

STAFF REPORT

CHAPTER 107 UNIFIED DEVELOPMENT CODE (UDC)

TEXT AMENDMENTS

EXLCLUSIVE USE - THREE (EU-3) ZONING DISTRICT, DATA CENTERS

Planning and Zoning Commission Meeting: **JANUARY 20, 2026**

Board of Supervisors First Consideration: **FEBRUARY 4, 2026**

Board of Supervisors Second Consideration: **FEBRUARY 9, 2026**

Board of Supervisors Third Consideration: **FEBRUARY 11, 2026**

CASE: PA26-0001
REQUEST: Chapter 107 Unified Development Code
Text Amendments

PETITIONER: Planning and Development
STAFF CONTACT: Charlie Nichols

OVERVIEW:

Staff is proposing several text amendments to the Unified Development Code (UDC) related the creation of a new exclusive use zoning district for a data center uses.

This staff report presents proposed amendments to Chapter 107 of the Unified Development Code (UDC) to establish land use standards for data center development within unincorporated Linn County. The amendments include the creation of a new exclusive use zoning district for large-scale data centers, development standards applicable to both small-scale and large-scale data center uses, and related definitions and application requirements.

The proposed amendments were initiated in response to an active development proposal for a large-scale data center in unincorporated Linn County. In evaluating this request, staff determined that existing zoning and development standards were not specifically designed to address the unique land use characteristics, infrastructure demands, and long-term operational impacts associated with modern data center facilities. As a result, staff undertook a comprehensive review to determine whether additional or modified regulations were warranted.

Staff conducted extensive research into data center regulations adopted by other jurisdictions across the United States, including direct consultation with county staff in Loudoun County, Virginia, a jurisdiction with significant experience hosting large-scale data center campuses. In addition, staff engaged three independent consultants with expertise in land use planning, infrastructure impacts, and large-scale industrial development to review draft ordinance language and provide guidance on regulatory structure, enforceability, and alignment with best practices. This research and consultation informed the proposed framework and helped ensure that the regulations are both appropriate to the scale of the use and capable of achieving the County's intended outcomes.

Data centers are characterized by substantial and sustained demands on public infrastructure, particularly electrical power and water supply. The proposed ordinance is intended to allow data center development to occur in Linn County in a manner consistent with the Comprehensive Plan, while ensuring that potential impacts to public infrastructure, environmental resources, and surrounding land uses are appropriately evaluated and mitigated.

A key component of the proposed amendments is the introduction of water supply and sustainability review requirements for large-scale data centers. Nationally, water use by data centers has become an increasingly prominent planning and policy issue, particularly in regions experiencing seasonal or long-term water constraints. The proposed planning-level water study and operational coordination requirements are intended to provide decision-makers and the public with sufficient information to evaluate potential impacts, while establishing a framework for ongoing coordination over the operational life of a facility.

The ordinance also incorporates requirements related to setbacks, noise, emergency response planning, road use, and economic development agreements. Collectively, these standards are designed to address the long-term obligations the County assumes when hosting large-scale infrastructure uses and to ensure that such facilities are compatible with surrounding land uses and the Comprehensive Plan.

Staff views data centers as a form of generational infrastructure development with long operational lifespans and significant cumulative impacts, similar in planning significance to other infrastructure uses previously addressed through exclusive-use zoning districts. The proposed amendments reflect this perspective and are intended to provide a clear, transparent, and predictable regulatory framework for both applicants and the County.

PROPOSED AMENDMENTS:

**Article VI. - Specific Development Standards, Section 107-116. Standards For Industrial Uses.
New Subsection (e)**

(e) *Small-Scale Data Center and other similar uses.* Small-scale data centers and other similar uses shall meet the requirements found in Section 107-151 § (d) through (m) of this chapter.

Article VII, Sec. 107-131. Districts and district boundaries, §(b).

