



City of Hogansville

**City Council**

**Work Session Meeting Agenda**

**Monday, June 1, 2026 – 6:00 pm**

**Meeting will be held at Hogansville City Hall**

**111 High Street, Hogansville, GA 30230**

Mayor: <i>Jake Ayers</i>	2029	City Manager: <i>Lisa E. Kelly</i>
Council Post 1: <i>Michael Taylor, Jr</i>	2029	Assistant City Manager: <i>Oasis Nichols</i>
Council Post 2: <i>Jason Baswell</i>	2029	City Attorney: <i>Alex Dixon</i>
Council Post 3: <i>Mandy Neese *</i>	2027	Chief of Police: <i>Jeffrey Sheppard</i>
Council Post 4: <i>Mark Ayers</i>	2027	City Clerk: <i>LeAnn Lehigh</i>
Council Post 5: <i>Kandis Strickland</i>	2027	* Mayor Pro-Tem

**WORK SESSION – 6:00 PM**

**BUSINESS**

1. Discussion of UDO Amendments - Heavy Industrial (HI) Zoning District, Standards and Regulations for Data Center Developments, and Establishment of Procedures and Requirements Related to Developments of Impact.

**4.24.26 HOGANSVILLE UDO UPDATES**

**SUBCHAPTER 102-B**

- Yellow highlights indicate proposed revisions
- Red ~~crossed-out~~ text indicates proposed deleted text
- **Bold** text indicates proposed new text

**Sec. 102-B-2-12. G-HI, general heavy industrial district.**

**Purpose and intent. This zoning district is intended primarily for large-site development of heavy industrial uses and businesses.**

Sec. 102-B-2-1 **23**. PUD, planned unit development special zoning district.

Purpose and intent. This zoning district is an overlay district intended primarily for facilitating development that is located on property containing abnormal topographical or environmental constraints.

Sec. 102-B-2-1 **34**. - Historic district special zoning district overlay.

Purpose and intent. This zoning district is an overlay district intended primarily as the historic district for the downtown of the city.

Sec. 102-B-2-1 **45**. - Downtown business special district overlay.

Purpose and intent. This zoning district is an overlay district intended primarily as the entertainment district for the downtown of the city.

Sec. 102-B-4-1. Dimensional standards of zoning districts.

Space Dimensions Table

SPACE DIMENSIONS	ES-R <sup>12</sup>	SU-R <sup>12</sup>	TN-R <sup>12</sup>	TN-MX <sup>1,10</sup>	CR-MR	CR-MX <sup>10</sup>	DT-MX	G-RL	G-B	G-LI	<b>G-HI</b>
Maximum number of primary dwellings (per lot)	1	1	1	N/A	N/A	N/A	N/A	1	N/A	N/A	<b>N/A</b>
Building Coverage (Maximum, % of lot area)	50% <sup>2</sup>	50% <sup>2</sup>	70% <sup>2</sup>	80% <sup>2</sup>	60% <sup>2</sup>	80% <sup>2</sup>	100%	50%	80%	80%	<b>80%</b>

Lot Size (Minimum, square feet)	14,000	8,000	5,000 <sup>2,3</sup>	None	None	None	None	1 acre	10,000	1 acre	<b>1 acre</b>
Lot Frontage (Minimum)	75' <sup>11</sup>	60' <sup>11</sup>	50' <sup>2,11</sup>	50' <sup>2</sup>	50' <sup>2</sup>	50' <sup>2</sup>	None	100'	100'	100'	<b>100'</b>
Building Height <sup>4,2</sup> (Maximum)	35'	35'	40'	40'	40' <sup>9</sup>	40' <sup>9</sup>	40' <sup>6</sup>	35'	40' <sup>9</sup>	75' <sup>9</sup>	<b>75' <sup>9</sup></b>
Side Yard (Minimum) <sup>5</sup>	15' <sup>2</sup>	10' <sup>2</sup>	5' <sup>2</sup>	None	10' <sup>2</sup>	10' <sup>2</sup>	None	20'	15'	15'	<b>15'</b>
Street Side Yard (Minimum)	10' <sup>2</sup>	10' <sup>2</sup>	5' <sup>2</sup>	None	10' <sup>2</sup>	10' <sup>2</sup>	None	15'	10'	10'	<b>10'</b>
Rear Yard (Minimum)	25' <sup>2,7</sup>	25' <sup>2,7</sup>	20' <sup>2,7</sup>	25' <sup>2</sup>	25' <sup>2</sup>	15' <sup>2</sup>	None	40'	15'	15'	<b>15'</b>
Front Yard - Arterials and Collectors (Minimum) <sup>8,1</sup> <sub>3</sub>	35' <sup>2</sup>	35' <sup>2</sup>	30' <sup>2</sup>	25' <sup>2</sup>	25' <sup>2</sup>	25' <sup>2</sup>	None	40'	40'	40'	<b>40'</b>
Front Yard - All other street types (Minimum) <sup>8,1</sup> <sub>3</sub>	20' <sup>2</sup>	20' <sup>2</sup>	20' <sup>2</sup>	25' <sup>2</sup>	25' <sup>2</sup>	25' <sup>2</sup>	None	25'	25'	25'	<b>25'</b>
Front Yard (Maximum) <sup>8,</sup> <sub>13</sub>	None	None	None	40' <sup>2</sup>	None	None	40' <sup>2</sup>	None	None	None	<b>None</b>

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Sec. 102-B-4-5. Fences and retaining walls.

(2) General conditions.

(e) Barbed wire shall be permitted on fences and walls on properties within G-RL, **and G-LI,**  
**and G-HI** zoning districts. Fences and walls for all other uses are prohibited from utilizing  
barbed wire.

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Sec. 102-B-4-5. Fences and retaining walls.

(3) Fences, general.

(a) Fences in the front yard:

(i) Maximum height. Fences shall not exceed four feet in height and shall not extend into the public right-of-way. See section 102-B-4-6 for corner lot restrictions. Properties within G-R, and G-LI, and G-HI zoning districts are allowed fences up to six feet in height. Fence posts and pillars shall be permitted to be located an additional one foot higher than the maximum height allowed for the remaining fencing elements.

(ii) Materials. Fences shall not be made of wire, woven metal, or chain link, unless located on property within G-RL, and G-LI, and G-HI zoning districts. All other fences shall be ornamental or decorative fences constructed of brick, stone, stucco, split rail, wood, aluminum, or wrought iron. The fence shall be a minimum of 50 percent transparent. Exposed block, tires, junk or other discarded material shall be prohibited fence materials. No barbed wire, razor wire, chain link fence or similar elements shall be visible from any public plaza, ground level or sidewalk level outdoor dining area, street or thoroughfare, or public right-of-way.

Sec. 102-B-5-2. Building typology.

BUILDING TYPE	ES-R	SU-R	TN-R	TN-MX	CR-MR	CR-MX	DT-MX	G-RL	G-B	G-LI	G-HI
Garage Apartment	P	P	P	P	P	P		P			
Backyard Cottage	P	P	P	P	P	P		P			
Cottage House			P	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>					
Detached House	P	P	P	P	P	P		P			
Cottage Court			P	P	P	P					
Two-Family Dwelling			P	P	P	P					
Attached House				P	P	P					
Townhouse				P	P	P					
Walk-up Flat				P	P	P					
Stacked Flat				P	P	P					
Single-Story Shopfront				P		P	P		P	P	P
Mixed Use Building				P		P	P				
General Building				P		P			P	P	P
Civic Building				P		P	P		P		

Manufactured Home													
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Sec. 102-B-5-3. Building architecture.

(1) Additional standards for G-LI and G-HI zoning districts. No building shall be constructed with a wooden frame. The exterior finish of all buildings shall be common brick, concrete blocks, tile bricks, enamel metal siding, their equivalent or better, but no building thereon shall be covered with asbestos siding or galvanized sheet metal. If the exterior walls are constructed of concrete or concrete blocks, unless the exterior finish is stucco, gunite or their equivalent, the joints shall be rubbed down and the walls covered sufficiently with standard waterproofing paint.

