Data Center / Off-grid Electric Generation
Land Use Regulations

Community & Economic Development Department
April 13, 2023
Summary

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

Wellbore & Production Facility: Existing Use & Equipment

Natural gas powered generator / off-grid electricity generation: New / Undefined Use & Equipment

Data Center / Data Processing / Data Storage or Server Facility: New / Undefined Use & Equipment

Oil & Gas Location
Background

What is a data center?
- A facility that centralizes an organization's 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 8th - Industry/Trade groups/Oil & Gas Operators
• March 9th – Fire Districts and OEM
• March 15th – 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 25th

• Draft regulations

• Additional public and stakeholder outreach to review recommended language

• Timeline
  • Referral period and outreach (Early Summer)
  • Adoption (Summer)