(b) *Establishment of districts and overlay zones.* In order to carry out the purpose and intent of this chapter, the unincorporated territory of the county is hereby divided into the following zoning districts and overlay zones:

(19) *EU-3 Exclusive Use-Three, Large-Scale Data Center District*

Article VII, Sec. 107-151. EU-3 Exclusive Use – Three, Large-Scale Data Centers

(a) *Purpose.* The purpose of the EU-3 Exclusive Use-Three, Large-Scale Data Center District is to provide a clear, comprehensive, and predictable regulatory framework for the siting and operation of large-scale data centers within unincorporated Linn County. Large-scale data centers are characterized by substantial long-term demands on public infrastructure, including electrical power, water supply, transportation systems, and emergency services, as well as potential impacts on surrounding land uses and environmental resources. This district is intended to ensure that such facilities are evaluated, located, and developed in a manner consistent with the Comprehensive Plan; that their infrastructure and operational impacts are appropriately reviewed and mitigated; and that the County can fulfill its long-term fiscal, infrastructure, and community responsibilities associated with hosting generational infrastructure facilities.

(b) *Principal permitted use.*
(1) *Large-scale Data Centers.*

(c) *Accessory Uses.*

- (1) Battery energy storage systems (BESS).
- (2) Solar arrays and other similar on-site renewable power generation systems.
- (3) On-site standby or backup power generation, excluding diesel generators.
- (4) Electrical substations, switchyards, or power distribution equipment.
- (5) District energy or microgrid infrastructure.
- (6) Water treatment and recycling facilities.
- (7) Office, maintenance, and employee support facilities incidental to the data center.

(d) Major site plan required. A major site plan shall be submitted and reviewed prior to the approval of a large-scale data center. A large-scale data center shall require rezoning to the EU-3 zoning district, unless already located within such EU-3 zoning district.

(e) Additional information.

- (1) The following information shall be submitted on the major site plan, or in narrative form, supplied by the applicant with any application for rezoning to the EU-3 zoning district:
 - a. Legal description of all properties leased and/or owned, that are identified to be part of the project area;
 - b. A description of the project including development timeline, location of buildings, parking, approximate number of employees;
 - c. A description of a backup power plan describing the fuel source and expected usage of any standby, backup, or temporary power generation systems. The plan shall identify the anticipated number and size of generators or other power units, anticipated testing frequency and duration, anticipated noise and emission control measures, and anticipated fuel storage or delivery methods. The plan shall demonstrate the data center will comply with all applicable local, state and federal permitting requirements.
- (2) The following information shall be submitted prior to issuance of the first building permit for the data center:
 - a. Planned location of underground or overhead electric lines, grid interconnection points, project entrances, staging areas, and access roads required during construction and post construction;
 - b. Written verification from their proposed power provider that the applicant has calculated the maximum planned electrical consumption of the proposed use and has verified the utility supply and related electrical infrastructure is sufficient to accommodate the applicant's proposed use;
 - c. Site and structure requirements, including:
 - i. Stormwater management plan;
 - ii. Stormwater pollution prevention plan;
 - iii. Erosion and sediment control plan;
 - iv. All Data Center production equipment (computers, servers, etc.) shall comply with Building Code requirements. Said structure(s) shall be placed on a permanent foundation.
- (3) For any data center facility consisting of one or more buildings (whether constructed simultaneously or in separate phases), the applicant shall not be required to submit or resubmit the items referenced in sections 107-116(e)(4)(d)-(f) as to any building or phase of buildings constructed after the initial building permit is issued, if such building or phase of buildings were contemplated on the relevant

submission delivered under said sections 107-116(e)(4)(d)-(f) in connection with the first building permit issued for the data center.

