



**CITY COUNCIL  
ATLANTA, GEORGIA**

**24-O-1222**

**Z-24-44 AN ORDINANCE BY COUNCILMEMBERS JASON DOZIER, MATT WESTMORELAND, ANTONIO LEWIS, MARCI COLLIER OVERSTREET, JASON H. WINSTON, AMIR FAROKHI, ANDREA L. BOONE, MARY NORWOOD, ALEX WAN, DUSTIN HILLIS, BYRON D. AMOS, HOWARD SHOOK AND MICHAEL JULIAN BOND TO AMEND THE 1982 ATLANTA ZONING ORDINANCE, AS AMENDED, BY AMENDING VARIOUS PROVISIONS OF THE TEXT, INCLUDING CREATING A DEFINITION FOR “DATA CENTER” BY AMENDING CHAPTER 29; AND BY AMENDING THE REGULATIONS OF VARIOUS DISTRICTS TO PROHIBIT DATA CENTERS WITHIN HALF OF A MILE OF HIGH-CAPACITY TRANSIT STOPS; AND FOR OTHER PURPOSES.**

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WHEREAS, Atlanta's data center market is growing faster than any other in the United States; and

WHEREAS, Atlanta has emerged as a significant participant in the data center landscape due to favorable factors like robust fiber connectivity, historical railroad infrastructure with established zoning and permitting, minimal natural disaster risks, access to inexpensive land, and affordable power; and

WHEREAS, data center projects under construction in Atlanta increased by 211% between 2022 and 2023, marking the largest increase in the country; and

WHEREAS, from the first to the second half of 2023, the construction of data center projects skyrocketed from over 235 megawatts to over 730 megawatts, equivalent to the output of a typical natural gas plant; and

WHEREAS, owing to their substantial energy demand, these centers have a significant impact on the electric grid, particularly amidst significant growth in Atlanta and across Georgia; and

WHEREAS, while data centers require some staff for maintenance and operations, they typically do not yield a significant number of local jobs in comparison to other sectors, resulting in limited economic benefits for neighboring communities; and

WHEREAS, the existence of data centers presents a trade-off, diverting resources and focus away from alternative urban development priorities like affordable housing, public transportation, and green areas; and

WHEREAS, cooling systems in data centers consume substantial quantities of water, potentially stressing local water resources, especially in areas susceptible to drought, and exacerbating water scarcity problems in urban regions; and



WHEREAS, the public investment in public transit is significant with local, state, and federal investment exceeding \$500,000,000 annually; and

WHEREAS, in order to fully leverage investment in public transit, areas near transit stops should deliver uses that contribute to the desired goals of the public transit vision; and

WHEREAS, while data centers provide an important service, their existence near high-capacity transit stops becomes less helpful due to the necessary size of such facilities and related infrastructure, their reliance on large vehicles and other equipment, and the voltage emitted from such facilities that is not conducive or appropriate to locate within a dense environment of residential and other mixed-use development with pedestrians, cyclists, and other non-motorized modes of transportation; and

WHEREAS, in order to fully realize the goals of the public transit network, and to increase pedestrian safety, as well as increase the public health of the city, it has become necessary to prohibit the creation of new data centers within half a mile of high capacity transit stops; and

WHEREAS, the City Charter, at Section 1-102(b), provides that the City shall have all powers necessary and proper to promote the safety, health, peace, and general welfare of the City and its inhabitants; and

WHEREAS, this ordinance is adopted pursuant to Georgia Constitution Article IX, Section II, Paragraph IV, which empowers the governing authority of each county and each municipality to adopt plans and exercise the power of zoning; and

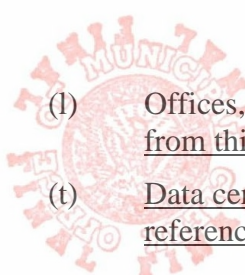
WHEREAS, the City Council finds that these text amendments are in the best interest of the public health, safety, and welfare.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS as follows:

SECTION 1: So as to add a new definition to Atlanta City Code Sec. 16-29.001 entitled “Data Centers.” Section 16-29.001 is hereby amended to add:

- (91) *Data Center:* A facility engaged in the storage, management, processing, or transmission of digital data, which houses computer or network equipment, systems, servers, or appliances, and other associated components related to digital data operations.

