

COLUMBUS, GEORGIA
AN ORDINANCE

NO. _____

[Community-Protective Technology Overlay District — Proposed Alternative Draft]

An Ordinance amending the Unified Development Ordinance of the Columbus Code ("the UDO") to provide for Technology Overlay Districts; establishing standards for hyperscale data center campuses that protect public revenue, utility ratepayers, environmental quality, and community character; and for other purposes.

THE COUNCIL OF COLUMBUS, GEORGIA, HEREBY ORDAINS AS FOLLOWS:

PREAMBLE AND STATEMENT OF INTENT

WHEREAS, the Columbus Consolidated Government has been presented with a proposal for a hyperscale data center campus on an 865-acre parcel in northeastern Muscogee County; and

WHEREAS, the Council finds that while large-scale technology investment may provide economic benefits, hyperscale data centers present unique and significant risks to municipal revenues, utility ratepayers, environmental quality, public health, and community character that require specific and enforceable regulatory safeguards; and

WHEREAS, the Council finds that without binding contractual floors on tax revenue, enforceable limits on site-wide development, and specific protections for cooling chemistry and noise, the city may be exposed to fiscal and environmental liabilities that outweigh the projected benefits; and

WHEREAS, the Council further finds that the potential for infrastructure investment to attract multiple successive data center applications to the same ownership parcel creates a cumulative impact risk that must be addressed proactively in the zoning framework rather than on a project-by-project basis; and

WHEREAS, Columbus Water Works is currently undertaking a \$200 million PFAS remediation program at the Fort Benning Water Treatment Plant and the North Columbus Water Resources Facility, and the Council finds it essential that no data center development impose additional PFAS loading on the city's water treatment infrastructure; and

WHEREAS, the Council intends this ordinance to be the minimum framework for initiating any conversation about hyperscale data center development in Columbus, and not an authorization of any specific project;

NOW, THEREFORE, the Council of Columbus, Georgia, hereby ordains as follows:

SECTION 1.

Article 5 of Chapter 2 of the UDO is hereby amended by inserting a new Section 2.5.25. to read as follows:

Section 2.5.25. – Technology Overlay District

(a) Purpose

The purpose of this section is to provide an overlay to permit and regulate hyperscale data centers and related technology uses in Columbus, Georgia, in a manner that:

- (1) protects the long-term fiscal stability of the Columbus Consolidated Government by requiring binding minimum revenue commitments from any approved operator;
- (2) protects utility ratepayers from bearing infrastructure costs properly attributable to industrial-scale consumers;
- (3) protects public health and the city's water supply from chemical contamination, including per- and polyfluoroalkyl substances (PFAS);
- (4) protects adjacent residents and property owners from noise, light, traffic, and aesthetic impacts;
- (5) protects the community from unplanned, cumulative development of data center clusters that exceed the carrying capacity of local infrastructure; and
- (6) ensures that the Columbus Consolidated Government retains meaningful enforcement capacity against operators whose scale and legal resources may far exceed those of the city.

This overlay is intended to apply solely to large-scale or hyperscale data center campuses as defined herein. Smaller data processing facilities that do not meet the minimum acreage thresholds remain permitted by right within General Commercial (GC), Special Activities Center (SAC), Light Manufacturing/Industrial (LMI), and Heavy Manufacturing/Industrial (HMI) districts as set forth in Table 3.1.1.

DRAFTING NOTE — Purpose Section

The Chamber ordinance purpose section simply encouraged data center siting. This version makes explicit the protective intent and names fiscal stability, PFAS, noise, cumulative impact, and enforcement capacity as affirmative goals — creating a statutory basis for protective conditions at rezoning.

(b) Definitions

As used in this section:

"Cooling fluid" means any liquid or gas used as a heat transfer medium within a data center cooling system, including without limitation water, glycol solutions, dielectric fluids, and refrigerants.

"Data Center Development" means the entire contiguous tract of land presented for development as one or more data centers under single or common ownership or control.

"Fluorinated fluid" means any cooling fluid that contains per- and polyfluoroalkyl substances (PFAS), hydrofluorocarbons (HFCs), hydrochlorofluorocarbons (HCFCs), perfluorocarbons (PFCs), or any compound listed on the EPA PFAS list of concern as updated from time to time.

