

STATE OF GEORGIA
COUNTY OF FULTON

First Reading: July 27, 2026
Second Reading: August 10, 2026

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE BY
MODIFYING ARTICLE 4, CORRIDOR AND NODES DISTRICTS, ARTICLE 5,
DOWNTOWN HISTORIC DISTRICTS, ARTICLE 6, EMPLOYMENT DISTRICTS
AND ARTICLE 9, USE PROVISIONS**

WHEREAS, the Mayor and City Council of the City of Roswell (“City of Roswell”) is a body politic and corporate, and a political subdivision of the State of Georgia; and,

WHEREAS, the City of Roswell is a local government entity empowered to exercise home rule powers as described within Article IX, Section II of the Constitution of the State of Georgia, including the “power of zoning” as described in Paragraph IV therein; and,

WHEREAS, in accordance with the powers laid out in its charter, as amended, the City of Roswell is empowered to “adopt land use plans and exercise the power of zoning,” “exercise the police power for the public safety and well-being of the citizens of the City of Roswell” and “define, regulate and prohibit any act, practice, conduct or use of property which is detrimental to the health, sanitation, cleanliness, welfare and safety of the inhabitants of the City of Roswell”; and,

WHEREAS, the exercise of zoning and land use powers by a local government is in furtherance of its police powers to promote and protect the public safety, health, and welfare; and,

WHEREAS, the City of Roswell has found that there is a substantial need to enact zoning and land use standards related to data centers, such as regulations to address nuisance, the significant use of utilities, environmental impacts and potential community impacts; and,

WHEREAS, the City finds that the regulations contained in this Unified Development Code (UDC) are necessary for the purposes of implementing existing land use plans; and

WHEREAS, the Unified Development Code (UDC) has been prepared and considered in accordance with the zoning procedures law, O.C.G.A § 36-66;

NOW, THEREFORE, the Mayor and Council of the City of Roswell, Georgia, pursuant to their authority, do hereby amend Article 6, Employment Districts, and Article 9, Use Provisions.

1.

Section 6.5.2, Use table, shall be amended by adding the following text into the use table:

EMPLOYMENT					
Industrial Uses	OR-	OP-	IX-	IL-	
Data centers, as listed below:					
Class 1	—	<u>C</u>	—	<u>C</u>	9.6.1.
Class 2	—	—	—	<u>C</u>	9.6.1.

2.

Section 9.6, Industrial Uses, shall be amended by adding the following text as an additional use and renumbered accordingly:

9.6.1 – Data centers

A. Defined. A facility containing one or more large-scale computer systems dedicated to operating data or for storing and managing data for off-site users. For purposes of these regulations, “large scale” refers to facilities with heavy loads of 1 MW (rate of constant draw) or more of electrical demand. Data center equipment includes back-up batteries and/or power generators, cooling units, fire suppression systems and enhanced security features. For purposes of this regulation, data server rooms for internal users without a substation and consuming less than 1MW of energy use are *explicitly exempt* from this definition of data centers, as well as hospitals which are subject to strict environment noise requirements.

B. Data Centers categorized by “tiers.”

1. No data center, whether served by a public utility, private utility on-site generation, battery storage, or any combination thereof, shall exceed an aggregate electrical demand of 20 Megawatts. Data Centers are hereby categorized and capped as either “Class 1” or “Class 2” types, as follows, with the associated dimensional standards:

Classification	MegaWatts	Distance from Residential Use or Zoning District	Planted Buffer
Exempt	<1 MW and hospitals	N/A	N/A
Class 1	1- 4.99 MW	200 feet	100 feet
Class	5 – 20 MW	1,000 feet	200 feet

2. Distance shall be measured from the nearest property line of the facility to the nearest property line of the residentially used or zoned property.
3. Class 1 data centers shall be considered accessory use only, subordinate and incidental to the primary use of the development.

