

ORDINANCE NO. 286

AN ORDINANCE OF UPSON COUNTY, GEORGIA TO AMEND THE CODE OF UPSON COUNTY; TO AMEND THE M-1 AND M-2 SECTIONS OF THE UPSON COUNTY ZONING ORDINANCE; TO RENAME THOSE ZONING DISTRICTS TO BETTER REFLECT THE PERMITTED USES; TO ADD CERTAIN TECHNOLOGY-RELATED PERMITTED USES; TO CREATE THE TECHNOLOGY OVERLAY ZONING DISTRICT; TO ADD DEFINITIONS; TO ESTABLISH TECHNOLOGY OVERLAY DISTRICT STANDARDS RELATED TO PERMITTED USES, DEVELOPMENT STANDARDS, DESIGN GUIDELINES, ADMINISTRATION AND ENFORCEMENT; PROVIDING FOR REPEAL/CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of Commissioners of Upson County, Georgia, recognizes the need to promote technological development and innovation within the county; and

WHEREAS, the establishment of a Technology Overlay District will encourage the growth of technology-based businesses and enhance the economic vitality of Upson County;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Upson County, Georgia, that the Zoning Ordinance of Upson County is hereby amended as follows:

SECTION ONE

Section 202. - General definitions.

ADD:

Data Center: A facility specifically designed and equipped to house a network of computer servers and associated components, such as telecommunications and storage systems, used for the remote storage, processing, and distribution of digital data and related services. These facilities typically include substantial infrastructure for power supply, cooling, ventilation, and physical security. For the purposes of this ordinance, a Data Center is characterized by:

- High Energy Consumption: Requiring significant and continuous electrical power, often necessitating major electrical equipment components including dedicated substations or upgrades to existing power infrastructure.
- Specialized Cooling Systems: Utilizing industrial-scale cooling and ventilation equipment that may generate noise and require significant water usage or other coolant materials.
- Extensive Telecommunications Connectivity: Demanding robust and redundant fiber optic or other high-bandwidth communication lines.
- Limited On-Site Personnel: Typically operating with a relatively small number of on-site staff for maintenance and security compared to other commercial or industrial uses of similar size.
- Security Measures: Incorporating significant physical and electronic security systems to protect sensitive data.

ARTICLE 3-ESTABLISHMENT OF DISTRICTS

Section 301. Districts Established

B. Overlay districts:

In addition, overlay districts apply additional standards to specific areas which may lie within any of the above districts. Those districts are as follows:

ADD:

5. TOD-1 Technology overlay district 1

ADD:

ARTICLE 18. - M-1 MANUFACTURING, INDUSTRIAL & TECHNOLOGY—LIGHT

AMEND: Change all references to M-1 in the Upson County Zoning Ordinance to include Industrial & Technology where Manufacturing is listed.

Section 1804. - Permitted uses.

A. The following principal uses are permitted in M-1 districts:

ADD:

30. Technology-based businesses including data centers, business incubators and research and development facilities

31. Office buildings

C. The following accessory uses are permitted in M-1 districts:

3. Ancillary uses such as cafeterias, fitness centers and childcare facilities for employees

4. Electrical support infrastructure, including, but not restricted to, substations, switch stations, other required electrical equipment and enclosures

Section 1805. Development standards for M-1 districts.

G. *Maximum bldg. height:*

1. 35 feet. This height limit does not apply to projections not intended for human habitation. For buildings and structures with such projections, the minimum required yards must be increased one foot for every two feet (or part of two feet) of height greater than 35 feet.

2. 70 feet for data centers

ARTICLE 19. - M-2 MANUFACTURING, INDUSTRIAL & TECHNOLOGY—GENERAL

AMEND: Change all references to M-2 in the Upson County Zoning Ordinance to include Industrial & Technology where Manufacturing is listed.

Section 1904. - Permitted uses.

A. The following principal uses are permitted in M-2 districts:

ADD:

53. Technology-based businesses including data centers, business incubators and research and development facilities

54. Office buildings

C. The following accessory uses are permitted in M-2 districts:

3. Ancillary uses such as cafeterias, fitness centers and childcare facilities for employees

4. Electrical support infrastructure, including, but not restricted to, substations, switch stations, other required electrical equipment and enclosures

Section 1905. Development standards for M-1 districts.

G. *Maximum bldg. height:*

1. 35 feet. This height limit does not apply to projections not intended for human habitation. For buildings and structures with such projections, the minimum required yards must be increased one foot for every two feet (or part of two feet) of height greater than 35 feet.

2. 70 feet for data centers

ADD:

ARTICLE 30-TOD-1 TECHNOLOGY OVERLAY

Section 3001- Purpose.

The Technology Overlay District (TOD-1) is established to promote and support the development of technology-based businesses, research and development facilities, and related uses. The TOD-1 aims to create a conducive environment for innovation, attract high-tech industries, and provide employment opportunities for residents.