"Hyperscale Data Center Campus" means a Data Center Development located on a single contiguous tract of land of seventy-five (75) acres or more, with one or more principal buildings used primarily for data processing, storage, or hosting operations.

"Operator" means the entity or entities responsible for the day-to-day operation of a data center facility, which may be different from the Developer or land owner.

"Owner Parcel" means all land within Muscogee County under common ownership or control by the Developer, Operator, or any affiliated entity at the time of application, regardless of parcel boundaries or platting.

"Site-Wide Megawatt Capacity" means the aggregate electrical demand in megawatts across all data center buildings on the Owner Parcel, whether operating, under construction, or approved for construction.

DRAFTING NOTE — Definitions

"Owner Parcel" and "Site-Wide Megawatt Capacity" are new definitions that enable the cumulative impact framework in subsection (k). Without them, each building is evaluated in isolation and the council has no regulatory basis to consider the full buildout. "Fluorinated fluid" is defined to close the PFAS loophole created by permitting immersion cooling without specifying fluid chemistry.

(c) Underlying Zoning

The underlying zoning of any property to which the Technology Overlay District is applied shall remain unaffected. The Technology Overlay District may be applied to parcels in the following underlying zoning classifications: RE-10, RE-5, RE-1, RO, CO, GC, SAC, LMI, and HMI, subject to the requirements of this section.

(d) Permitted and Prohibited Uses

Permitted uses include:

- Data processing, storage, hosting, and related services.
- Computer systems and facilities design, programming, operation, and management.
- Information product research and development.

Internet website design and hosting.

Software design and development.

Telecommunications infrastructure and connectivity facilities.

Solar, renewable, and alternative energy facilities accessory to the data center use.

Public utility facilities required to serve the data center campus.

Prohibited uses include:

Cryptocurrency mining, as defined in Section 3.2.77. of the UDO.

Any use that would independently require a separate rezoning under the UDO.

(e) Development Standards

(1) Minimum acreage: seventy-five (75) acres, comprising a single contiguous tract under common ownership or control. Assemblage of non-contiguous parcels or parcels without a replat shall not satisfy this requirement.

(2) Height: Buildings shall not exceed seventy-five (75) feet measured from structure pad level. Height limitations shall not apply to accessory structures such as water towers, HVAC equipment, and generators.

(3) Minimum external buffer: A minimum five hundred (500) foot buffer shall be required along all property lines of the Owner Parcel that abut any residential district or residential land use. Within that buffer, a minimum two hundred (200) foot vegetated screen of sufficient density to provide a continuous visual barrier at maturity shall be maintained. No principal buildings, generators, cooling equipment, or electrical substations shall be located within the five hundred (500) foot buffer.

(4) Non-residential setbacks: A minimum two hundred (200) foot buffer shall be required along all property lines abutting non-residential uses. In no event shall any buffer or screening relieve the operator from compliance with the noise standards in subsection (h).

(5) Building height adjacent to residential uses: No building shall exceed forty-five (45) feet in height within three hundred (300) feet of any residential property line.

DRAFTING NOTE — 500-Foot Setback

The Chamber committee recommended 200 feet based on geometry applicable to a 50-acre site. The Project Ruby site is 865 acres. On a parcel of that size a 500-foot external buffer consumes approximately 150–200 acres, leaving 650–700 acres developable. The 500-foot setback is justified by: (1) the committee's own acknowledgment that dBC noise passes through walls and berms; (2) the absence of a validated enforcement standard for low-frequency noise; and (3) the inverse-square-law attenuation benefit — every doubling of distance reduces sound pressure by 6 dB.

(f) Dark-Sky Lighting

All exterior illumination shall be shielded, downcast, and designed to prevent light trespass onto adjacent properties. The following standards apply:

- (1) All fixtures shall be full cut-off type.
- (2) Light poles shall not exceed twenty-five (25) feet in height.
- (3) Light poles shall be set back a minimum of ten (10) feet from any exterior property line.
- (4) Maximum illumination at the property line shall be 0.5 foot-candles.
- (5) A photometric lighting plan demonstrating compliance shall be submitted with every building permit application.

(g) Building Orientation and Screening

- (1) The front facade of all principal buildings shall be oriented toward street fronts or adjacent arterial street fronts, except where the building is greater than five hundred (500) feet from the public right-of-way or not visible from it.
- (2) All air conditioning units, HVAC systems, cooling towers, and generators shall be screened from view from any public right-of-way and from adjacent residential properties using walls, fencing, roof elements, or landscaping.
- (3) Security fencing shall not be located within the required buffer unless it complies with general fencing regulations for the underlying zoning classification.