C. Use standards for all data centers. All data centers, regardless of size, where allowed as a conditional use, are subject to the following:

1. Electrical demand determination. For purposes of determining classification, electrical demand shall be aggregated across all buildings, structures, lots, parcels, tenants, facilities, and phases that are continuous, under common ownership or control, or part of a unified development plan.
2. Property or facility owner shall provide
3. In addition to all other applicable required documents, the following documents must be submitted, and approved by the Planning & Zoning Director, as part of any application for rezoning, conditional use, historic review, design review, and/or certificate of occupancy:
 - a. A noise survey, conducted by a licensed professional engineer specializing in acoustics that includes the entire lot or applicable lots, and shows the expected noise levels of the to-be-constructed facility at all abutting property lines, measured for dBA and dBC decibel scales; a noise assessment report shall be provided annually with business license registration renewal.
 - b. Water consumption and sustainability plan, which must include expected water consumption values (including expected peak daily water consumption) and proposed mitigation to prevent overuse of water resources;
 - c. Energy consumption and sustainability plan, which must include expected energy consumption values (including expected peak daily energy consumption) and proposed mitigation to prevent overuse of energy resources, and documentation confirming that the applicable power supplier has agreed to allow the development to be a customer;
 - d. Photometric survey (see Sec.10.4.7);
 - e. Tree protection survey and plan (see Sec.12.1.2); applicant shall plant tree and landscape buffers in accordance with the City 100- and 200-foot Tree & Landscape Buffer Standards and Guidelines issued by the Department of Community Development. Buffer standards shall be enhanced such that berms and/or fill may be required by the City Arborist should topographical slope impede effectiveness of the buffer to serve as sound mitigation.
 - f. Stormwater management plan; and,
 - g. Community impact narrative, describing estimated impacts on the surrounding neighborhood, and the City as a whole, and includes:
 - i. Net square footage of data center facilities,
 - ii. Expected total cost of construction,
 - iii. Estimated value at build-out,
 - iv. The total number of full-time employees,
 - v. Expected increase to daily traffic trips,
 - vi. Expected sewage flow, and
 - vii. Expected solid waste increase.
 - viii. Decommissioning or repurposing proposal

4. Noise levels shall not exceed 55 dBA during the hours of 7:00 a.m. and 10:00 p.m. and 45 dBA between the hours of 10:00 p.m. and 7:00 a.m. DBC levels shall not exceed 60 dBC at any time.
5. No new data center shall be located adjacent to a residentially zoned or used property when constructed. Applicants for properties 10 acres and greater may petition Mayor and Council for a variance to this provision as part of their Conditional Use petition, provided distance from closest wall of structure to residential property line exceeds 1,000 feet.
6. Prior to issuance of a Certificate of Occupancy, a post-construction study must be submitted, including field measurements of the installed equipment to confirm that the full operational load of the use adheres to all noise requirements. If future expansion or additional equipment is known to be planned, the study must include both existing and planned expansions and equipment.
7. Owner or owner's agent shall submit documentation of annual MW of power load demand of the facility on annual basis, prior to the renewal of business license registration.
8. Evaporative water-based (open loop) cooling systems shall not be used by any data center. Closed-loop water-based cooling systems, or other systems that limit energy and water consumption, as determined by the Planning & Zoning Director, may be used by a data center.
9. Any major utilities (see Sec. 9.4.3.), equipment, electrical yards, and mechanical yards must be located in the rear yard of the primary structure and be fully screened from any public right-of-way or park by landscaping or an opaque wall or fence, as though it is ground-mounted equipment (see 10.2.8.D).
10. A noise reduction barrier or device may be required at the discretion of the Planning & Zoning Director when it is inconclusive that noise level tests do not conform to acceptable levels.
11. Backup generators may not be tested earlier than 9 AM or later than 7 PM.
12. Prior to the issuance of a Certificate of Occupancy (CO), the following documentation shall be provided:
 - a. Emergency access provisions (knock-box installation, Roswell Fire Department-controlled override credentials, posted facility access protocols and a documented escort procedure for responding crew).
 - b. Disclosure of cooling fluid types and volumes, generator fuel storage volumes, and a site-specific hazardous materials inventory to the Roswell Fire Department.
 - c. Establish coordination protocols in writing between facility security operations and Roswell Police, Fire and 911 including procedures for active threat response, drone overflight, and post-incident scene control.

