

# Data Center / Off-grid Electric Generation Land Use Regulations

Community & Economic Development Department

April 13, 2023

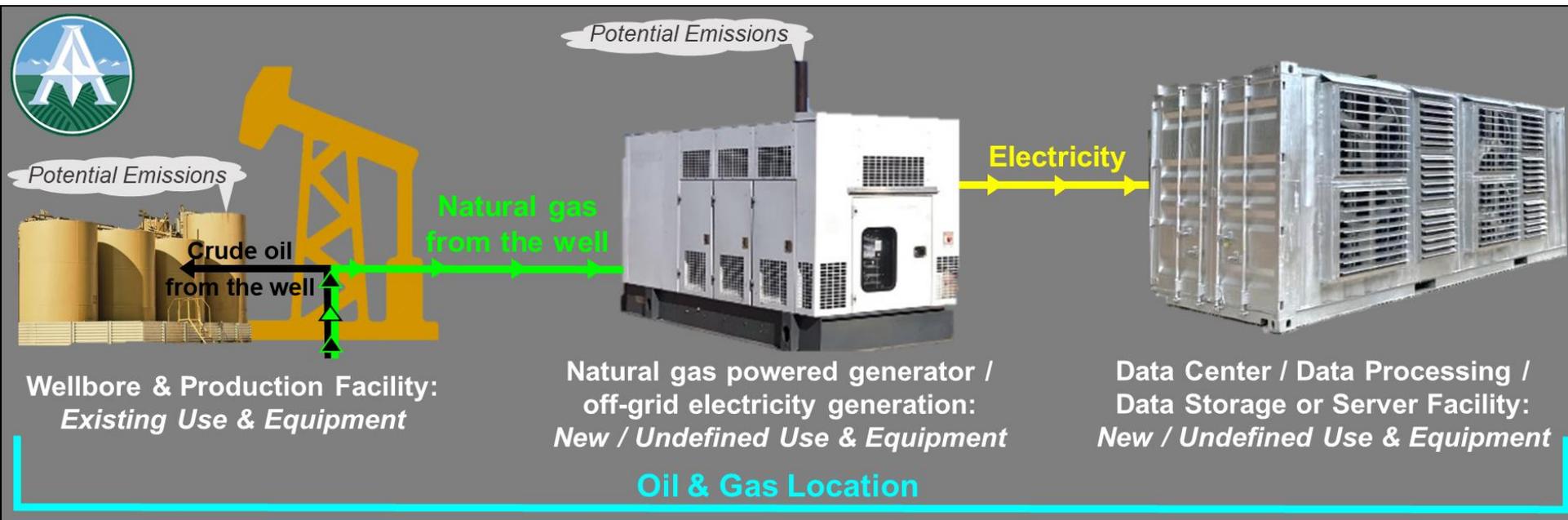


ADAMS COUNTY  
COLORADO

# Summary

- Background
- Current Regulations for Data Centers
- Potential Community Considerations
- Stakeholder/Public Outreach
- Recommendation/Discussion
- Next Steps

# Background



# Background

## What is a data center?

- A facility that centralizes an organizations shared IT operations and equipment for the purpose of storing, processing, and disseminating data and applications.



# Current Regulations

- Section 3-06 describes the land use categories in the DS&R
- Section 3-05-01 states:  
“[n]o use not specifically permitted or conditionally permitted in a district shall be allowed unless the Director of Community and Economic Development determines the use is similar to an expressly permitted use.”
- No use is substantially similar to a data center, data processing facility, or off-grid electrical generation, so it has been determined to be prohibited
- Regulations need to be amended to allow for the use and establish performance standards

# Potential Community & Economic Considerations

- Noise and Light Pollution
- Electricity Demand
- Water Usage
- Air Pollution
- **Jobs:**
  - Data centers typically require minimal staffing
  - Temporary construction jobs for the development of new data centers
- **County Tax Revenue:**
  - Real Property
  - Personal Property



# Stakeholder/Public Outreach

## Meeting Dates:

- March 8<sup>th</sup> - Industry/Trade groups/Oil & Gas Operators
- March 9<sup>th</sup> – Fire Districts and OEM
- March 15<sup>th</sup> – All interested parties (Zoom and in-person)

## Feedback:

- Delineate between more common data centers and those for cryptomining
- Permitted use instead of conditional
- What potential performance standards might be put in place
- How would noise be regulated
- How would regulations compare to COGCC guidelines for O&G sites
- Accessory vs. Principal Use

# Staff Recommendation: Definition & Use

- Data Center Definition:  
*Networked computer systems used for data storage and processing for on and/or off-site users. Typical supporting equipment includes back-up batteries and power generators, cooling units, fire suppression systems, and enhanced security features.*
- Create a *primary use* and *accessory use* for Data Centers:
  - Primary use:
    - Similar to Light Industrial use
    - Permitted in I-1, I-2, and I-3. Conditional Use Permit in C-5
    - Would still need a CIU permit
  - Accessory use:
    - Accessory to: Oil and gas facilities, Geothermal, Solar/wind energy, etc.
    - Zone District designations – Same as for OGF Permits
      - Allowable in A-2, A-3, C-0 through C-5 and I-1 through I-3
      - Not permitted in residentially zoned areas

# Staff Recommendations: Performance Standards

## Accessory Uses:

- Site and Access plans
  - List and placement of equipment
  - Siting of equipment relative to primary use
  - Access or emergency response, inspections, maintenance and repair
  - Parking
  - Screening
  - Installed on approved surface
- Emergency Preparedness and Response
  - Emergency Response Plan (ERP)
  - Will Service Letter from the Fire District
- Automatic safety shut-in capabilities on oil and gas wells
- State agency approvals, where applicable

# Staff Recommendation: Performance Standards

- Accessory Use is within 2,000 feet from residential:
  - Noise study and mitigation measures
  - Landscaping / Screening
  - Air quality monitoring for methane
  - Neighborhood meeting
  - Administrative Waiver for residential setbacks



# Staff Recommendations: Permit Process

## Primary Use:

Permitted: I-1, I-2, or I-3

Conditional: C-5

## Accessory Use:

Special Use Permit Process (Board of Adjustment): A-2, A-3, C-0 through C-5 and I-1 through I-3

Change in Land Use and building permit will be required.

If performance standards cannot be met, a variance will be needed.

# Outreach and Next Steps

- Board of County Commissioners Study session on April 25<sup>th</sup>
- Draft regulations
- Additional public and stakeholder outreach to review recommended language
- Timeline
  - Referral period and outreach (Early Summer)
  - Adoption (Summer)