- (f) Required setbacks.
 - (1) 200 feet to property lines.
 - (2) 1,000 feet (measured from the closest outer wall of the closest building on the data center property to the closest outer wall of a place of public assembly and to the property line of any residentially zoned property, including residentially zoned properties within city limits. The Board of Supervisors, in consultation with any impacted city, may reduce this setback with a majority vote. Impacted city means any city with residentially zoned property within 1,000 feet of the closest outer wall of the closest building on the data center property. "Residentially owned property" does not include properties in the agricultural, critical natural resources, commercial, or industrial zoning districts.
- (g) Street access. The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate, with continuous hard surfaced connection to a county arterial, or state or federal highway.
- (h) Access. Vehicular access points shall create a minimum of conflict with through traffic movement.
- (i) Parking. Parking and loading shall meet the standards in section 107-93(e).
- (j) Buffers. Buffers shall be installed meeting the standards in section 107-93(d). In addition, lot frontage on a public street shall be separated from the edge of sidewalk or pavement by a landscaped yard of at least 20 feet in width, except where driveway accesses occur.
- (k) Avoidance and mitigation of damages to public infrastructure.
 - (1) Roads. Applicants shall identify all roads planned to be used for the purpose of transporting equipment for construction, operation or maintenance of the data center and obtain applicable weight and size permits from the impacted road authority prior to construction.
 - (2) Existing road conditions. Applicant shall conduct and provide evidence of a pre-construction roadway conditions survey, in coordination with the Linn County Secondary Roads Department, to determine baseline road conditions and authority. The survey shall adequately document all road, road right of way, and public drainage infrastructure conditions requested for use during all phases of construction. Applicants shall enter into a Road Use Agreement with Linn County Secondary Roads Department that clearly details responsibilities for on-going road maintenance and dust control measures for all identified Linn County jurisdictional roads during all phases of construction. The Road Use Agreement may require certain applicant and county undertakings, including but not limited to providing financial assurance in the form of an irrevocable letter of credit, bond, cash, escrow, parent guarantee or other form of security or guaranty acceptable to Linn County. At construction completion, Applicant shall, unless otherwise provided in the applicable Road Use Agreement, conduct and provide evidence of a post construction roadway conditions survey, in accordance with the Road Use Agreement and in coordination with Linn County Secondary Roads, to verify that road conditions, to the extent impacted by applicant's use in the construction of its data center, have been restored, as far as reasonably practical, to pre-construction conditions or as otherwise required by the Road Use Agreement.
 - (3) Drainage system. The applicant shall be responsible for repair of damage to public drainage systems stemming from construction, operation or maintenance of the data center. Applicant shall acknowledge any damage to public drainage systems and the responsibility for repair in a timely manner within 72 hours of damage discovery.
 - (4) Road Use Agreement. An approved Road Use Agreement containing the information and conditions specified in this article is required before the start of construction.

(l) Noise Analysis. No operating data center equipment shall produce decibel levels exceeding any of the following limitations, with the exception of initial construction and routine maintenance. Adequate setbacks and effective sound mitigating equipment shall be used to comply with these limitations:

- (1) The average hourly noise level shall not exceed fifty-five (55) dBA or sixty-five (65) dBC as measured from the outer wall of any occupied structure within residentially zoned property adjacent to the proposed development. For property adjacent to the proposed development that is not residentially zoned, the average hourly noise level shall not exceed sixty-five (65) dBA or seventy-five (75) dBC as measured from the outer wall of any occupied structure. The average decibel limit is specific to source of the sound and does not count against cumulative ambient decibel levels as established in a baseline acoustic evaluation.
- (2) Equipment testing, maintenance activities, and construction activities that generate elevated noise, including generator testing, shall be limited to the hours of 8:00 a.m. to 6:00 p.m., Monday through Friday, unless otherwise approved by the Zoning Administrator. County approval for excessive noise generation shall not be unreasonably withheld.
- (3) The average hourly decibel level may be exceeded during short-term events such as severe windstorms.
- (4) A pre- and post-construction noise evaluation shall be completed by a certified professional by the Institute of Noise Control Engineering (INCE), or a licensed Professional Engineer (PE) to verify compliance with the County's standards. The post-construction noise evaluation shall be completed after completion of all planned data center buildings at the end of construction (as defined in section 107-151(l)(5)).
- (5) Commencing on the fifth anniversary of the end of construction, as defined hereafter, and continuing every five years thereafter, for so long as the data center operates, a noise evaluation shall be completed at the operators expense by a certified professional by the Institute of Noise Control Engineering (INCE), or a licensed professional engineer (PE) to verify compliance with the county's standards in section 107-151(l)(1). Completion of all data center buildings, or end of construction, means the date on which all of the following have occurred: completion of construction of the data center or, in the case of a phased or multi-building campus, all buildings of the multi-building data center campus, and issuance of a certificate of occupancy for all related buildings; and the data center operator has communicated, in writing, to the Zoning Administrator that it has completed the data center campus; provided, that, if all construction has stopped on the property for more than six (6) consecutive calendar months, other than due to delays by the County in processing related permits or approvals, then "end of construction" as used herein shall be deemed to have occurred as of the last day of such calendar month. This six-month time frame may be extended by the Zoning Administrator.
- (6) The owner(s) of adjacent property may voluntarily agree, by written and recorded waiver, to a higher average hourly decibel level than those allowed within this subsection.