(h) Noise Standards

Pre-Construction Acoustic Modeling (Required)

Prior to the issuance of any building permit for any data center facility, the Developer shall submit to the Director of Inspections and Code an acoustic impact study prepared by a qualified acoustical engineer who is a member of the Institute of Noise Control Engineering (INCE) and licensed in the State of Georgia. The study shall:

- (1) Model both A-weighted (dBA) and C-weighted (dBC) sound levels at all external property lines of the Owner Parcel based on planned equipment selection, placement, and site geography;
- (2) Account for the cumulative noise contribution of all data center buildings approved or under construction on the Owner Parcel at the time of application;
- (3) Demonstrate that operations will comply with the standards in this subsection; and
- (4) Be incorporated as binding operational obligations within the Development Agreement required under subsection (j).

Operational Noise Standards

Data center operations shall not produce sound exceeding the following thresholds, measured as a rolling thirty (30) minute equivalent continuous sound level (Leq) at the external property line of the Owner Parcel. No resetting of measurement intervals is permitted.

Property Line Type	Daytime dBA (7AM–10PM)	Nighttime dBA (10PM–7AM)	dBC (all hours, residential property line only)
Abutting residential district or use	55 dBA	45 dBA	65 dBC
All other property lines	65 dBA	55 dBA	Not separately limited (dBA controls)

DRAFTING NOTE — Noise Standards

dBA residential caps lowered from the Chamber's 65/55 to 55/45 at the external property line of the Owner Parcel (not the building) to account for the 500-foot buffer. The dBC standard of 65 at residential property lines is retained from the Chamber recommendation. Measurement at the Owner Parcel boundary rather than individual building boundaries enables cumulative enforcement across multiple buildings.

Monitoring, Violation, and Enforcement

- (1) After certificate of occupancy for each building, the city may require the Operator to commission a sound study by a qualified INCE-member acoustical engineer measuring both dBA and dBC at all Owner Parcel property lines. The Operator bears all costs.
- (2) Upon a finding of non-compliance: the city shall issue a notice of violation; the Operator shall propose a remediation plan within thirty (30) days; the City Manager shall approve or reject the plan within fifteen (15) days; and if the approved plan is not fully implemented within the agreed timeline, the Operator shall be subject to fines of five thousand dollars (\$5,000) per day — not one thousand dollars — until compliance is achieved.
- (3) Continued non-compliance beyond sixty (60) days of the approved remediation deadline shall constitute grounds for civil action including injunctive relief and revocation of any certificate of occupancy for the affected building or buildings.
- (4) The Operator shall bear all costs of monitoring, testing, and enforcement proceedings.

DRAFTING NOTE — Enforcement Escalation

The Chamber ordinance set fines at \$1,000/day — rounding error for a \$5 billion facility. This draft raises the daily fine to \$5,000 and adds a mandatory 60-day hard deadline before certificate of occupancy revocation becomes grounds for civil action. This is still modest by any standard but removes the 'cheaper to violate than comply' dynamic.

Generator Testing

- (1) Routine testing of backup generators shall be conducted only between 8:00 AM and 5:00 PM Monday through Friday, excluding state and federal holidays.
- (2) The Operator shall provide written notification to all property owners within one thousand (1,000) feet of the Owner Parcel boundary not less than seventy-two (72) hours prior to any scheduled test, with simultaneous notification to the Director of Inspections and Code.
- (3) Emergency operation during actual loss of utility power is exempt from time-of-day and notification requirements.
- (4) The cumulative annual runtime of backup generators for non-emergency testing shall not exceed the limits established in the Operator's air quality permits from the Georgia Environmental Protection Division. The Development Agreement shall specify the permit limits and require the Operator to report annually to the city on generator runtime.

DRAFTING NOTE — Generator Air Quality

The Chamber ordinance addressed testing schedules but not cumulative generator emissions — a documented air quality issue in Northern Virginia where state regulators are now tightening rules. This provision links generator runtime to EPD air permits and requires annual city reporting.

