

RESOLUTION TO AMEND THE
ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA

WHEREAS, the Board of Commissioners of Spalding County, Georgia under the Constitution and Laws of the State of Georgia is empowered by virtue of its police power to regulate the health, safety and welfare of the citizens of Spalding County to provide for and enact zoning and developmental regulations;

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and therein adopted the Official Zoning Map of Spalding County, Georgia, in Article 23, Section 2301, et. seq.;

WHEREAS, the Board of Commissioners of Spalding County, Georgia has determined that it is in the best interests of the citizens of Spalding County for certain text revisions and amendments to be made to the Zoning Ordinance of Spalding County;

WHEREAS, the Board of Commissioners of Spalding County, Georgia further desires to promote the health, safety and welfare of its citizens by allowing the proper development and regulation of data center facilities in certain zoning districts contained in the Zoning Ordinance of Spalding County, Georgia;

WHEREAS, such text amendments to the Zoning Ordinance of Spalding County were reviewed by the Spalding County Planning Commission, and a hearing on the text amendments to the Zoning Ordinance of Spalding County was conducted by the Board of Commissioners of Spalding County, Georgia on October 24, 2024 pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

WHEREAS, the Board of Commissioners of Spalding County, Georgia considered the proposed amendment, any and all alternate proposals or amendments, the report of the Spalding County Planning Commission and all data and evidence taken at the public hearing; and

WHEREAS, it is deemed by the Board of Commissioners of Spalding County, Georgia that an amendment to the Zoning Ordinance of Spalding County, Georgia is in conformance with the Spalding County Comprehensive Plan and sound comprehensive planning principles and of substantial benefit to the public and in the promotion of the best interests and general welfare of the people;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia, that the Zoning Ordinance of Spalding County, Georgia shall be and is hereby amended as follows:

Section 1: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 2 – Definitions of Terms Used to appear as Section 202.

Section 202. – General definitions.

H'''- *Bitcoin Mining:* The process of creating virtual currencies and processing virtual currency transactions for other individuals or organizations, and the facilities where such activities take place. Also known as cryptocurrency mining.

X'- *Data Center:* A use involving one or more buildings or premises in which the majority of the use is occupied by computers and/or telecommunications and related equipment, including supporting equipment, where information is processed, transferred and/or stored for other organizations.

Section 2: The following provisions shall be added to the Zoning Ordinance of Spalding County, Article 14A C-1C Manufacturing - Light to appear as Sections 1403(B)(8):

Sec. 1403 – Permitted Uses

B. The following principal uses are permitted as special exceptions in C-1C districts:

8. Data Centers, but not Bitcoin Mining, meeting the following minimum general development standards:

- a. Shall only be located within a planned commercial or industrial development.
- b. Shall not be located within any S-2, S-3, or S-4 Sensitive Land Protection Districts.
- c. Shall meet all relevant development standards of any Overlay Districts they may be located within, including any Airport Overlay District restrictions.
- d. Exterior walls facing roads or residential properties shall not be all metal and shall consist of 40% stone or masonry facades.
- e. All exterior lighting shall be night-sky friendly.
- f. All mechanical equipment shall be fully screened with opaque fencing, per Section 407. Rooftop equipment shall be screened with parapets.
- g. Minimum building setback for any property line adjacent to residential properties shall be 100 feet for principal data center buildings. Otherwise, 50 feet minimum from all property lines adjacent to non-residential properties.
- h. Power transfer stations, generators and / or other appurtenances associated with data centers shall have a minimum 50-foot-wide buffer between them and adjacent residential properties with evergreen plant material. Buffer plan to be approved by the Community Development Director.
- i. A water service capacity letter shall be provided by the relevant water service authority.
- j. All relevant Fire Marshal regulations shall apply.

Sec. 1703 – Permitted Uses

A. The following principal uses are permitted **as special exceptions** in PDD Districts:

6. Data Centers, but not Bitcoin Mining, meeting the following minimum general development standards:

- a. Exterior walls facing public roads or any residential properties shall not be all metal and shall consist of 40% stone or masonry facades.
- b. All exterior lighting shall be night-sky friendly.
- c. All mechanical equipment shall be fully screened with opaque fencing, per Section 407. Rooftop equipment shall be screened with parapets.
- d. Power transfer stations, generators and / or other appurtenances associated with data centers shall have a minimum 50-foot-wide buffer between them and any adjacent residential properties with evergreen plant material. Buffer plan to be approved by the Community Development Director.
- e. A water service capacity letter shall be provided by the relevant water service authority.
- f. All relevant Fire Marshal regulations shall apply.

Section 48: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.