(m) Confidentiality and Open Records Compliance. If an applicant submits information it believes to be a trade secret or otherwise confidential under Iowa Code Section 22.7 the applicant shall clearly identify such information at the time of submittal and provide the County with a written basis under Iowa Code Section 22.7 of why any and all information provided to the County is marked confidential. The County will treat such information in accordance with the Iowa Open Records Act, including the exemptions provided under Iowa Code Section 22.7, as amended. The County may disclose such information to staff or contracted reviewers solely for the purpose of evaluating compliance with this ordinance, subject to applicable confidentiality obligations. Notwithstanding this subsection, applicant acknowledges and understands that the County may only legally keep information confidential pursuant to Iowa Code Section 22.7.

(n) Water Supply and Sustainability Review. Approval for large-scale data center projects shall be conditioned on the applicant demonstrating there is sufficient reliable water supply to meet all projected water demands without undue adverse impacts on existing users, aquifers, or watersheds. To demonstrate this, the applicant must comply with the following requirement:

- (1) As part of any application for rezoning, special use permit, or other discretionary land use approval for a data center, the applicant shall submit a Water Study. The purpose of this plan is to demonstrate, at a planning-level, that sufficient water resources are available to support the proposed use without causing undue adverse impacts to existing water users, groundwater resources, or surface water systems. The plan shall describe the proposed water source(s), anticipated ranges of water demand, assumptions regarding cooling technologies, efficiency measures, system reliability considerations, and general contingency approaches for water supply interruptions or emergencies. The plan shall be prepared by a qualified professional and shall contain sufficient information to allow the County, reviewing bodies, and the public to understand and evaluate the potential water impacts of the proposed use.
- (2) Prior to issuance of any building permit for a data center, the applicant shall enter into a Water Use Agreement with Linn County. The purpose of the Water Use Agreement is to govern ongoing coordination between the applicant and the County regarding water use during operation of the facility. The agreement shall address, at a minimum, water use monitoring, reporting frequency, data sharing protocols, and verification of compliance with applicable permits and approvals. The agreement may also include provisions addressing response procedures during periods of water supply constraint, drought, emergency conditions, or other circumstances in which water use reductions or operational adjustments may be necessary to protect public health, safety, or existing water users. The Water Use Agreement may include additional terms related to adaptive management, mitigation measures, and enforcement as determined appropriate by the County and Applicant.

(o) Economic Development Agreement. Prior to or contemporaneously with the rezoning to the EU-3 zoning district, the applicant of a large-scale data center shall enter into an Economic Development Agreement ("EDA") with the County, approved by the Board of Supervisors. The purpose of the EDA is to establish ongoing cooperation between the County and the project operator, a description of any incentives that the project operator will receive (subject to the terms of the EDA), and to provide ongoing contributions that advance the County's fiscal, infrastructure, and community goals related to hosting large-scale data center facilities. The County shall retain full reasonable discretion to determine the form, structure, and use of funds or benefits provided under any EDA. At a minimum, the agreement shall provide for the creation of a Community Betterment Fund or similar mechanism to support public infrastructure, services, environmental protection, workforce development, or other community benefits, as determined by the Board of Supervisors. Additionally, as part of the EDA, the applicant shall consider implementing a Property Value Protection Plan. The purpose of the Property Value Protection Plan is to address potential impacts to nearby residential property values associated with the development and operation of the data center. Nothing in this section shall limit the County's authority to negotiate terms appropriate to the scale, location, and nature of a specific project, or to enter into separate agreements addressing road use, infrastructure improvements, or other matters related to the development of the large-scale data center.