Sec. 102-B-5-4. Transitional heights.

(1) Transitional heights.

(a) Transitional height planes. A transitional height plane is an imaginary plane having a vertical component and angular component specifically designed to restrict the maximum height of all parts of buildings or structures within CR-MR, CR-MX, DT-MX, G-B, and G-LI, and G-HI zoning districts and their relationship to adjoining ES-R, SU-R, TN-R, TN-MX, and G-RL districts.

Transitional height planes shall comply with the following components and regulations:

- (i) A vertical component measured at the required yard or buffer setback adjoining the common property line by a 40-foot vertical distance above the finished grade;
- (ii) An angular component extending inward over an adjoining CR-MR, CR-MX, DT-MX, G-B, and G-LI, and G-HI district at an angle of 45 degree;
- (iii) Such vertical and angular component calculations shall be made on a point-by-point basis and not average grade; and
- (iv) No portion of any structure shall protrude through the transitional height planes specified in subsection (1)(b) below.

(b) Where CR-MR, CR-MX, DT-MX, G-B, and G-LI, and G-HI zoning districts adjoin ES-R, SU-R, TN-R, TN-MX, and G-RL districts without an intervening public street, height within this district shall be limited by the transitional height plane requirements.

Sec. 102-B-6-1. Table of permitted and prohibited uses.

TABLE OF PERMITTED AND PROHIBITED USES	SUPPLEMENTAL	ES R	R	R	M X	M R	M X	M X	R L	B	LI	HI
		ES	SU	TN	TN	CR	CR	DT	G	G	G	G
ACCESSORY USES												
Accessory Dwelling, Attached	Y	A	A	A	A	A	A	A	A			
Accessory Dwelling, Detached	Y	A	A	A	A	A	A	A	A			

Cafeteria							A	A		A	A	A
Car Wash							A			A	A	A
Cargo Containers	Y	A	A	A			P		A		P	P
Club Houses, Recreation associated with Residential Subdivisions		A	A	A	A	A	A		A			
Day Care - Adult Day Care Center, After School Program, Day Care Center, Nursery School (As Accessory Uses for Places of Worship Only)	Y	A	A	A	A	A	A	A	A	A		
Donation Bin	Y						A			A	A	A
Drive-Thru Facility							A			A	A	A
Farmers' Market					A		A	A	A	A		
Garden, Hobby		A	A	A	A	A	A	A	A	A	A	A
Greenhouse, Non-Commercial		A	A	A	A	A	A	A	A	A	A	A
Helicopter Landing Area							A		A	A	A	A
Home Occupation	Y	A	A	A	A	A	A	A	A			
Horse Stables	Y								A			
Ice Vending							A			A		
Kennel and Animal Boarding, Hobby	Y	A	A						A		A	A
Live Outdoor Entertainment	Y				A		A	A				
Livestock Raising	Y								A		A	A
Outdoor Dining	Y				A		A	A		A		
Outdoor Display and Sales	Y				A		A	A		A	A	A
Outdoor Storage	Y						A			A	A	A
Parking Lots, Parking Decks					A	A	A	A		A	A	A
Poultry Raising	Y	A	A	A					A			
Recreational Vehicle and Boat Parking (for Single-Family Dwelling uses only)	Y	A	A	A					A			
Solar Panels, Wind Turbines, Rainwater Collection Systems		A	A	A	A	A	A	A	A	A	A	A
Swimming Pools and Tennis Courts		A	A	A	A	A	A	A	A			

AGRICULTURAL USES												
Camping, Campgrounds, Glamping	Y	SUP	SUP	SUP					P			
Commercial Agriculture, Forestry, Fishing	Y									P	P	P
Commercial Community Garden	Y	SUP	SUP	SUP	P		P	P	P			
Farmers markets, Roadside markets, Roadside stands	Y						SUP		SUP	P		
Non-commercial Agriculture, Forestry, Fishing		P	P	P		SUP			P		P	P
Timber Harvesting	Y								P			
COMMERCIAL USES												
Alcoholic Beverages, Packaged and Retail Sales							P	P				
Amusement and Recreation Industries							SUP	SUP		P		
Automobile Dealers							P			P	P	P
Automotive Parts, Accessories, Tire Stores							P			P	P	P
Automotive Repair, Maintenance	Y						P			P	P	P
Bars, Taverns					P		P	P				
Bed-and-Breakfast Inns	Y	SUP	SUP		P		P	P	SUP			
Brewpubs, Microbreweries					SUP		P	P		P		
Building Material, Garden Equipment, Supplies Dealers					SUP		P			P	P	P
Car Washes (Commercial)							P			P	P	P
Cemeteries (Private)	Y	SUP	SUP						SUP	P	P	P
Cemeteries (Religious, Institutional)	Y	SUP	SUP									
Civic and Social Organizations					SUP		P	P		P	P	P
Commercial and Industrial Machinery and Equipment, Including Sales and Rental					SUP		P			P	P	
Commercial Banking					P		P	P		P		
Commercial Parking Lots, Parking Decks	Y				SUP		P	P		P	P	P

Consumer Fireworks Retail Sales Facility, Retail Sales Stands	Y									P	P
Convenience Stores				P		P	P		P	P	P
<del>Data Processing, Hosting, Related Services</del>						P			P	P	
Distilleries, Microdistilleries						P	P		P	P	P
Drive-In Motion Picture Theaters						P			P		
Dry Cleaning, Laundry Services				SUP		P	P		P	P	P
Farm Wineries						P	P		P	P	P
Flea Market						P			P	P	P
Funeral Homes, Funeral Services, Crematoriums				P		P			P	P	P
Furniture and Home Furnishings Stores				P		P	P		P	P	P
Gasoline Stations	Y					P			P	P	P
General Merchandise Stores, including Warehouse Clubs and Supercenters						P	P		P		
General Rental Centers						P			P		
Grocery Stores				P		P	P		P		
Hotels, Motels	Y			P		P	P		P	P	P
Kennels and Animal Boarding (Commercial)						P		SUP	P	P	P
Libraries, Archives						P	P		P		
Massage and Spa Establishments	Y			SUP		SUP	SUP		SUP	P	P
Mobile Food Vendors	Y			P		P	P		P	P	P
Motion Picture Theaters (except Drive-Ins)						P	P				
Motor Vehicle Dealers (Sales and Rental), including Recreational Vehicles, Boats, and Utility Trailers						P			P	P	P
Museums, Similar Institutions				P		P	P				
Non-traditional Tobacco Paraphernalia						SUP					
Open Yard Sales	Y					P			P	P	P

Other Professional and Business Offices					P		P	P		P	P	P
Pawn, Title Services							P			P	P	P
Spectator Sports, Related Industries							P	P		P		
Personal Care Services					P		P	P		P		
Pet Care, Veterinary Services	Y				P		P		SUP	P	P	P
Radio and Television Broadcasting							P	P		P	P	P
Restaurants					P		P	P				
Retail Stores					P		P	P		P		
Sexually Oriented Businesses											P	P
Short Term Vacation Rental	Y	P	P	P	P	P	P	P	P			
Special Event Centers, Commercial Entertainment, Performing Arts							SUP	SUP		P	P	P
Taxidermy Services					P		P	P	SUP	P	P	P
Telephone Call Centers							P			P	P	P
Used Merchandise Stores					P		P	P		P		
<del>LIGHT</del> INDUSTRIAL USES												
Commissary Kitchens							SUP			P	P	P
<b>Cryptocurrency Processing, Related Services</b>												
<b>Data Centers</b>												P
Distribution Centers										P	P	P
Junkyard, Salvage Yard	Y										SUP	SUP
Light Manufacturing										P	P	P
										SUP	SUP	
Motor Vehicle Towing	Y										P	P
Personal Storage	Y						P			P	P	P
Recreational Vehicle and Boat Storage	Y						P			P	P	P
Recycling Centers											SUP	P
											P	
Recycling Collection							SUP			SUP	SUP	P
							P			P	P	
Remediation, Other Waste Management Services											SUP	SUP