(i) Water, Cooling, and Chemical Standards

Cooling System Architecture

All cooling and ventilation systems within the Owner Parcel shall comply with the following:

- (1) Open-loop evaporative cooling systems are prohibited.
- (2) Acceptable cooling system architectures include closed-loop liquid cooling, direct-to-chip liquid cooling, and any non-evaporative successor technology that minimizes consumptive water use. Immersion cooling systems are permitted only if the cooling fluid meets the fluid chemistry standards in paragraph (3) below.
- (3) No fluorinated fluid shall be used in any cooling system on the Owner Parcel. Specifically prohibited are all per- and polyfluoroalkyl substances (PFAS), hydrofluorocarbons (HFCs), hydrochlorofluorocarbons (HCFCs), perfluorocarbons (PFCs), and any compound listed on the EPA PFAS list of concern as amended from time to time.
- (4) Prior to issuance of any building permit, the Developer shall submit to the Director of Inspections and Code a written certification identifying by trade name and chemical composition every cooling fluid proposed for use on the Owner Parcel, and confirming that no such fluid is a fluorinated fluid as defined herein. This certification shall be incorporated as a binding obligation within the Development Agreement.
- (5) Any change in cooling fluid chemistry after occupancy shall require thirty (30) days advance written notice to the Director of Inspections and Code and to Columbus Water

Works, and written confirmation that the proposed substitute fluid is not a fluorinated fluid.

DRAFTING NOTE — PFAS and Cooling Chemistry

The Chamber ordinance listed 'immersion cooling' as an acceptable technology while simultaneously asserting PFAS is not a data center cooling concern. Both statements cannot be true. Two-phase immersion cooling systems use PFAS-based dielectric fluids (Chemours Opteon, formerly 3M Novec). This section closes that loophole by requiring fluid identification at permitting — before construction — rather than at discharge. Columbus Water Works is currently spending \$200 million on PFAS remediation at Fort Benning and North Columbus facilities. Adding data center PFAS loading to that existing burden is unacceptable without explicit prohibition.

Water Use and Sewer

- (1) All water use, discharge, flushing, and refills shall comply with the Columbus Water Works Sewer Use Ordinance, applicable industrial pretreatment program requirements, and all applicable state and federal water quality regulations.
- (2) The Developer shall obtain all required industrial user permits prior to any discharge to the public sanitary sewer system.
- (3) The Developer shall submit to Columbus Water Works, prior to permitting, a water demand study prepared by a licensed civil engineer projecting daily water demand for each phase of development and for the full buildout of the Owner Parcel. The study shall reference comparable operating hyperscale facilities and shall not rely solely on startup-phase figures.
- (4) All on-site water and sewer infrastructure — including primary and backup feeds, lift stations, pretreatment facilities, and easement acquisition — shall be the Developer's financial responsibility.
- (5) Where extension of public sanitary sewer to the data center site triggers mandatory connection of adjacent residential properties to public sewer under state or local law, the Developer shall bear all reasonable costs incurred by such adjacent residential property owners arising from mandatory connection.

DRAFTING NOTE — Water Demand Study

The Chamber presented 88,000–330,000 gallons/day as the site's water demand. That figure reflects a single building at startup. Google's own filings show comparable hyperscale sites using 2–3.9 million gallons/day. Requiring a study referenced to comparable operating facilities prevents the city from being presented with startup-phase figures as permanent projections.

(j) Development Agreement — Required Contents

Prior to the issuance of any land disturbance permit, certificate of occupancy, or other development approval, the Developer shall execute a Development Agreement with the Columbus Consolidated Government. The Development Agreement shall be negotiated with the

assistance of independent legal counsel retained by the city at the Developer's expense, and shall at minimum address all of the following:

Financial Protections

- (1) **Minimum Payment in Lieu of Taxes (PILOT):** A legally binding guarantee that the Operator shall pay to the Columbus Consolidated Government a minimum annual payment in lieu of taxes regardless of hardware depreciation, semiconductor market conditions, tax exemption thresholds, or any other factor. The minimum annual PILOT shall be established based on normalized long-term semiconductor pricing, not peak-shortage valuations, and shall be set at a level that covers the city's annual debt service on any infrastructure bonds attributable to the data center campus. The PILOT shall be indexed to inflation and shall not decrease below its initial level for the term of the Agreement.
- (2) **Franchise Fee Guarantee:** The 4% franchise fee on electricity consumed within the city shall be contractually guaranteed for the full term of the Development Agreement and shall not be subject to renegotiation upon change of ownership, operator, or operational scale.
- (3) **Clawback Provisions:** If the project fails to achieve minimum employment commitments or minimum investment levels within the timeframe specified in the Agreement, the Developer shall repay to the city a pro-rated share of any infrastructure investments made by the city in reliance on the project.
- (4) **Revenue Reporting:** The Operator shall provide the city with annual audited reports of actual hardware investment, taxable property values, and franchise fee payments, prepared by an independent certified public accountant, within ninety (90) days of each fiscal year end.

