

**A RESOLUTION TO CREATE THE M-2 CONDITIONAL USE PERMIT AUTHORIZING DATA CENTERS, UPON APPLICATION AND RECEIPT OF SUCH CONDITIONAL USE; TO AMEND THE COMPREHENSIVE LAND DEVELOPMENT RESOLUTION; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Jones County and City of Gray 2022 Joint Comprehensive Plan & Capital Improvements Element (hereafter "Comprehensive Plan") lists economic development first among its goals for the next twenty years; and

**WHEREAS**, pages 9 and 10 of the Comprehensive Plan identifies as a need and opportunity to market the largely unoccupied Griswoldville Industrial Park, which is owned by the Development Authority of Jones County (hereafter "Authority"), which Jones County relies upon for "industrial recruitment"; and

**WHEREAS**, pages 9 and 10 of the Comprehensive Plan recognize that Griswoldville Industrial Park is ideally situated along Norfolk Southern Railroad and Fall Line Freeway; and

**WHEREAS**, Griswoldville Industrial Park has been zoned M-2 since 2007 but to date only has one industrial tenant; and

**WHEREAS**, the purpose of the Comprehensive Land Development Resolution (hereafter "CLDR") is to implement the goals and objectives of the Comprehensive Plan, including the land use element. Comprehensive Plan, pg. 34 ("Jones County...will continually seek to implement their land development ordinances in a manner that promotes growth in accordance with the future land use map"); *Kinglsey v. Florida Rock Industries*, 259 Ga. App. 207, 211 (2002); and

**WHEREAS**, authorizing a M-2 conditional use permit that will authorize data centers is needed to implement the economic development goals, needs and opportunities identified in the Comprehensive Plan, particularly for the development of the Griswoldville Industrial Park and other land owned by the Authority; and

**NOW THEREFORE, THE JONES COUNTY BOARD OF COMMISSIONERS HEREBY ORDAINS:**

Section 1: There is hereby created a M-2 conditional use authorization for data centers that, upon application and approval by the Board of Commissioners, will authorize the construction and operation of same. The text of the CLDR is hereby amended to read as set forth on Exhibit "A" attached hereto as incorporated herein by reference.

**Section 32. Specific definitions.**

When used in this resolution, the following words and phrases shall have the meaning given in this section:

(24) *Data center*: A facility, or campus of facilities, engaged in the storage, management, processing, hosting, or transmission of data and related services, and which houses computer systems, network equipment, servers, appliances, and other associated components and structures customarily incidental or related to such operations. Cryptocurrency processing facilities are specifically excluded from this definition.

**74.22. Conditional uses.** The following use shall be allowed as a conditional use, only, within the M-2 district:

(4) Data center, provided all conditions/standards set forth in Sections 74.23 and 96.7 are satisfied.

A data center shall not be an as of right use in any zoning district in Jones County. In order to seek a M-2 conditional use authorization for a data center, an application shall be required and all procedures required under CLDR Section 151 through 154 shall be observed.

**74.23. Performance standards.** The following standards shall apply and govern the entire contiguous tract of land proposed for a data center. In the event of a conflict between these standards and any other provisions of the CLDR, these standards shall control:

- 1) Use. Data center.
  - i) Minimum lot size: 100 acres.
- 2) Setbacks.
  - i) Two hundred (200) feet from all property lines. For purposes of this provision, a setback is the distance between a right-of-way or property line and the nearest point of a structure, building or projection therefrom including the land area located between said points.
- 3) Height Regulations. Principal buildings shall not exceed seventy-five (75) feet in height, measured from structure pad level. This height limitation shall not apply to accessory structures such as water towers, conveyor belts, other incidental and uninhabited structures, or other items exempted by Section 52 of the CLDR.
- 4) Buffer Requirements. A minimum one hundred (100) foot wide buffer that complies with Section 84.2 shall be required along all property lines. This buffer may be located within required setbacks.