Sewage Treatment Facilities					P		P	P		P	SUP P	P
Support Activities for Transportation Services							P			P	P	P
Truck Stop										P	P	P
Truck Terminals										P	P	P
Warehousing	Y						SUP			P	P	P
Waste Collection											SUP	SUP
Wreckage, Inoperable Vehicle Storage											SUP	P
<b>PUBLIC/INSTITUTIONAL USES</b>												
Child and Youth Services							SUP			P		
Colleges, Universities, Professional Schools							SUP			P	P	
Day Care - Adult Day Care Center	Y				SUP		P	P				
Day Care - After School Program	Y				SUP		P	P				
Day Care - Day Care Center	Y				SUP		P	P				
Day Care - Family Day Care Home	Y	SUP	SUP	SUP					SUP			
Day Care - Nursery School	Y				SUP		P	P				
Elementary and Secondary Schools	Y	P	P	P	P	P	P	P	P	P		
Hospitals					P		P			P		
Individual and Family Services					P		P	P		P		
Medical and Diagnostic Laboratories							P	P		P	P	P
Offices of Health Practitioners					P		P	P		P		
Places of Worship	Y	SUP	SUP	SUP	SUP	SUP	P	P	SUP	P	P	P
Services for the Elderly and Persons with Disabilities							P	P		P		
<b>RESIDENTIAL DWELLING USES</b>												
Dwellings, Manufactured Home	Y								P			
Dwellings, Multi-family	Y				P	P	P	P				

Dwellings, Single-family attached	Y				P	P	P	P				
Dwellings, Single-family detached	Y	P	P	P	P	P	P	P	P			
Dwellings, Townhome	Y				P	P	P	P				
Dwellings, Two-family	Y			P	P	P	P	P				
<b>RESIDENTIAL GROUP LIVING USES</b>												
Social Service Facility, including Halfway House, Drug Rehabilitation Centers, Drug Dependency Treatment Facilities	Y						SUP			SUP		
Assisted Living Facility, Nursing Home	Y					SUP	P			P		
Continuing Care Retirement Communities, Assisted Living Facilities for the Elderly						SUP	P			P		
Dormitories, Fraternities, Sororities										SUP		
Monastery, Convent						SUP	P			P		
Personal Care Home (2-4 residents)	Y	P	P	P	P	P	P		P	SUP		
Personal Care Home (5-15 residents)	Y	SUP	SUP	SUP		P				SUP		
Personal Care Home (16-24 residents)	Y	SUP	SUP	SUP	SUP	P	SUP	SUP		SUP		
Roominghouse, Boardinghouse	Y	SUP	SUP	SUP	P	SUP	P	P		P		
<b>TEMPORARY USES</b>												
Construction Field Office	Y	P	P	P	P	P	P	P	P	P	P	P
Open Air Seasonal Sales	Y				P		P	P	P	P	P	P
Real Estate Sales Offices, Model Homes	Y	P	P	P	P	P	P	P	P	P	P	P
Special Events and Festivals	Y	P	P	P	P	P	P	P	P	P	P	P
Temporary Portable Storage Container	Y	P	P	P	P	P	P	P	P	P	P	P
Warming Center	Y				P			P		P	P	P
Yard/Garage Sales	Y	P	P	P	P	P	P	P	P	P	P	P

Sec. 102-B-7-3. Accessory uses.

(3) Cargo containers.

(c) Cargo containers utilized for an accessory use shall be permitted without restriction in G-LI and G-HI districts.

(d) Cargo containers utilized for an accessory use shall have the following additional requirements:

(i) Cargo containers for storage purposes only shall be allowed on a permanent basis. Such cargo containers shall be permanently and fully screened from view from all adjacent properties, with either opaque fencing material one foot higher than the height of the cargo container or planted landscape material that within six months of installation is one foot higher than the height of the cargo container and which is opaque.

(ii) Placement of cargo containers shall comply with all applicable building and setback lines. No more than one permanent cargo container shall be allowed per lot, regardless of lot size.

(iii) Cargo containers within the CR-MX, and G-LI, and G-HI districts shall be allowed on a temporary basis on lots of less than one acre, but not for greater than 90 days. Neither a permit nor screening shall be required for the placement of a temporary cargo container.

(e) Cargo containers utilized for a principal use within CR-MX, and G-LI, and G-HI districts shall be permitted and shall be classified as a single story shopfront building type (section 102-B-5-2).

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Sec. 102-B-7-6. Industrial uses.

(1) **Data Center standards.**

(a) **Lot area. Minimum of 50 acres.**

(b) **Lot coverage. Maximum of 50 percent.**

(c) **Buffer.**

(i) **An undisturbed buffer a minimum depth of three hundred feet (300) shall be required along all property lines. See Sec. 102-C-8-21 for requirements and standards related to undisturbed buffers.**

(ii) **Buffer planting requirements shall be provided at 400% the minimum number of planting rows required in Sec. 102-C-8-21(4).**

(d) **Building design.**

(i) **All buildings must be designed to minimize adverse visual impacts on surrounding development as demonstrated by the submission of elevations, architectural sketches, or sight lines studies.**

(ii) **Exterior building materials shall include at least two of the following for any elevations viewable from a public right-of-way:**

(A) **Brick, stone, or architectural precast concrete panels.**

(B) **Architectural metal panels with non-reflective finish.**

(C) **High-quality fiber cement panels.**

(iii) **Portions of buildings visible from a public right-of-way shall incorporate at least two of the following design features to break up the building mass:**

(A) **Vertical or horizontal articulation of the façade at intervals not exceeding 50 feet.**

(B) Variation in building height of at least 10% across the facade, or stepped rooflines.

(C) Use of architectural projections or recesses at least 2 feet in depth.

(D) Changes in facade materials or colors with a minimum of two types of materials.

**(e) Equipment.**

(i) All HVAC and mechanical equipment shall be screened to prevent visibility of such equipment from any public right-of-way.

(ii) HVAC and mechanical equipment shall not be permitted within the required buffer.

(iii) Generators shall only be allowed as a backup energy source and not as a primary source.

(iv) Generators shall be classified as stationary sources and shall meet Tier 4 Final standards.

(v) Generators shall be powered by city natural gas provided that a city natural gas line is located within 200 feet of the property line and access is available over public land or through a public utility easement.

(vi) Open-loop water cooling systems are prohibited for all liquid cooling and ventilation equipment. Periodic refilling shall be permitted to maintain proper system operation.

(vii) Water cooling systems shall achieve a Water Usage Effectiveness (WUE) rating of 0.2 L/kWh or less.

(viii) Electrical power substations shall be located a minimum of 500 feet from any ES-R, SU-R, G-RL, TN-R, or TN-MX zoning district.

(ix) Transmission/power lines that are 18 kV or lower shall be buried underground as part of any future development.

**(f) Loading.**

(i) All loading areas shall be screened to prevent visibility of such areas from any public right-of-way.

(ii) Such areas shall not be permitted within the required buffer.

**(g) Parking.**

(i) All surface parking lots shall be screened to prevent visibility of such areas from any public right-of-way.

(ii) Such areas shall not be permitted within the required buffer.

(iii) The applicant shall set aside land area to accommodate 1 space per 2,000 square feet of gross floor area (GFA). The final number of parking spaces actually constructed shall be determined and approved by the zoning administrator.

**(h) Lighting.**

(i) All lighting shall provide 90 degree cut-off luminaire fixtures to prevent light spillage.

(ii) Lighting poles shall be no taller than twenty-five feet (25) in height.