SECTION 2: City Code Sec. 16-16A.004(3) governing the permitted principal uses and structures in the I-Mix (Industrial Mixed Use District) zoning district is hereby amended to add new language in underline font:



- (l) Offices, clinics (including veterinary), studios, and computer, data analysis. Data centers are excluded from this use in this district.
- (t) Data centers, except where any part of the property is within 2,640 feet of a high capacity transit stop, as referenced in City Code Section 16-28.014(14).

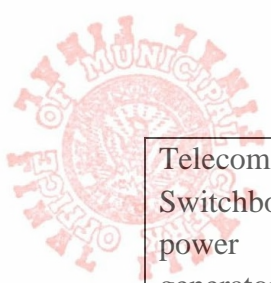
**SECTION 3:** City Code Sec. 16-18A.006 governing use regulations in the SPI-1 zoning district is hereby amended to add the following text in underline font to the SPI-1 Downtown: Use Table (Utilities):

Digital industry switchboards, relay equipment, and associated power generators as principal uses. <u>Data centers are excluded from this use in this district.</u>	SUP	SUP	SUP	SUP	SUP	SUP	SUP
<u>Data centers, except where any part of the property is within 2,640 feet of a high capacity transit stop, as referenced in City Code Section 16-28.014(14).</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>	<u>SUP</u>

**SECTION 4:** City Code Section 16-18C.006 governing permitted principal uses and structures in the SPI-3 zoning district is hereby amended to add the following text in underline font to Table 2: SPI-3 Use Table:

Telecom Switchboards, power generators, relay equipment. <u>Data centers are excluded from this use in this district.</u>	X	X	X	X	X	X	X	SUP	SUP
<u>Data centers, except where any part of the property is within 2,640 feet of a high capacity transit stop, as referenced in City Code Section 16-28.014(14).</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>SUP</u>	<u>SUP</u>

**SECTION 5:** City Code Section 16-18D.007 governing permitted principal uses and structures in the SPI-4 zoning district is hereby amended to add the following text in underline font to Table 2: SPI-4 Use Table:



Telecom Switchboards, power generators, relay equipment. <u>Data centers are excluded from this use in this district.</u>	X	X	X	X	X	X	X	SUP	X	X	X	X	X
<u>Data centers, except where any part of the property is within 2,640 feet of a high capacity transit stop, as referenced in City Code Section 16-28.014(14).</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>SUP</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>

SECTION 6: City Code Section 16.18P.005 governing permitted principal uses and structures in the SPI-16 zoning district is hereby amended to add the following text in underline font to Table 1: SPI-16 Table of Uses:

Telecommunication Switchboards/Etc. <u>Data centers are excluded from this use in this district.</u>	P	X	X
<u>Data centers, except where any part of the property is within 2,640 feet of a high capacity transit stop, as referenced in City Code Section 16-28.014(14).</u>	<u>P</u>	<u>X</u>	<u>X</u>


SECTION 7: City Code Section 16.18R.005 governing permitted principal uses and structures in the

SPI-18 zoning district is hereby amended to add the following text in underline font to SPI-18 Mechanicsville: Use Table:

Telecommunication switchboards, power generators and other telecommunications relay equipment and rooms or floors housing them. <u>Data centers are excluded from this use in this district.</u>	X	X	X	X	X	X	P	P	X	X
<u>Data centers, except where any part of the property is within 2,640 feet of a high capacity transit stop, as referenced in City Code Section 16-28.014(14).</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>

SECTION 8: City Code Section 16.18T.005 governing permitted principal uses and structures in the SPI-20 zoning district is hereby amended to add the following text in underline font to Table SPI-20 Greenbriar- Permitted uses:

