
  - b. Landscape strip. A planted 50-foot-wide landscape strip shall be provided adjacent to any existing or dedicated right-of-way. Landscape plans must be reviewed and approved by the Planning & Development Director. Natural topography and existing vegetation, supplemented with new evergreen vegetation may be substituted for landscaping at the discretion of the Director.
  - c. Enclosure.
    1. A six (6) foot high opaque fence shall be required along the entire perimeter of the facility.
    2. All electric generators and transformers not housed inside a building or structure shall be enclosed behind a solid wall made of concrete or another equivalent sound absorbing material and must be a minimum of four (4) feet higher than the highest point on the generator. The wall shall be painted or finished with decorative or artistic concrete adhesive. Wall design and finish shall be reviewed and approved by the Director.
  - d. Buffer.
    1. Data centers adjoining residential zoned property or property developed with residential use require a 100-foot buffer along the adjoining property line.
    2. The first 50 feet along the property line shall remain in an undisturbed, natural state, except for approved fencing, access and utility improvements. The remaining buffer may be disturbed, graded, and replanted. If the buffer is disturbed, a minimum of three (3) rows of varied evergreen shrubs at least 4 feet in height at planting are required to provide screening.
  - e. Noise abatement.
    1. The applicant must submit a noise study demonstrating that the operation of the data center will comply with the following standards:

Maximum Nighttime. Between 10:00 p.m. and 8:00 a.m., the data center shall not generate noise in excess of 55 dB(A) or 10dB(A) above ambient levels (whichever is greater), when measured at the property boundary line shared with a residential use.

Maximum Daytime. Between 8:00 a.m. and 10:00 p.m., the data center shall not generate noise in excess of 65 dB(A) or 10dB(A) above ambient levels (whichever is greater), when measured at the property boundary line shared with a residential use.

Use of backup generators that exceed the maximum sound levels is permitted during emergency power outages. Testing of backup generators is limited to the hours between 9:00 a.m. and 5:00 p.m.

- f. Electric Substations. Electric Substations are necessary accessory uses to data centers. If located on the same property as a data center, the substation shall not be located within 300 feet of an adjacent right-of-way and shall be screened from view from adjacent property lines and the right-of-way.
- g. Utility. No utility connected data processing center shall be issued a permit until evidence has been provided by the operator that installation of the system would be feasible. Written verification from Gwinnett County Water Resources Department, the electrical provider, and other utility providers as applicable, shall state the following:
  - 1. Adequate capacity is available on the applicable utility lines and substation to ensure available capacity for the proposed use and that capacity is available to serve other needs of the surrounding community is consistent with the normal project load growth envisioned by the data center.
  - 2. Utility supply, equipment and related electrical infrastructure are sufficiently sized and can safely accommodate the proposed use.
  - 3. The use will not cause electrical interference or fluctuations in line voltage on and adjacent to the operating premises.
- h. Construction Design Standards.
  - 1. Pitched roofs are prohibited. All roof mounted equipment, such as mechanical units, vent hoods, communication devices, and/or other building system(s) equipment, shall be screened from view on all sides of the building.
  - 2. All building facades shall comply with the Architectural Design Standards within the City's Development Regulations.

Subsection 909(D)(15) is adopted to add provisions for data centers:

15. Data center, provided that the following conditions are met:
- a. Minimum Distance from Residential. Any data center building must be located at least 250 feet from the property line of a parcel zoned residential, property with an approved concept plan for residential use, or property developed with residential use.
  - b. Landscape strip. A planted 50-foot-wide landscape strip shall be provided adjacent to any existing or dedicated right-of-way. Landscape plans must be reviewed and approved by the Planning & Development Director. Natural topography and existing vegetation, supplemented with new evergreen vegetation may be substituted for landscaping at the discretion of the Director.
  - c. Enclosure.
    - 1. A six (6) foot high opaque fence shall be required along the entire perimeter of the facility.
    - 2. All electric generators and transformers not housed inside a building or structure shall be enclosed behind a solid wall made of concrete or another equivalent sound absorbing material and must be a minimum of four (4) feet higher than the highest point on the generator. The wall shall be painted or finished with decorative or artistic concrete adhesive. Wall design and finish shall be reviewed and approved by the Director.
  - d. Buffer.
    - 1. Data centers adjoining residential zoned property or property developed with residential use require a 100-foot buffer along the adjoining property line.
    - 2. The first 50 feet along the property line shall remain in an undisturbed, natural state, except for approved fencing, access and utility improvements. The remaining buffer may be disturbed, graded, and replanted. If the buffer is disturbed, a minimum of three (3) rows of varied evergreen shrubs at least 4 feet in height at planting are required to provide screening.
  - e. Noise abatement.
    - 2. The applicant must submit a noise study demonstrating that the operation of the data center will comply with the following standards:

Maximum Nighttime. Between 10:00 p.m. and 8:00 a.m., the data center shall not generate noise in excess of 55 dB(A) or 10dB(A) above ambient levels (whichever is greater), when measured at the property boundary line shared with a residential use.

Maximum Daytime. Between 8:00 a.m. and 10:00 p.m., the data center shall not generate noise in excess of 65 dB(A) or 10dB(A)

above ambient levels (whichever is greater), when measured at the property boundary line shared with a residential use.

Use of backup generators that exceed the maximum sound levels is permitted during emergency power outages. Testing of backup generators is limited to the hours between 9:00 a.m. and 5:00 p.m.

- f. Electric Substations. Electric Substations are necessary accessory uses to data centers. If located on the same property as a data center, the substation shall not be located within 300 feet of an adjacent right-of-way and shall be screened from view from adjacent property lines and the right-of-way.
- g. Utility. No utility connected data processing center shall be issued a permit until evidence has been provided by the operator that installation of the system would be feasible. Written verification from Gwinnett County Water Resources Department, the electrical provider, and other utility providers as applicable, shall state the following:
  - 1. Adequate capacity is available on the applicable utility lines and substation to ensure available capacity for the proposed use and that capacity is available to serve other needs of the surrounding community is consistent with the normal project load growth envisioned by the data center.
  - 2. Utility supply, equipment and related electrical infrastructure are sufficiently sized and can safely accommodate the proposed use.
  - 3. The use will not cause electrical interference or fluctuations in line voltage on and adjacent to the operating premises.
- h. Construction Design Standards.
  - 1. Pitched roofs are prohibited. All roof mounted equipment, such as mechanical units, vent hoods, communication devices, and/or other building system(s) equipment, shall be screened from view on all sides of the building.
  - 2. All building facades shall comply with the Architectural Design Standards within the City's Development Regulations.

## SECTION 2

The City Administrator, Assistant City Administrator, and Director of Planning and Economic Development are further authorized to correct typographical errors in the text of the existing Zoning Resolution and to produce and publish a final codified version of the Zoning Resolution with the amendments and revisions outlined herein.

## SECTION 3

In the event any Court of competent jurisdiction determines that any portion of the foregoing amendment is invalid, unconstitutional or otherwise illegal, such rulings shall not impair the validity of the rest and remainder of this amendment.

#### SECTION 4

All laws and parts of laws in conflict with this Ordinance are hereby repealed.

#### SECTION 5

This Ordinance and the amendments outlined herein shall be effective immediately upon their adoption by the Mayor and City Council.

SO ORDAINED by the governing authority of the City of Dacula, this 1<sup>st</sup> day of May, 2025.

AYES: \_\_\_\_

NAYES: \_\_\_\_

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HUGH D. KING, III  
MAYOR, CITY OF DACULA

ATTEST:

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BRITTNI NIX  
CITY ADMINISTRATOR