(iii) The maximum foot-candles within the required buffer shall be .5.

- (iv) Lighting shall be permitted within the required buffer but shall not be visible from any public right-of-way.
- (v) Lighting shall not be located within 500 feet of any residential dwelling.
- (i) Fencing.
  - (i) Fencing and screening walls shall be permitted within the required buffer, but shall not be visible from any public right-of-way.
- (j) Noise.
  - (i) The applicant shall engage with a noise and acoustical consultant to perform a pre-construction ambient noise survey. Prior to conducting the survey, the scope of the noise survey will be determined in coordination with the zoning administrator and an independent acoustical firm hired by the city. However, as a minimum, 90th-percentile sound levels (L90) and equivalent sound levels (Leq) shall be logged with a Type 1 or Type 2 sound level meter, as defined by ANSI standard S1.4, at least every hour in A-weighted decibels, dB(A), using slow meter response at any noise-sensitive residential property boundary line(s). Measurements should be taken over a minimum period of 72-hours. A report detailing the results of the noise survey and predicted impact of the proposed development must be provided to the zoning administrator to be reviewed by an independent firm hired by the city (paid for by the applicant). The report must be approved prior to the issuance of the land disturbance permit.
  - (ii) Between 9:00 p.m. and 7:00 a.m., the data center shall not generate noise (as measured at the property line) that is in excess of: 40 dB(A) or 5 dB(A) above the pre-construction ambient noise level, whichever is less; and 60 dB(C).
  - (iii) Between 7:00 a.m. and 9:00 p.m., the data center shall not generate noise (as measured at the property line) that is in excess of: 65 dB(A) or 15 dB(A) above the pre-construction ambient noise level, whichever is less; and 70 dB(C).
- (iv) Generators.
  - (A) Testing of backup generators is limited to twice per month on weekdays during the hours between 9:00 a.m. and 5:00 p.m. and shall not occur on Federal holidays.
  - (B) Use of backup generators that exceed the maximum sound levels is permitted during emergency power outages.
  - (C) Generators shall utilize acoustic walls and barriers or sound-attenuated enclosures to reduce the noise of generators. Such treatments shall utilize acoustic insulation materials and engineered intake and exhaust silencers.
- (k) Data Center Decommissioning and Equipment Disposal Plan.
  - (i) Determination of abandonment.
    - (A) Data centers shall be deemed abandoned when the use is discontinued for more than 12 months. The zoning administrator shall notify the property owner of the determination of abandonment by certified mail. The property owner shall initiate decommissioning within 90 days of the date of the determination of abandonment.

- (B) Prior to commencement of decommissioning, the property owner and the zoning administrator shall agree to a schedule to complete the decommissioning process. Such decommissioning processes shall be complete a maximum of 2 years from the date of the determination of abandonment.
  - (C) The zoning administrator may revise a determination of abandonment upon presentation from the property owner of evidence of continued use or of attempts to transfer ownership of the property to another data center operator.
  - (D) The zoning administrator shall be notified of any change of property ownership with contact information of the new owner.
- (ii) Plans shall include the following elements:
- (A) Equipment replacement estimate. Description of servers, storage systems, and associated equipment and the estimated quantities and replacement cycles.
  - (B) Data destruction compliance procedures. Procedures for secure destruction or sanitization of data in compliance with all state and federal standards.
  - (C) E-waste and hazardous materials management plan. Identification of all waste sources and procedures for compliance with all state and federal standards.
  - (D) Recycling strategy. Procedures for the recycling of equipment including certified vendors and landfill disposal plans.
  - (E) Facility decommissioning procedures. Procedures for power-down and disconnection, removal of servers and supporting infrastructure, removal of cooling systems and backup power systems, and the identification of responsible parties.
  - (F) Site restoration plan. Plan details for how buildings will be re-used or demolished in compliance with all city, state, and federal codes and ordinances.
  - (G) Financial assurance. The applicant shall provide a financial assurance mechanism, such as a surety bond, letter of credit, or an escrow account in the amount necessary to cover the costs of the removal and disposal of all equipment.

- (2) Junkyard, salvage yard.
- (3) Motor vehicle towing.
- (4) Personal storage.
- (5) Recreational vehicle and boat storage.
- (6) Warehousing.

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Sec. 102-B-10-11. Sign standards for CR-MX, G-B, ~~and~~ G-LI, ~~and~~ G-HI zoning districts. In the CR-MX, G-B, ~~and~~ G-LI, ~~and~~ G-HI zoning districts, the following signs are permitted:

- (2) Freestanding signs are permitted on individual parcels subject to the following:
  - (a) One freestanding sign per street frontage.
  - (b) Maximum height. In CR-MX, G-B, ~~and~~ G-LI, ~~and~~ G-HI zoning districts, the maximum height is 15 feet.
  - (c) Maximum freestanding sign face area. In CR-MX, G-B, ~~and~~ G-LI, ~~and~~ G-HI zoning districts, the freestanding sign face area is 100 square feet.

Sec. 102-B-10-11.

CR-MX, G-B, and G-LI, and G-HI Districts Signage Table

Sign Type	Maximum Number	Maximum Size	Maximum Height	Minimum Setback
Freestanding signs	1 per street frontage, up to a maximum of 2 per property	Monument = 150 square feet per sign (up to 50% may be changeable copy, or, in the CR-MX, a changing sign)	Monument = 15 feet	15 feet from the edge of the street pavement or 2 feet behind the right-of-way, whichever is greater; 50 feet from all other freestanding signs
		Pole = 100 square feet per sign (up to 50% may be changeable copy, or, in the CR-MX, a changing sign)	G-B, and G-LI, and G-HI Pole = 15 feet	
Building sign (wall, canopy, awning)	N/A	Single tenant: 10% of the area of the wall, up to 200 square feet	N/A	N/A
		Multi-tenant: 10% of the front façade for each individual business		
Projecting Signs	1 per street facing storefront	16 square feet	At least 8' clearance to bottom of sign	N/A
Gas canopy signs	1 sign on each of 3 sides of the canopy	20% of the area of the canopy wall	N/A	N/A
Special interstate signs CR-MX only)	1 sign on a lot at least 0.75 of an acre and within 1,000 feet of the centerline of I-85 and within 1,500 feet of the centerline of Lafayette Parkway,	400 square feet	75 feet	At least 10 feet but not more than 100 feet from I-85 R/W; At least 40 feet from all other property lines; At least 1,000 feet from all other freestanding signs

	Hamilton Road or Whitesville Road			
Miscellaneous signs	2 per driveway	6 square feet	3 feet if within the setback; 6 feet if beyond the setback	N/A

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Sec. 102-B-12-4. Amendments, procedures, and standards.

(4) Procedures for review.

(g) Developments of regional impact (DRI). If the proposed amendment would meet the thresholds of a DRI development of impact, as described in section 102-B-12-5 of this article, the city shall follow the procedures outlined in said section 102-B-12-5.

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Sec. 102-B-12-5. - Developments of regional impact (DRI).