13. A decommissioning plan shall be required prior to Certificate of Occupancy to ensure that all structures are properly removed after their useful life or, alternatively, that construction is performed to enable successful repurposing of the structure should the data center be abandoned. The owner and operator shall at its expense complete decommissioning of the Facility within 12 months after ceasing operations of the site. Cessation or discontinuation of use shall deem the structure at the end of its useful life.
- a. Decommissioning shall include removal of all hazardous materials and contents, including cabling, electrical components and any other associated facilities as attested via certification by the owner.
 - b. A repurposing plan may be considered by the Director of Planning and Zoning in lieu of decommissioning, provided materials identified in sec. 9.6.1.B.9.a are all similarly removed.

4.

Severability. Should any court of competent jurisdiction declare any section or part of this Ordinance invalid or unconstitutional, such declaration shall not affect the validity of the ordinance as a whole or any part thereof, which is not specifically declared to be invalid or unconstitutional.

5.

Repeal of Conflicting Provisions. All ordinances, parts of ordinances, or regulations in conflict herewith are repealed. This ordinance shall take effect and be in force immediately.

6.

Renumbering. It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Unified Development Code, City of Roswell, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention. Any references to sections within the Code of Ordinances or Unified Development Code may be amended to include correct references to any sections affected by such renumbering.

This Ordinance shall take effect and be in force from and after the day of its adoption, the public welfare demanding it.

The above Ordinance was read and approved by the Mayor and Council of the City of Roswell, Georgia, on the 10th day of August, 2026.

Approved:

Mary Robichaux
Mary Robichaux, Mayor

Attest:

Nancy Saviano Long
Nancy Saviano Long, City Clerk

SEAL



4. **#10488** **Approval of an Ordinance to amend the Unified Development Code (UDC) related to Data Centers by modifying Article 6, Employment Districts, and Article 9, Use Provisions. (Second Reading)**

Ordinance No. 2026-08-13

RESULT:	APPROVED ON SECOND READING [UNANIMOUS]
MOVER:	Sarah Beeson, Councilmember
SECONDER:	Eren Brumley, Councilmember
IN FAVOR:	Beeson, Brumley, Hall, Sells, Zack
EXCUSED:	Jennifer Phillippi

5. **#10540** **Approval of a resolution to apply for a loan in an amount up to \$3,000,000.00 and grant application and acceptance up to the amount of \$1,500,000.00 from the Georgia Transportation Infrastructure Bank (GTIB) which is administered by the State Road and Tollway Authority (SRTA).**

Resolution No. 2026-08-20

Mayor Mary Robichaux voted to break the 2 to 2 tie.

RESULT:	APPROVED [3 TO 2]
MOVER:	Allen Sells, Councilmember
SECONDER:	Christine Hall, Councilmember
IN FAVOR:	Mary Robichaux, Christine Hall, Allen Sells
OPPOSED:	Eren Brumley, Chris Zack
EXCUSED:	Jennifer Phillippi
RECUSED:	Sarah Beeson

City Attorney's Report

6. **#10557** **Recommendation to go into Closure at 5:30 PM on Monday, August 24, 2026 to Discuss Personnel, Litigation and/or Real Estate.**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Chris Zack, Councilmember
SECONDER:	Sarah Beeson, Councilmember
IN FAVOR:	Beeson, Brumley, Hall, Sells, Zack
EXCUSED:	Jennifer Phillippi

Adjournment

The meeting was adjourned at 7:52 PM

The August 10, 2026, Mayor and Council meeting minutes were approved on August 24, 2026.