## Exhibit "A"

- 5) HVAC and Mechanical Screening. All air conditioning units HVAC systems, and other mechanical systems located outdoors shall be visually screened from view from public road rights-of-way and adjacent residential properties using buildings, walls, fencing, roof elements, berms, trees, natural elements or landscaping.
- 6) Front Building Facade. The front building facade of principal structures shall be oriented toward street fronts or adjacent public road frontage. This requirement does not apply where the building is more than 500 feet from the public right-of-way or otherwise not visible from the closest public right of way.
- 7) Security Fencing. Security fencing and walls along the right-of-way shall not be located within the required buffer unless they comply with Section 84.9. Any security fencing installed that intersects, crosses, or otherwise interacts with a natural waterway shall be designed, constructed, and maintained in a manner that does not impede or obstruct the natural flow of water and in full compliance with all local, State, and federal requirements regarding impacting State waters.
- 8) Accessory Structures. Accessory structures shall comply with applicable CLDR provisions. Accessory structures that meet the buffer setbacks outlined in Section 74.23(5) are permitted. Guardhouses and secure entry features are permitted at entrance(s) to public right of way.
- 9) Landscaping. Data centers shall comply with all landscaping requirements in Section 84, irrespective of proximity to the gateway overlay zoning district.
- 10) Private Roads. Private roads within the development are permitted and shall be designed and constructed in accordance with County public road standards under the CLDR.
- 11) On Site Power Generation: On site power generation using natural gas, solar, battery storage, or other technologies is permitted as an accessory use. Emergency diesel generators are permitted without separate approval provided they comply with noise, screening, and all other pertinent requirements and are Tier IV compliant. Because of the water demands inherent in data centers, power generation via a steam-based power system shall only be authorized if specifically approved by the Board of Commissioners as part of use permit approval.
- 12) Lighting. All outdoor lighting shall use full cutoff fixtures, limited to 3,500K, and be configured to prevent light spillage onto adjacent properties.
- 13) Noise: Upon submission of an application for a building permit for a principal data center structure, said application shall include sound level modeling that complies with the levels established herein. Sound levels at any property line shall not exceed the dB levels set forth herein except during emergency generator testing,

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which is limited to one test period per week on weekdays between 11:00 AM and 1:00 PM.

- i) Data center, campus: 65 dBA daytime (7:00 AM – 7:00 PM) / 55 dBA nighttime (7:00 PM – 7:00 AM)

- 14) Water consumption: Operations shall use closed-loop cooling systems or equivalent technologies to minimize water usage beyond initial system charging and personnel needs. Non-closed loop and evaporative cooling systems are prohibited. A public water supply is required. The drilling or operation of wells for water supply is prohibited.
- 15) Traffic management: An application for a building permit for a data center shall include a traffic impact study that identifies measures to minimize disruptions to local roads caused by heavy equipment and material transport.
- 16) Environmental Impact Study: An conditional use application for a data center shall be accompanied by an environmental impact study the contents of which shall include information on potential impacts to air quality, water resources, energy generation, noise, light, traffic, natural resources, and archaeological or cultural resources. The study shall also include information on mitigation of those impacts. The information provided shall be considered by the Commission in determining whether to approve or deny the application. The County reserves the right to require additional areas of study where site-specific conditions indicate potential for significant environmental, cultural, or community impacts.
- 17) Decommissioning Plan: A building permit application for a data center shall include a decommissioning plan that includes detailed procedures for the management, recycling, and disposal of electronic waste and all other materials. The Decommissioning Plan shall also include provisions addressing the proper handling, recycling, and disposal of electronic waste and other materials generated as a result of future technological upgrades or equipment replacements. The plan shall include a financial surety, such as a bond or letter of credit, in an amount sufficient to cover the estimated costs of decommissioning, as determined by the County.
- 18) Waste Water: Data centers shall connect to a publicly owned municipal or county sewer system. Where municipal or county sewer service is not available, on-site wastewater treatment and disposal systems are prohibited. The conditional use permit application shall include a wastewater management plan that addresses:
  - i) a. Pretreatment methods for process wastewater (including cooling tower blowdown, water treatment reject, and any other non-sanitary flows) to meet all

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applicable local sewer-use ordinance limits prior to discharge into the public system;

- ii) b. Estimated daily wastewater volumes under normal operation and during maintenance events; and
- iii) c. Procedures for proper handling and disposal of any wastewater or sludge generated during equipment decommissioning or end-of-life of the facility.

81.1. *Table of requirements by district and use.* Within the zoning districts listed herein, the following requirements shall apply except as otherwise provided:

| District and Type of Use                            | Minimum Lot Area (sq. ft. per unit)+ | Minimum Lot Width Measured at Building Line (ft.)^ | Maximum Lot Coverage (%) |
|-----------------------------------------------------|--------------------------------------|----------------------------------------------------|--------------------------|
| TABLE 6                                             |                                      |                                                    |                          |
| <b>M-2 General Industrial District</b>              |                                      |                                                    |                          |
| All Permissible Uses and Uses authorized by permit: |                                      |                                                    |                          |
| with septic tank and well*                          | 43,560                               | 150                                                | 65                       |
| with septic tank and water system*                  | 22,500                               | 100                                                | 65                       |
| with sewer and water system                         | 20,000                               | 80                                                 | 80                       |

\*unless utility connection required by sec. 74.23.

+except as otherwise required by sec. 74.23(1).

^+ as to data centers, as set forth in use permit conditions.

## Article IX

### Section 96.7 Data Centers

96.7.1 Within the M-2 district, data centers shall be a conditional use. Any application for a data center in M-2 shall comply with all performance standards, including minimum lot size, set forth in Section 74.23.

96.7.2 Performance standards for data centers authorized by conditional use shall be as required in Section 74.23 or pertinent M-2 general standards, unless otherwise modified by the Board of Commissioners in the conditional use approval.