**(1) Developments of regional impact (DRI).**

**(a) When an application for a rezoning, special use permit, variance, preliminary plat review or permit includes any proposed development of a use and intensity that meets the definition of a DRI in the most recently published standards of the Three Rivers Regional Commission (TRRC), it shall be deemed to be a DRI.**

**(2) Developments of local impact (DLI). The following uses and intensities shall be deemed to be a DLI.**

**(a) Residential development with a minimum of 125 new lots or primary dwellings.**

**(b) All uses within the HI zoning district.**

**(c) Industrial uses in all other zoning districts that are greater than 175,000 gross square feet; or employing more than 500 workers; or covering more than 125 acres.**

**(3) Development agreements.**

**(a) Process.**

**(i) City council approval. Prior to the approval of zoning map changes, preliminary plat approval, final plat approval, land disturbance permit, variance, or special permit for a development of impact, applicants shall be required to have a development agreement adopted by the city council as part of such requested approvals.**

**(ii) Public hearings required. Before deciding on any development agreement, the city council shall provide for public notice and a public hearing thereon. No development agreement shall be decided by the city council unless it has first been submitted to the planning commission for review and recommendation pursuant to the requirements of Sec. 102-B-12-4.**

**(iii) Amendments. Amendments to previously approved development agreements shall be required to follow the provisions in (i) and (ii) above.**

- (b) Contents.** Development agreements shall include at a minimum, the following elements:
- (i) Commitments for public improvements including but not limited to traffic improvements, parks and open space improvements, sidewalks and path improvements, public utility improvements, construction restrictions and conditions;**
  - (ii) Utility agreements including but not limited to details related to public utility usage; and**
  - (iii) Zoning or development conditions including but not limited to site plans, yards and buffers, building placement, roadway and driveway placement, parks and open spaces, and parking and loading areas.**
- (c) Reporting.** Development agreements shall include schedules for reporting which will include at a minimum, the following elements:
- (i) Water and sewer capacity;**
  - (ii) Electric consumption;**
  - (iii) Environmental impact;**
  - (iv) Cooling and ventilation;**
  - (v) Emergency response;**
  - (vi) Traffic and transportation; and**
  - (vii) Noise impact.**

**SUBCHAPTER 102-C**

- Yellow highlights indicate proposed revisions
- Red ~~crossed-out~~ text indicates proposed deleted text
- **Bold** text indicates proposed new text

Sec. 102-C-8-20. Screening.

(6) Storm water detention and retention facilities shall be screened from view from any public right-of-way. The visual screen shall comply with the standards listed below.

(e) Visual screens in all zoning districts except for ~~G-I~~ **G-LI and G-HI** zoning districts shall be prohibited from utilizing fencing elements when located in front or side yards. Fencing, where permitted, shall be regulated by the fencing standards of section 102-B-4-5 in subchapter 102-B.

Sec. 102-C-8-21. Buffers.

Adjacent Parcel Zoning	Zoning of Parcel to be developed, redeveloped or expanded					
	G-B, <del>and</del> G-LI, <b>G-HI</b>	DT-MX	CR-MR, CR-MX	TN-MX	TN-R	ES-SR, SU-R, G-RL
ES-R, SU-R, G-RL	Type D	None	Type C	Type B	Type A	None
TN-R	Type D	None	Type C	Type A	None	Type A
TN-MX	Type D	None	Type C	None	None	Type A
CR-MR, CR-MX	Type B	None	None	Type A	None	Type B
DT-MX, G-B, <b>G-LI, G-HI</b>	None	None	None	None	None	Type A

(7) Disturbance or encroachments.

- a. Buffers shall **not** contain **any no-driveways**, parking areas, patios, storm water detention facilities, or any other structure or accessory uses except for approved structural buffers.
- b. Underground utilities, **driveways, vegetated berms, public sidewalks, paths, and trails** may be permitted ~~to cross within~~ a buffer if the screening standards of this article will be subsequently achieved to the satisfaction of the zoning administrator.

**SUBCHAPTER 102-D**

- Yellow highlights indicate proposed revisions
- Red ~~crossed-out~~ text indicates proposed deleted text
- **Bold** text indicates proposed new text

The following definitions should be added in alphabetical order to Sec. 102-D-1-2.

Sec. 102-D-1-2.

**Cryptocurrency Mining.** The commercial process by which cryptocurrency transactions are verified and added to the public ledger, known as the block chain, and also the means through which new units of cryptocurrencies are released, through the use of server farms or data centers employing data processing equipment.

**Cryptocurrency Processing, Related Services.** A building or structure whose primary use is operating data processing equipment for Cryptocurrency mining; excludes spaces for commercial offices, storage, shipping and receiving, warehousing, or any other space that is not electronic processing.

**Data Centers.** A building, structure, complex, or group of buildings and/or structures, facility, or dedicated space within a building, structure, complex or facility that houses information technology related infrastructure, including but not limited to, computer systems, networks, servers, applications, appliances, services, and other associated components or facilities used for the remote storage, processing, or transmission of digital data associated with those computer systems, networks, servers, applications, appliances, service, and other associated components or facilities. Associated components and facilities may also include air handlers, water cooling towers, generators, fuel storage cells, storage facilities, utility substations, and other associated utility infrastructure to support operations. When a building or buildings meets the definition of a data center but is accessory to an otherwise permitted use on the property, such accessory areas are limited to a maximum of 20,000 sq ft or ten (10) percent of the total floor area of the combined property or development, whichever is less.

#### 4.28.26 UDO AMENDMENTS SUMMARY (HI ZONING + DATA CENTERS)

##### Heavy Industrial Zoning

- Data Centers to be prohibited in all existing zoning districts including the Light Industrial district
- Data Centers to be permitted in a new Heavy Industrial district

##### Data Center Standards

- Minimum lot area. 50 acres
- Minimum lot coverage. 50%
- Buffers. 300' minimum and increased plantings at 400% of the code requirements
- Building design. Buildings visible from a right-of-way must be architecturally enhanced
- Equipment
  - o HVAC and mechanical equipment shall not be visible from a public right-of-way
  - o Substations shall be 500' min from ES-R, SU-R, G-RL, TN-R, or TN-MX zoning districts
  - o Transmission/power lines that are 18 kV or lower shall be buried underground
- Generators
  - o Only permitted as a backup energy source
  - o Shall meet EPA Tier 4 Final standards
  - o Shall be powered by city natural gas provided that a line is within 200 feet
  - o Generators shall utilize acoustic walls and barriers or sound-attenuated enclosures
- Water cooling
  - o Open-loop water cooling systems are prohibited
  - o Must have a Water Usage Effectiveness (WUE) rating of 0.2 L/kWh or less
- Buffers and screening
  - o Not allowed to be visible from a right-of-way: Loading areas; parking areas; fencing; lighting
  - o Not allowed to be located in buffer areas: Loading areas; parking areas; fencing
- Parking. Areas for future parking must be provided (1/2,000 sqft of gross floor area)
- Lighting
  - o 90 degree cut-off luminaire fixtures shall be required
  - o Lighting poles shall be no taller than 25' in height
  - o The maximum foot-candles within the required buffer shall be .5
  - o Lighting shall not be located within 500' of any residential dwelling
- Noise
  - o Between 9p and 7a, noise shall not exceed:
    - 40 dB(A) or 5 dB(A) above the pre-construction ambient noise level, whichever is less
    - 60 dB(C)
  - o Between 7a and 9p, noise shall not exceed:
    - 65 dB(A) or 10 dB(A) above the pre-construction ambient noise level, whichever is less
    - 70 dB(C)
- Data Center Decommissioning and Equipment Disposal Plan.
  - o Data centers shall be deemed abandoned when discontinued for more than 12 months
  - o Decommissioning to begin 90 days of the date of the determination of abandonment
  - o Plans shall include the following elements:
    - Equipment replacement estimate
    - Data destruction compliance procedures

- E-waste and hazardous materials management plan
- Recycling strategy
- Facility decommissioning procedures
- Site restoration plan
- Financial assurance

#### Data Center Definitions

- Added the following new definitions:
  - Cryptocurrency Mining
  - Cryptocurrency Processing, Related Services
  - Data Centers – this definition would allow for a data center as an accessory use to an otherwise permitted use but would be limited to a maximum of 20,000 sq ft or 10% of the total floor area of the total development/property, whichever is less.