DRAFTING NOTE — PILOT Requirement

The Chamber ordinance contains no PILOT requirement. Without it, the city's entire property tax revenue stream is exposed to global semiconductor price volatility. A 50% drop in chip prices produces a 50% drop in tax revenue with no floor. Choose Columbus has publicly acknowledged that without a formal incentive agreement, the city cannot require the company to perform to any commitments. This PILOT clause creates the floor the current framework lacks.

Infrastructure and Site

- (5) All infrastructure costs and timing for water, sewer, electric, gas, and telecommunications service, including all required on-site and off-site upgrades.
- (6) Construction phasing, build-out timeline, and conditions limiting expansion beyond the initially approved scope and megawatt capacity. Expansion beyond the initial approved Site-Wide Megawatt Capacity shall require a new rezoning application through the full public process.
- (7) The acoustic impact study and binding noise commitments required under subsection (h).

- (8) Cooling fluid certification and binding chemical commitments required under subsection (i).
- (9) Buffer composition, vegetative screening, and visual-screening plan.
- (10) Annual generator runtime reporting as required under subsection (h).

Reclamation Bond

(11) Prior to issuance of any land disturbance permit, the Developer shall post a reclamation bond in an amount determined by an independent environmental engineer retained by the city at the Developer's expense, sufficient to cover the full cost of site remediation, building demolition, and ecological restoration to the pre-development condition of the Owner Parcel. The bond shall be maintained in full for the duration of operations and for five (5) years after cessation of operations. The bond shall be payable to the Columbus Consolidated Government upon project abandonment, insolvency of the Operator, or cessation of operations for more than one hundred eighty (180) consecutive days without an approved resumption plan.

DRAFTING NOTE — Reclamation Bond

The Chamber committee declined to recommend a reclamation bond, citing the absence of precedent. Reclamation bonds are standard practice for quarries, landfills, and power plants at comparable industrial scale. The argument that utility commitments provide equivalent protection is incorrect — utility commitments run between the developer and Georgia Power, not to Columbus. This bond ensures the city is not left holding remediation costs for an abandoned \$5 billion industrial site.

Enforcement Capacity

(12) The Developer shall fund a dedicated data center compliance position within the city's Inspections and Code department for the duration of operations, at a funding level sufficient to conduct monthly self-sampling review, quarterly third-party sample analysis, unannounced inspections, and noise monitoring compliance. Funding shall be adjusted annually based on the Consumer Price Index.

(13) The Development Agreement shall be negotiated with the assistance of independent outside legal counsel retained specifically for that negotiation by the Columbus Consolidated Government, with the cost of such counsel borne by the Developer.

DRAFTING NOTE — Enforcement Capacity

The Chamber ordinance routes every enforcement mechanism to the Development Agreement but never asks how the city staffs or funds compliance. A \$5,000/day fine is meaningless if no one is monitoring. This provision requires the Developer to fund the city's enforcement capacity — a standard practice in large industrial agreements — rather than leaving compliance to an already-stretched city inspection department.

(k) Cumulative Impact Framework

The following provisions apply to the Owner Parcel as a whole and govern all current and future applications for data center development on any portion of the Owner Parcel:

Site-Wide Megawatt Cap

- (1) At the time of first approval of a Technology Overlay District on any portion of an Owner Parcel, the Development Agreement shall establish a binding Site-Wide Megawatt Capacity cap for the entire Owner Parcel. This cap shall be set at the initially approved project's maximum capacity and shall not be increased without a new rezoning application through the full public process.
- (2) The Site-Wide Megawatt Cap shall be recorded as a deed restriction on all parcels within the Owner Parcel at the Developer's expense prior to any land disturbance activity.