(p) Emergency Response Plan. The applicant shall submit an emergency response plan prior to any ground disturbance at the project site detailing the planned response actions that will be taken by facility representatives in the event of an emergency. These actions are intended to minimize health risks to personnel and people in the surrounding community, as well as minimize adverse impacts to the environment.

- (1) The plan shall include, but is not limited to, a detailed narrative of response procedures and the facility representatives responsible for management of the following plausible contingencies that could occur at the facility: natural disaster/severe weather, fire, security incident.

capacity/transmission, environmental, chemical, pipeline (if applicable), and medical. It shall include procedures for a site evacuation, designated egress routes and emergency staging areas.

- (2) The plan shall include a stand-alone section detailing the emergency response protocols specific to battery energy storage areas (if applicable).
- (3) The plan shall be developed in coordination with local first responders, Linn County Emergency Management & Linn County Public Health personnel.
- (4) Notwithstanding anything in this section to the contrary, the applicant may redact confidential or proprietary information from any submission hereunder.

ARTICLE VII. - ZONING CLASSIFICATIONS, DENSITY, DIMENSIONAL STANDARDS AND ALLOWED USES, SEC. 107-147-1. - USE TABLE.

Transportation and Utility Uses		STD	AG	RR 1/2/3	VR	VM	USR	USR- MF	HC	GC	I	CNR	MH
Utilities	Utility generating plants and facilities (except wind farms, utility scale solar, <u>gas-fired electric generating facilities</u> , and nuclear <u>energy</u> generating facilities)		C						C	C	C		
	<u>Gas-fired electric generating facilities</u> , Nuclear <u>energy</u> generating facilities and nuclear waste storage	See article VII, EU-2 <u>Gas-Fired Electric Generating Facilities</u> , Nuclear Energy Generating Facility Facilities and Nuclear Waste Storage District											
Industrial		STD	AG	RR 1/2/3	VR	VM	USR	USR- MF	HC	GC	I	CNR	MH
Data Centers	<u>Small-scale data center</u>	107-116 (e)	C							C	C		
	<u>Large-scale data center</u>	See article VII, EU-3 <u>Large-Scale Data Center District</u>											

**ARTICLE IX DEFINITIONS,
SECTION 107-180 DEFINITIONS**

Data center means a facility consisting of one or more buildings (whether constructed simultaneously or in separate phases) used primarily for the storage, management, processing, and transmission of digital data, which houses computer or network equipment, systems, servers, appliances, and other associated components related to

digital data storage and operations. Data center includes commercial cryptocurrency mining operations and processing.

Small-scale data center means a data center that has an electrical design capacity of 20 MW or less, and that uses less than 50 gallons per minute of water or less on an annualized basis. For the purposes of determining compliance with power and water usage thresholds in this ordinance, all data center buildings that are part of a phased or multi-building campus shall be evaluated in the aggregate, regardless of whether such buildings are constructed simultaneously or in separate phases.

Large-scale data center means a data center that has an electrical design capacity greater than 20 MW or that uses more than 50 gallons per minute of water on an annualized basis. For the purposes of determining compliance with power and water usage thresholds in this ordinance, all data center buildings that are part of a phased or multi-building campus shall be evaluated in the aggregate, regardless of whether such buildings are constructed simultaneously or in separate phases.

Places of Public Assembly means buildings or facilities where people gather for civic, educational, religious, or cultural purposes, including, but not limited to retirement and nursing homes, schools, childcare homes and centers, group homes, hospitals, detention facilities, or human service facilities, not including facilities allowed as an accessory use to the principal use in question.

ALTERNATIVES:

The following alternatives may be considered regarding the proposed UDC text amendments:

1. Recommend approval of the proposed amendments.
2. Recommend denial of the proposed amendments.
3. Refer the proposed amendments back to the staff for additional review/information.

STAFF RECOMMENDATION:

Staff recommend Alternative 1, recommend approval of the proposed UDC text amendments.