#### Developments of impact

- Developments or Regional Impact (DCA) and Developments of Local Impact which are:
  - Residential development greater than 125 new lots or units.
  - All uses within the H-I zoning district.
  - Industrial uses greater than 175,000 gross square feet; or employing more than 500 workers; or covering more than 125 acres.
- Development agreements required for developments of impact based on the following process:
  - City council approval prior to the approval of zoning map changes, preliminary plat approval, final plat approval, land disturbance permit, variance, or special permit.
  - A public hearing is required.
  - Amendments to development agreements must adhere to the process listed above.
- Development agreements will include, at a minimum, the following elements:
  - Commitments for public improvements including but not limited to traffic improvements, parks and open space improvements, sidewalks and path improvements, public utility improvements, construction restrictions and conditions;
  - Utility agreements including but not limited to details related to public utility usage; and
  - Zoning or development conditions including but not limited to site plans, yards and buffers, building placement, roadway and driveway placement, parks and open spaces, and parking and loading areas.
- Development agreements will include, at a minimum, the following reporting requirements:
  - Water and sewer capacity
  - Electric consumption
  - Environmental impact
  - Cooling and ventilation
  - Emergency response
  - Traffic and transportation
  - Noise impact

## 5.19.26 DATA CENTER PUBLIC INPUT – STAFF/CONSULTANT RESPONSES

### Various Sections

- COMMENT. Include reference to adjacent parcels with Troup County residential designations.
- STAFF RESPONSE. **Recommend no change.** Do not recommend adding references to other jurisdictions zoning districts into your UDO. You are surrounded by 3 county jurisdictions – not just one. Utilize zoning conditions to accomplish any goals related to these scenarios whenever you have rezonings for parcels that are adjoining another jurisdiction.

### 102-B-6-1. Table of Permitted and Prohibited Uses

- COMMENT. Allow cryptocurrency as a Special Use Permit.
- STAFF RESPONSE. **Recommend no change.** Do not recommend allowing cryptocurrency in the City of Hogansville.
  
- COMMENT. Require a Special Use Permit for data centers.
- STAFF RESPONSE. **Recommend no change.** Any data center will have to have a rezoning to Heavy Industrial zoning. The rezoning process affords all of the same opportunities for public hearing, for development agreements, and for approving or denying a proposed data center proposal as a special use permit process does. An added strength of the rezoning process is any rezoning request would have to align with Comprehensive Plan Character Map. The special use permit would be redundant and would add no additional value to the process.
  
- COMMENT. Require a Special Use Permit for sewage treatment facilities.
- STAFF RESPONSE. **Recommend no change.** Any sewage treatment facility will have to have a rezoning to Heavy Industrial zoning. The rezoning process affords all of the same opportunities for public hearing, for development agreements, and for approving or denying a proposed data center proposal as a special use permit process would. An added strength of the rezoning process is any rezoning request would have to align with Comprehensive Plan Character Map. The special use permit process does not provide any greater protections than the rezoning process.
  
- COMMENT. Only allow hyperscale data centers in heavy industrial zoning. Don't change the purpose and intent of this zoning class. Any project over 100,000 square feet should be in heavy industrial.  
STAFF RESPONSE. **Recommend no change.** Data centers are proposed to be allowed only in Heavy Industrial (HI) zoning districts.
  
- COMMENT. Don't allow data centers to locate in PUD zoning district due to the abnormal topographical and/or environmental constraints. Any area containing sensitive environmental receptors (e.g., conservation land, agricultural land, wetlands, riparian zones, woodlands) should be protected as much as possible.
- RESPONSE. **Recommend no change.** PUD zoning already prohibits data center uses. Data center uses are proposed to be allowed only in Heavy Industrial (HI) zoning districts.

#### 102-B-4-1. Dimensional Standards of Zoning Districts

- COMMENT. For heavy industrial projects, especially hyperscale data centers, consider limiting the number of buildings, accessory structures, or other amenities in order to keep them from growing larger in size and encompassing more parcels/acres.
- STAFF RESPONSE. **Recommend no change.** The proposed data center standards limit data centers to a maximum 50% lot coverage with 300' buffers along all property lines. Further, data centers will only be permitted with a rezoning to the Heavy Industrial (HI) zoning district which offers additional opportunities to place limitations and conditions on proposed development. This approach is sufficient for controlling the size of data center developments.
- COMMENT. Limit building height for data centers to 40 feet. This will serve as a deterrent for most projects, specifically hyperscale facilities, as these typically need an average height of 60 feet.
- STAFF RESPONSE. **Recommend no change.** The process of rezoning to the Heavy Industrial (HI) zoning district offers additional opportunities to place limitations and conditions on proposed development. This approach is sufficient for controlling the height of data center developments.
- COMMENT. Consider establishing a front yard maximum for hyperscale data center projects in order to deter them from submitting applications.
- STAFF RESPONSE. **Recommend no change.** The proposed data center standards already require 300' buffers along all property lines. The process of rezoning to the Heavy Industrial (HI) zoning district offers additional opportunities to place limitations and conditions on proposed development. This approach is sufficient for controlling the height of data center developments.

#### 102-B-5-3. Building Architecture

- COMMENT. Why are single-story shopfronts being permitted in heavy industrial and light industrial zoning? The same goes for general buildings. If hyperscale data centers and/or other types are permitted in industrial zoning, any kind of retail developments shouldn't be in the same class as data centers or other high industrial projects.
- STAFF RESPONSE. **Recommend no change.** It is common for single-story shops to be located in industrial areas – either as standalone businesses or as parts of larger industrial uses.
- COMMENT. Cargo containers should not be classified as a "single story shopfront" in Sec. 102-B-5-2. Building typology. Single story shopfront should pertain to retail uses in order to eliminate any potential confusion while cargo containers should remain classified as an accessory use.
- STAFF RESPONSE. **Recommend no change.** Enabling cargo containers to be used as shops so long as they meet other architectural and design standards is a common practice and should continue to be permitted in Hogansville.

#### 102-B-7-6. Industrial Uses, Data Center Standards

- COMMENT. Require setback of 1500 to 2000 linear feet for all principal and accessory structures, including substations and parking, from all residential properties.

- STAFF RESPONSE. **Recommend no change.** The data center standards require a 300' buffer, sound limitations, a 50% max lot coverage for the entire property, and prohibition on buildings being visible from any right-of-way. These are far more restrictive standards than you apply to any other industrial uses and are consistent with other model data center ordinances. The rezoning process will enable you to place further zoning conditions such as distances of substations or parking areas from adjoining areas once you see a proposed site plan for the data center development.
- COMMENT. Require exterior building materials to have requirements A and C for data centers in order to minimize visual impacts.
- STAFF RESPONSE. **Recommend no change.** The proposed data center standards require the development to meet 2 of the 3 provided architectural treatments. These options are appropriate and should continue to be permitted.
- COMMENT. The requirement for setting aside areas for potential future parking is too excessive for a data center.
- STAFF RESPONSE. **Recommend no change.** This requirement ensures that future areas for parking are set aside if the property were to incorporate uses in the future that do require parking. This regulation does not require for any parking areas to be paved or built – it only requires for areas to be designated on the approved site plan in case it were to be needed for new uses in the future.
- COMMENT. Change the lighting regulations so that no lighting can be seen from the public right-of-way.
- STAFF RESPONSE. **Recommend no change.** The regulations as drafted prohibit lighting from being seen from a public right-of-way and also require a 90 degree cut-off luminaire on all lighting to prevent light spillage internal to the property.
- COMMENT. Add language to prevent sound enclosure walls from being seen from any public right-of-way.
- STAFF RESPONSE. **Recommended change.** Revise this provision to prohibit accessory structures from being seen from the public right-of-way.
- COMMENT. The noise level allowance of 15 dB(A) from 7a to 9p is too high.
- STAFF RESPONSE. **Recommend no change.** The regulation states that the noise level cannot exceed 65 dB(A) or 15 dB(A) above the pre-construction ambient noise level, whichever is less. These are far more restrictive standards than you apply to any other industrial uses and are consistent with other model data center ordinances.
- COMMENT. Facility operators should generate a noise assessment report conducted by a suitably qualified independent acoustic consultant. This report should be submitted to applicable officials on a quarterly basis every 90 days. Where noise generated by the facility exhibits Low-Frequency or Tonal Noise at the boundary of a property containing a sensitive receptor, a penalty of 5 decibels should be added to the measured or modeled CNEL value. A tone should be deemed present when the sound pressure level in any one-third (1/3) octave band between 20 and 500 Hertz exceeds the average of the two adjacent bands by at least 5 decibels.
- STAFF RESPONSE. **Recommend no change.** The proposed data center standards require a noise assessment study to be conducted prior to any construction. Future noise limitations are then tied to allowable increases based on this noise study. This approach is consistent with other model data center ordinances.