Subsequent Applications

- (3) Any application for a Technology Overlay District on any portion of the Owner Parcel shall be accompanied by a cumulative impact assessment addressing the aggregate water demand, noise environment, traffic generation, and Site-Wide Megawatt Capacity for all existing and proposed data center development on the Owner Parcel.
- (4) The Council shall evaluate subsequent applications on the basis of cumulative impact, not individual project merit alone. No subsequent application shall be approved if the cumulative Site-Wide Megawatt Capacity would exceed the cap established under paragraph (1).
- (5) A subsequent application shall not be approved until the city has received independent financial analysis confirming that cumulative property tax revenues projected from all approved facilities on the Owner Parcel, under normalized semiconductor pricing, exceed the city's total annual debt service obligations attributable to the Owner Parcel development.

Master Site Plan

- (6) As a condition of first approval, the Developer shall submit a Master Site Plan for the entire Owner Parcel, showing: the maximum number and footprint of data center buildings contemplated; the aggregate megawatt demand; the total projected water demand; the projected employment; and the intended use of any portion of the Owner Parcel not developed for data center use. The Master Site Plan shall be incorporated into the Development Agreement and any material deviation shall require a new application.

DRAFTING NOTE — Cumulative Impact Framework
This is the most significant structural addition to the Chamber ordinance. Without it, each application on the 865-acre site is evaluated in isolation. The 130-acre Phase 1 footprint leaves 735 acres

available. At the same density, that land could support 5–6 additional hyperscale campuses drawing 3,000–5,400 MW in aggregate. Northern Virginia, Newton County GA, and Prince William County VA all demonstrate the clustering pattern. The Site-Wide Megawatt Cap recorded as a deed restriction is the only mechanism that reliably survives changes in ownership, operator, or council composition.

(l) Utility Availability Prerequisite

Prior to any permit, the Developer shall receive from the city a utility availability letter confirming in writing, after completed system impact studies, the availability of electric, water, sanitary sewer, natural gas, and telecommunications service. The utility availability letter shall expressly identify:

- (1) The specific infrastructure improvements required to serve the full Owner Parcel build-out as reflected in the Master Site Plan;
- (2) Which entity bears financial responsibility for each required improvement; and
- (3) The timeline for delivery of each required improvement.

The letter shall be issued only after each affected utility provider has completed system impact studies covering the full Owner Parcel capacity and has confirmed in writing that required service can be provided.

(m) Rezoning Process

Application of the Technology Overlay District to any specific parcel shall follow the requirements of Chapter 10.2 of the UDO and shall additionally require:

- (1) Submission of a complete application including a site plan, the Master Site Plan for the full Owner Parcel, the acoustic impact study required under subsection (h), the cooling fluid certification required under subsection (i), and the water demand study required under subsection (i);
- (2) Posting of the property and written notification to all property owners within five hundred (500) feet of the subject property, or such greater radius as the Planning Advisory Commission determines appropriate;
- (3) Written notification to the governing bodies of all counties within one (1) mile of the Owner Parcel boundary;
- (4) A public hearing before the Planning Advisory Commission;
- (5) Two readings before the City Council, with the first reading constituting a public hearing; and
- (6) Execution of the Development Agreement prior to the second reading.

DRAFTING NOTE — Notification Radius

The Chamber ordinance required notification within 300 feet. Given a 500-foot setback standard and a site of this scale, 300 feet is inadequate. Expanding to 500 feet ensures that property owners who will actually be affected by noise and traffic receive notice. County notification acknowledges that Harris and Talbot county residents bear impacts without a vote in Columbus proceedings.

(n) Stormwater and Environmental Compliance

- (1) All stormwater management shall comply with state and local regulations, including those applicable to sites over fifty (50) acres and those applicable to category 3B distressed streams including Upatoi Creek.
- (2) The Developer shall submit an Erosion and Sediment Control Plan approved by the Georgia EPD prior to any land disturbance.
- (3) Mandatory stream buffers required by state law shall not be reduced or modified by this overlay or by any Development Agreement.

(o) Fire Safety

Fire suppression and safety requirements applicable to data centers shall be governed by Chapter 8 of the Columbus Code. Nothing in this overlay shall be construed to limit the authority of the Fire Marshal to impose additional conditions based on the scale or configuration of the facility.

SECTION 2.

Chapter 3 of the UDO is amended by revising Table 3.1.1. to permit Hyperscale Data Center Campuses as a Technology Overlay use in the following underlying zoning classifications: RE-10, RE-5, RE-1, RO, CO, GC, SAC, LMI, and HMI, subject to the requirements of Section 2.5.25. The legend shall be revised to add TO = Technology Overlay.