Digital industry switchboards, power generators and other relay equipment and rooms housing such equipment when located on subterranean levels or the second floor above sidewalk level and higher, or on ground floors provided that retail, office, institutional, or residential uses are provided for a minimum depth of 20 feet from any building façade along the public sidewalk. <u>Data centers are excluded from this use in this district.</u>	P	P	P	X	X	X
<u>Data centers, when located on subterranean levels or the second floor above sidewalk level and higher, or on ground floors provided that</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>



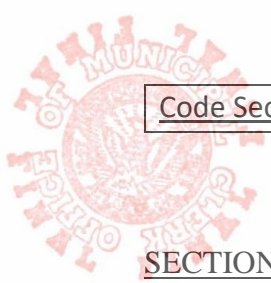
retail, office, institutional, or residential uses are provided for a minimum depth of 20 feet from any building façade along the public sidewalk, and except where any part of the property is within 2,640 feet of a high capacity transit stop, as referenced in City Code Section 16-28.014(14).

**SECTION 9:** City Code Section 16.18U.008 governing permitted principal uses and structures in the SPI-21 zoning district is hereby amended to add the following text in underline font to Table SPI-21 Historic West End/ Adair Park - Permitted Uses (Transportation Communications):

Telecommunications switchboards. <sup>8</sup> <u>Data centers are excluded from this use in this district.</u>	P	P	P	P	X	X	X	X	P	P
<u>Data centers, except where any part of the property is within 2,640 feet of a high capacity transit stop, as referenced in City Code Section 16-28.014(14).</u>	<u>P</u>	<u>P</u>	<u>P(8,000)</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>

**SECTION 10:** City Code Section 16.18V.005 governing use regulations in the SPI-22 zoning district is hereby amended to add the following text in underline font to SPI-22 Memorial Drive/ Oakland Cemetery: Use Table (Utilities):

Digital industry switchboards, relay equipment, and associated power generators as principal uses. <u>Data centers are excluded from this use in this district.</u>	SUP	X	SUP	SUP	-
<u>Data centers, except where any part of the property is within 2,640 feet of a high capacity transit stop, as referenced in City</u>	<u>SUP</u>	<u>X</u>	<u>SUP</u>	<u>SUP</u>	<u>=</u>



<u>Code Section 16-28.014(14).</u>					
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SECTION 11: City Code Sec. 16-32.005(7) governing permitted principal uses and structures in the NC (Neighborhood Commercial District) zoning district is hereby amended to add the following language in underline font:

- (n) Telecommunication switchboards, power generators and other telecommunications relay equipment and rooms or floors housing them. Data centers are excluded from this use in this district.
- (p) Data centers, except where any part of the property is within 2,640 feet of a high capacity transit stop, as referenced in City Code Section 16-28.014(14).

SECTION 12: City Code Sec. 16-34.005 governing special use permits in the MRC (Mixed Residential Commercial District) zoning district is hereby amended to add the following language in underline font:

- 9. Digital industry switchboards, power generators and other relay equipment and rooms housing such equipment when located on subterranean levels or the second floor above sidewalk level and higher, or on ground floors provided that retail, office, institutional, or residential uses are provided for a minimum depth of 20 feet from any building façade along the public sidewalk. Data centers are excluded from this use in this district.
- 36. Data centers, when located on subterranean levels or the second floor above sidewalk level and higher, or on ground floors provided that retail, office, institutional, or residential uses are provided for a minimum depth of 20 feet from any building façade along the public sidewalk, and except where any part of the property is within 2,640 feet of a high capacity transit stop, as referenced in City Code Section 16-28.014(14).

SECTION 13 This ordinance shall become effective when signed by the Mayor or as otherwise provided by the City Charter.

A true copy,

Corrine A. Lindo

Municipal Clerk

ADOPTED by the Atlanta City Council  
APPROVED by Mayor Andre Dickens

SEP 03, 2024  
SEP 04, 2024