- COMMENT. Do not allow backup generators to exceed noise limits during emergency power outages.
- STAFF RESPONSE. **Recommend no change.** The data center standards include requirements for generators to have acoustic walls and barriers or sound-attenuated enclosures to further mitigate generator noise.
  
- COMMENT. Testing of backup generators should be limited to once a month.
- STAFF RESPONSE. **Recommend no change.** The data center standard of allowing backup generators to be tested twice per month is consistent with other model data center ordinances.
  
- COMMENT. Prohibit data centers from being able to generate their own power as fossil fuels will be the primary source(s) which can negatively impact environmental and public health.
- STAFF RESPONSE. **Recommend no change.** All federal, state, and local laws, codes, and regulations pertaining to environmental protection will still apply to any future data center use.
  
- COMMENT. (Regarding the requirement for city natural gas lines to be utilized to power generators when the gas line is within 200' of the data center) How much damage would this cause to surrounding properties over public land or through a public utility easement? Measures should be taken to either limit or completely prevent such contingencies if possible.
- STAFF RESPONSE. **Recommended change.** Revise this regulation to require an assessment of feasibility to be conducted to provide clarity on what the impacts of this proposal would mean for the data center development and any other properties.
  
- COMMENT. Only allow for closed-loop water systems and direct-to-chip cooling capabilities operating in a sealed, recirculating loop.
- STAFF RESPONSE. **Recommended change.** Revise the regulation to include this added detail.
  
- COMMENT. Power lines serving the property should be buried. On-site power lines of 34.5 kV and below must be buried.
- STAFF RESPONSE. **Recommend no change.** The proposed data center standards require for power lines that are 18kV or lower to be buried. Power lines that are of higher voltage are not feasible to be buried below ground.
  
- COMMENT. A minimum of one loading space should be required.
- STAFF RESPONSE. **Recommend no change.** ARTICLE IX. Off-Street Loading Standards in the UDO requires loading spaces according to the Loading Table. These standards are sufficient and do not need to be changed.
  
- COMMENT. Parking lots should be located at least 1,500 feet away from all property lines.
- STAFF RESPONSE. **Recommend no change.** The data center standards require a 300' buffer around all property lines and a 50% max lot coverage for the entire property. These are far more restrictive standards than you apply to any other industrial uses and are more restrictive than most other model data center ordinances. The rezoning process will enable the placement further zoning conditions such as distances of substations or parking areas from adjoining areas once you see a proposed site plan for the data center development.

- COMMENT. A minimum of 1 parking space per employee on the largest shift should be required, plus an additional 3 visitor spaces.
- STAFF RESPONSE. **Recommend no change.** ARTICLE VIII. Off-Street Parking in the UDO requires parking spaces according to the Minimum Parking Table. These standards are sufficient and do not need to be changed.
- COMMENT. Change the decommissioning standards to also apply to any data center that is abandoned before completion.
- STAFF RESPONSE. **Recommended change.** Replace the reference to “abandonment” to “discontinuance” to ensure all forms of dis-use are covered.
- COMMENT. Add the following to the data center standards: a) Financial Contribution to Hogansville Community Benefit Trust Fund; b) Utility agreements; and c) Zoning or development conditions.
- STAFF RESPONSE. **Recommend no change.** The current approach to enabling the city to request financial contributions, utility agreements, and development conditions is provided for in the requirement for a development agreement. Legal guidance is to continue to utilize the development agreement process for these types of items.
- COMMENT. Average/hyperscale data centers should post financial assurance in the form of a surety bond in favor of the city in an amount not less than 100 percent of the estimated cost of the decommissioning and site restoration, based on a third-party cost estimate prepared by a qualified professional and approved by the zoning administrator and council.
- COMMENT. Small facilities don’t have to post a decommissioning surety bond as a matter of course. However, where warranted by site-specific circumstances, the city may want to require, as a condition of approval, a decommissioning plan and alternative financial assurance in a form acceptable to the city, including cash escrow, irrevocable letter of credit or other comparable security approved by the city.
- STAFF RESPONSE. **Recommend no change.** The proposed UDO amendments classify data centers as a Development of Impact. All Developments of Impact will be required to enter into a Development Agreement as approved by the City Council. Development Agreements enable the city to require financial assurances for proposed developments.
- COMMENT. Data centers should be considered abandoned when their operations cease for a continuous period of 180 days.
- STAFF RESPONSE. **Recommend no change.** The UDO defines uses as being discontinued after 12 months. This use should be treated the same as all other uses in the city.

102-B-12-5. Developments of Impact

- COMMENT. The information required for the TRRC's review of a DRI according to the TRRC's most recently published procedures shall also be simultaneously submitted to the City.
- STAFF RESPONSE. **Recommend no change.** DRI procedures are on the DCA and TRRC website and TRRC makes all of this information clear and available to the city and the applicant whenever a DRI is triggered. The city is always the first step in triggering a DRI and as such are always at the forefront of the process.
- COMMENT. Note that if a project qualifies as both a DRI and a DLI it must meet the requirements for both.

- STAFF RESPONSE. **Recommended change.** Update regulation to reflect this comment.
- COMMENT. Development of technological facilities greater than 500,000 gross square feet or covering more than 200 acres meets the Development of Regional Impact threshold (DCA's DRI Rules – Chapter 110-12-3-.01). The applicant should submit necessary documentation to applicable city personnel and the Three Rivers Regional Commission for review and determination.
- STAFF RESPONSE. **Recommend no change.** The city already reports all applications that qualify as DRIs to the Three Rivers Regional Commission. This process works properly and is not in need of revision.
- COMMENT. The DLI process shouldn't be used for data centers or other technological facilities as most projects will be large enough to trigger a DRI. The DLI process shouldn't include all uses within the heavy industrial zoning district.
- STAFF RESPONSE. **Recommend no change.** The proposed revisions define all data centers and all industrial uses as a development of impact – either a Development of Regional Impact or a Development of Local Impact. It is not recommended to change this recommendation.
- COMMENT. These should be supplemental use provisions for data center projects. Include a community benefits agreement process as well in the ordinances as outlined in our model ordinance.
- STAFF RESPONSE. **Recommend no change.** These proposed revisions do provide supplemental use provisions for data centers. Community Benefits Agreements are also enabled through the requirement for all data centers to have Development Agreements.
- COMMENT. Fire and safety must be addressed under emergency response. Make sure that special training is given to the fire department every 6 months to contain thermal runaways, see that proper equipment is provided, and make any necessary improvements (physical and logistical) to the department.
- STAFF RESPONSE. **Recommend no change.** This type of requirement is more appropriate to be made through a Development Agreement – which all data centers will be required to have.