SECTION 3.

Article 2 of Chapter 10 of the UDO is hereby amended by striking Section 10.2.9. in its entirety and substituting a new section 10.2.9. as follows:

Section 10.2.9. – Development of Regional Impact

Any application that would result in a zoning change that meets or exceeds any of the thresholds established by the Georgia Department of Community Affairs at <https://dca.georgia.gov/community-assistance/coordinated-planning/regional-planning/developments-regional-impact> shall be considered a Development of Regional Impact (DRI) and shall be processed accordingly prior to final action by the City Council.

SECTION 4.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. Where conflict exists between provisions of this ordinance and any other provision of the Columbus Code, the more restrictive provision shall apply.

SECTION 5.

This ordinance will become effective ten (10) days after it is signed by the Mayor and returned to the Clerk of Council.

Introduced at a regular meeting of the Council of Columbus, Georgia held on the ____ day of _____ 2026; introduced a second time at a regular meeting of said Council held on the ____ day of _____ 2026 and adopted at said meeting by the affirmative vote of ____ members of said Council.

Councilor Allen	voting _____	Councilor Davis	voting _____
Councilor Anker	voting _____	Councilor Garrett	voting _____
Councilor Chambers	voting _____	Councilor Hickey	voting _____
Councilor Cogle	voting _____	Councilor Huff	voting _____
Councilor Crabb	voting _____	Councilor Tucker	voting _____

Lindsey G. McLemore <i>Clerk of Council</i>	B. H. "Skip" Henderson, III <i>Mayor</i>
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SUMMARY: KEY DIFFERENCES FROM THE CHAMBER ORDINANCE

Issue	Chamber Ordinance	This Ordinance
Minimum Revenue Guarantee (PILOT)	None. No floor on tax revenue if chip prices fall.	Required. Binding annual minimum payment tied to normalized chip prices and city debt service.
Reclamation Bond	Not recommended. Committee cited lack of precedent.	Required. Sized by independent engineer to cover full site remediation.
Setback from Residential	200 feet from building line.	500 feet from Owner Parcel line with 200-foot vegetated screen within that buffer.
PFAS / Cooling Chemistry	PFAS asserted not a concern. Immersion cooling permitted without fluid specification.	Fluorinated fluids explicitly prohibited. Fluid identification required at permitting, before construction.
Water Demand Disclosure	330,000 gal/day cited (single-building startup figure).	Full-campus water demand study required, referenced to comparable operating hyperscale sites.
Noise Enforcement Fine	\$1,000/day.	\$5,000/day with mandatory 60-day hard deadline before certificate of occupancy revocation.
Cumulative Impact	Not addressed. Each application evaluated individually.	Site-Wide Megawatt Cap required at first approval, recorded as deed restriction. Subsequent applications evaluated cumulatively.
Megawatt Cap	Development Agreement 'shall address' — no binding requirement.	Binding cap in Development Agreement, recorded as deed restriction. Expansion requires new rezoning.
Generator Emissions	Testing schedule only.	Generator runtime linked to EPD air permits with annual reporting to city.
Notification Radius	300 feet.	500 feet; plus written notification to counties within 1 mile.

Issue	Chamber Ordinance	This Ordinance
Enforcement Staffing	Not addressed.	Developer funds dedicated city compliance position for duration of operations.
Legal Counsel for Negotiation	Not addressed.	City retains independent outside counsel at Developer's expense for Development Agreement negotiation.
Master Site Plan	Not required.	Required for entire Owner Parcel at time of first application.

DRAFTING BASIS: This alternative ordinance draws on the Chamber of Commerce Unofficial Data Center Overlay Ordinance Review (May 2026); the independent critique of that document (May 2026); published Project Ruby reporting from 706report.com; Columbus Water Works PFAS Treatment RFP (April 2026); the Digital Scissors Effect analysis; Georgia PSC Data Center Fact Sheet (March 2026); EESI Data Centers and Water Consumption (June 2025) and PFAS reporting (April 2026); Grid Strategies National Load Growth Report (November 2025); Southern Environmental Law Center filings (July 2025); and comparable ordinances from Prince William County, VA and Newton County, GA. This draft is proposed for public discussion and council consideration and should be reviewed by the Columbus city attorney before formal introduction.