Section 3002 - Boundaries of the Technology Overlay District

The boundaries of the Technology Overlay District shall be as shown on the official zoning map of Upson County. The specific boundaries shall be developed in collaboration with the Thomaston-Upson Industrial Development Authority (IDA) and approved by the Upson County Planning Commission and the Board of Commissioners.

Section 3003. Permitted Uses

The following uses are permitted within the Technology Overlay District:

- A. Research and development facilities
- B. Technology-based manufacturing
- C. Data centers
- D. Office buildings for technology companies
- E. Educational and training facilities related to technology
- F. Ancillary uses such as cafeterias, fitness centers, and childcare facilities for employees
- G. Electrical infrastructure, including, but not limited to substations, switch stations, other required electrical equipment or enclosures

Section 3004. Development standards for TOD districts.

- A. Master Development Plan: A master development plan shall be submitted for review and approval by the Planning Commission when development is proposed within the TOD.
- B. Building Height: The maximum building height within the TOD shall be 70 feet, subject to approval by the Upson County Planning Commission. This height limit does not apply to projections not intended for human habitation. For buildings and structures with such projections, the minimum required yards must be increased one foot for every two feet (or part of two feet) of height greater than 35 feet.
- C. Setbacks: Minimum setbacks for buildings within the TOD shall be as follows:
 1. Front yard: 50 feet
 2. Side yard: 50 feet
 3. Rear yard: 50 feet
- D. Parking Requirements: Adequate parking shall be provided for all uses within the TOD, in accordance with the standards set forth in Appendix B – Standard for Off-Street Parking and Service Facilities.
- E. Landscaping and Buffering: A landscaped buffer shall be provided along all property lines adjacent to residential districts, including A-R. Landscaping shall always be maintained in good condition. Dead vegetation shall be removed and replaced. Buffer zones are established to minimize adverse visual, noise, and environmental impacts between incompatible land uses; protect residential areas from the encroachment of commercial or industrial activities; preserve natural resources and enhance the aesthetic quality of the community.
 1. A landscaping and buffer plan shall be submitted for review and approval by the Planning Commission with the initial development plan or first building permit application.
 2. Minimum width: 30 feet.
 3. Vegetation: Dense planting of trees and shrubs, with trees planted at intervals of 10-15 feet. Emphasis on evergreen species for year-round screening. Credit will be given for existing vegetation.
 4. Fencing: In addition to the landscaping and buffer requirements, a solid fence or wall, at least 8 feet high, may be required by the Planning Commission.
- F. Environmental Protection: Development within the TOD shall comply with all applicable environmental regulations, including erosion and sediment control measures, as required in state law and Upson County's ordinances.

Section 3005. Design Guidelines

- A. Architectural Design: Buildings within the TOD shall be designed to reflect a uniform, modern, high-tech aesthetic. Use of sustainable materials and energy-efficient design practices is encouraged.
- B. Signage: Signage within the TOD shall be consistent with the character of the district and shall comply with the signage regulations of the Upson County Zoning Ordinance.
- C. Green Space: Development within the TOD is encouraged to incorporate green spaces and recreational areas.

D. Open space not to be encroached upon: No buffers or other open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces, and other such required development standards contained in Upson County’s ordinances. Shrubby, driveways, retaining walls, fences, curbs, and buffers are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.

Section 3006. Administration and Enforcement

The Upson County Planning Commission shall be responsible for the administration and enforcement of the provisions of this ordinance. Any proposed development within the TOD shall be subject to site plan review and approval by the Planning Commission.

SECTION TWO

The Official Zoning Ordinance of Upson County, Georgia is hereby amended by repealing and replacing and adding the above and shall be accessible to the public

SECTION THREE

All ordinances or parts thereof in conflict with the terms and provisions of this Ordinance are, and the same hereby, are repealed.

SECTION FOUR

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

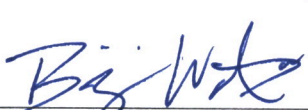
The foregoing ordinance this day adopted by the Board of Commissioners of Upson County, Georgia is effective this 22nd day of July, 2025.



**BOARD OF COMMISSIONERS
OF UPSON COUNTY**

BY: 

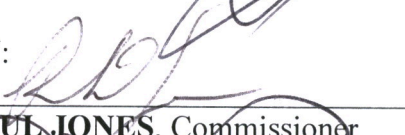
DAN BRUCE, Chairman

BY: 

BENJAMIN WATSON, Vice Chairman

BY: 

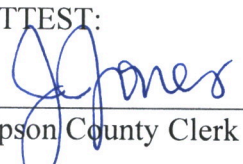
JAMES ELLINGTON, Commissioner

BY: 

PAUL JONES, Commissioner

BY: 

CHRIS BIGGS, Commissioner

ATTEST:


Upson County Clerk