## DRAFT DEVELOPMENT AGREEMENT CHECKLIST (5.19.26)

### Zoning Conditions

- Uses
  - o Prohibited uses
  - o Limited/restricted uses
  - o Required uses
- Site plan / Design
  - o Detailed site plan
  - o Densities, buffers, setbacks, building footprints, parking areas, sidewalks/paths, landscaping, lighting, fencing, signage
  - o LEED standards, elevated architectural standards

### Financial

- Schedule of when required fees are to be paid
- Additional financial commitments
- Financial assurances – bonds, escrow, etc

### Transportation

- Requirements for new public or private roads/streets
- Requirements for new intersection improvements
- Requirements for new paths/trails/sidewalks improvements

### Utilities

- Storm Water
  - o Requirement for new storm water improvements
  - o Usage agreement details
- Water and Sewer
  - o Requirement for new water and sewer improvements
  - o Usage agreement details
- Power
  - o Requirement for new power improvements
  - o Usage agreement details
- Gas
  - o Requirement for new gas improvements
  - o Usage agreement details

**Reporting Requirements**

- Requirements for the developer to make progress reports to the city on implementation of the development agreement
- Requirements for reporting on other elements such as:

<b>Power</b>	
Rezoning	- A letter of intent to serve the proposed project from the applicable utility provider(s), confirming that preliminary coordination has occurred and that service to the proposed project is feasible subject to final engineering.
Preliminary Plat	<ul style="list-style-type: none"> <li>- All reporting elements required for the rezoning.</li> <li>- A proposed power line route plan reflecting the applicable utility provider's plans for all electric lines serving the project.</li> </ul>
During Construction	- Confirmation of compliance with all city, state, and federal codes and ordinances related to this element.
Post Certificate of Occupancy	- Confirmation of compliance with all city, state, and federal codes and ordinances related to this element.

<b>Environmental Impact</b>	
Rezoning	<ul style="list-style-type: none"> <li>- An environmental impact assessment for the proposed project to determine and quantify the potential impacts of the proposed project and to identify steps to mitigate such impacts.</li> <li>- The environmental impact assessment shall be based upon research, site visits, and accepted environmental sampling and investigative practices for water resources, air quality, ecology, archaeology, stormwater management, and cultural/historical resources.</li> </ul>
Preliminary Plat	<ul style="list-style-type: none"> <li>- All reporting elements required for the rezoning.</li> <li>- A 10-year plan for how the development will mitigate any identified environmental impacts.</li> </ul>

During Construction	- Confirmation of compliance with all city, state, and federal codes and ordinances related to this element.
Post Certificate of Occupancy (Industrial only)	- Progress report and reporting on the implementation of the 10-year plan required as part of the land disturbance permit application. - Confirmation of compliance with all city, state, and federal codes and ordinances related to this element.

**Cooling and Ventilation**

Rezoning	- Specifications on the proposed cooling and ventilation equipment for the development.
Preliminary Plat	- All reporting elements required for the rezoning.
During Construction	- Confirmation of compliance with all city, state, and federal codes and ordinances related to this element.
Post Certificate of Occupancy (Industrial only)	- Confirmation of compliance with all city, state, and federal codes and ordinances related to this element.

**Emergency Response**

Rezoning	- Reporting not required
Preliminary Plat	- The development shall coordinate with the City's Fire and Emergency Services provider to conduct specialized emergency response training at least once per year. Such training shall include all applicable public safety agencies that may respond to the facility. The City's Fire and Emergency Services provider shall coordinate the training with the 911/EMA Director and other responding agencies, as needed. - The development shall reimburse the City's Fire and Emergency Services provider for all costs associated with conducting the training, including personnel, materials, and any necessary equipment related to emergency response at the data center facility. - A BESS Thermal Runaway Management Plan for responding to lithium-ion battery emergencies (when lithium-ion batteries are utilized).

During Construction	- Confirmation of compliance with all city, state, and federal codes and ordinances related to this element.
Post Certificate of Occupancy (Industrial only)	<ul style="list-style-type: none"> <li>- Documentation of all emergency responses for the development over the prior calendar year.</li> <li>- Reporting on annual training which shall occur annually with all applicable public safety agencies. Training processes, dates, and outcomes shall be included in the annual report.</li> <li>- Confirmation of compliance with all city, state, and federal codes and ordinances related to this element.</li> </ul>

**Traffic and Transportation**

Rezoning	- A Transportation Management Plan (TMP) to be approved by the city. The plan shall delineate strategies for ensuring the traffic generated by the project is able to be accommodated without creating adverse impacts on the city transportation network. Plans should also include strategies for promoting the use of alternative forms of transportation such as walking and biking.
Preliminary Plat	<ul style="list-style-type: none"> <li>- Updated Transportation Management Plan (TMP) materials.</li> <li>- A Construction Traffic Management Plan (CTMP) to be approved by the city. A surety bond shall be required to cover costs related to potential damage to public roads and right-of-way. Transportation improvements that are determined to be necessary to serve the development must be designed in conjunction with the site development plans and must be under construction prior to the issuance of any building permits for permanent structures on the property.</li> </ul>
During Construction	- Confirmation of compliance with all city, state, and federal codes and ordinances related to this element.
Post Certificate of Occupancy (Industrial only)	<ul style="list-style-type: none"> <li>- Progress report and reporting on the implementation of the TMP and CTMP required as part of the land disturbance permit application.</li> <li>- Confirmation of compliance with all city, state, and federal codes and ordinances related to this element.</li> </ul>

**Noise Impact**

Rezoning	- Proposed actions that will be taken to ensure the project complies with all city ordinances and regulations for noise.
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Preliminary Plat	<ul style="list-style-type: none"> <li>- All reporting elements required for the rezoning.</li> <li>- The daytime and nighttime base-line noise level at a point on the property line closest to the primary residential dwelling on an adjoining parcel, and the estimated noise level generated by the proposed project.</li> <li>- A map depicting the noise study area radius, project boundaries, sound level monitoring locations, and the nearest receptor locations.</li> <li>- The projected maximum levels of high and low frequencies.</li> </ul>
During Construction	<ul style="list-style-type: none"> <li>- Confirmation of compliance with all city, state, and federal codes and ordinances related to this element.</li> </ul>
Post Certificate of Occupancy (Industrial only)	<ul style="list-style-type: none"> <li>- Newly submitted reporting on all elements required in for the Preliminary Plat.</li> <li>- Confirmation of compliance with all city, state, and federal codes and ordinances related to this element.</li> </ul>

<b>Community Benefits Agreements</b>	
Rezoning	<ul style="list-style-type: none"> <li>- A community benefits agreement process shall be agreed-to by the applicant and the zoning administrator. The process will include proposed dates for public meetings, staff engagement, and elected officials engagement as part of an overarching schedule to create a community benefits agreement proposal.</li> <li>- A proposal of community improvements and investments that the developer will implement as part of a future development.</li> <li>- Proposed projects including traffic and intersection improvements; bike-pedestrian improvements such as paths and sidewalks; landscaping improvements; aesthetic improvements such as lighting, signage, fences, screening, and gateway markers; and the utilization of specific architectural and building materials.</li> <li>- Plans, elevations, and cross sections that visually communicate the committed elements of the proposed agreement.</li> </ul>
Preliminary Plat	<ul style="list-style-type: none"> <li>- All reporting elements required for the rezoning.</li> <li>- Updated plans, elevations, and cross sections that visually communicate the committed elements of the proposed agreement.</li> </ul>
During Construction	<ul style="list-style-type: none"> <li>- Confirmation of compliance with all community benefits agreement commitments through construction.</li> </ul>
Post Certificate of Occupancy	<ul style="list-style-type: none"> <li>- No reporting required.</li> </ul>

### **City Enforcement**

- City can inspect the property to monitor compliance with the development agreement
- City can notify the developer of the failure to comply with the development agreement
- City can levy financial penalties for the failure to comply with the development agreement
- City can issue stop work orders for failure to comply with the development agreement

### **Construction**

- Details related to construction of the project
- Allowable work hours, construction traffic details

### **Amendments and revisions**

- Any amendments or revisions to the development agreement require city council approval
- Amendments and revisions to the development agreement require a public hearing prior to city council approval

<b>MONTH</b>	<b>DAY</b>	<b>TASK</b>
MAY	4	City Council meeting (informational update)
MAY	21	Planning & Zoning meeting
JUN	15	City Council meeting (1st read)
JUL	6	City Council meeting (2nd read)