COUNTY OF DADE **STATE OF GEORGIA**

ORDINANCE NO. _____-26

AN ORDINANCE AMENDING DADE COUNTY SPECIAL USE PERMIT ORDINANCE; TO REQUIRE SPECIAL USE PERMITTING FOR DATA CENTERS TO PROVIDE STANDARDS AND PROCEDURES FOR THE ISSUANCE OF SAID PERMITS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners of Dade County ("Dade County") is the county governing authority of Dade County, Georgia;

WHEREAS, on March 5, 2020, Dade County adopted a Special Use Permit Ordinance (No. 03-05-20) requiring a special use permit for certain land uses in the County, and said ordinance was subsequently amended (No. 06-03-21) (codified at Dade County Code of Ordinances 19-1 et seq.);

WHEREAS, the Board of Commissioners desires to balance and accommodate the need to develop industrial sites within the County and the use and enjoyment by all adjoining landowners and residents within the County; and

WHEREAS, the Board of Commissioners deems it to be in the best interests of the health safe and welfare of the citizens of Dade County to regulate the siting, construction, and development of data centers within the County, and to require a special use permit for the same.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Commissioners of Dade County, Georgia, that the Dade County Special Use Permit Ordinance is amended as follows:

A. Section 19-2(a) of the said ordinance is hereby amended by adding the following provision:

"14. Data centers defined as commercial activity centers associated with technology, information systems, data infrastructure, data housing and management activities, and similar new information age uses such as date processing, storage, and related services. Structures and land may be used for uses customarily incidental to the primary permitted use. "

B. Section 19-4(d) of the said ordinance is further amended by adding the following paragraph:

"In addition to all other standards and criteria provided in this subsection for considering special use permits, the Board should also consider the following criteria for evaluating permits for data centers:

15 Do buildings 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, smokestacks, and other incidental and uninhabited parts of industrial uses.

16. Are there minimum setbacks of 200 feet in residential areas, or 50 feet in commercial or industrial areas?

17. Are there minimum setbacks of 300 feet from any property line and 1,000 feet from any existing, occupied residential dwelling for any natural gas turbine power generation?
18. Is there a closed loop cooling system or another functionally equivalent technology promoting sustainable water use and reducing stress on public water supplies?
19. Does the data center exceed 300 megawatts of firm load?
20. Are air conditioning units and HVAC systems thoroughly screened from view from the public right of way and from adjacent properties by walls, fencing, roof elements or landscaping?
21. Is the front building façade of all principal buildings 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.
22. Are the security fencing and walls located within the required buffer zone?
23. Is the exterior lighting shielded, downcast, and of a luminosity design to maintain the existing night sky darkness and to prevent light trespass onto adjacent properties?
24. Do the data center operations produce continuous sound that exceeds an average of 65 decibels over any 30 minute period from 8:00 a.m. to 6:00 p.m., as measured at any adjacent property boundary?
25. Do the data center operations produce continuous sound that exceeds an average of 55 decibels over any 30 minute period from 6:00 p.m. to 8:00 a.m., as measured at any adjacent property boundary?

All paragraphs, subparagraphs and other provisions of the Dade County Special Use Permit Ordinance not directly and expressly amended herein shall remain in full force and effect. This amendment to the Dade County Special Use Permit Ordinance contained herein shall take effect immediately upon its passage.

PASSED AND ADOPTED on this ___ day of _____, 2026.

BOARD OF COMMISSIONERS
DADE COUNTY, GEORGIA

BY: _____
DON TOWNSEND
Chairman/County Executive

ATTEST:

BY: _____
GIDGET KNIGHT
County Clerk