

Summary of Ordinance

The purpose of this Ordinance is to amend Section 3.01.02, entitled *Classification of Uses*, Section 3.01.03, entitled *Schedule of Permitted and Conditional Uses*, Section 3.01.04, entitled *Key to Conditions in Table of Permitted and Conditional Uses*, and Section 3.14.00, to be entitled *Data Centers*, to establish appropriate zoning districts and regulations for Data Centers with the issuance of a Conditional Use Permit (CUP)

Changes are shown as follows: ~~Strikethrough~~ for deletions and Underline for additions to existing Code sections. The notation “* * *” shall mean that all preceding or subsequent text remains unchanged (excluding any renumbering or relettering that might be needed).

ORDINANCE 2026-__

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING THE FOLLOWING SECTIONS OF THE LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS: 3.01.02, ENTITLED *CLASSIFICATION OF USES*; 3.01.03, ENTITLED *SCHEDULE OF PERMITTED AND CONDITIONAL USES*; SECTION 3.01.04, ENTITLED *KEY TO CONDITIONS IN TABLE OF PERMITTED AND CONDITIONAL USES*; CREATING SECTION 3.14.00, TO BE ENTITLED *DATA CENTERS*; ESTABLISHING APPROPRIATE ZONING DISTRICTS AND REGULATIONS FOR CERTAIN TYPES OF DATA CENTERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners (Board) has the authority pursuant to Chapter 125, Florida Statutes, and Article VIII of the Florida Constitution to protect the public health, safety, and general welfare of its residents and to enact ordinances for valid governmental purposes that are not inconsistent with general or special law; and

WHEREAS, on September 8, 2026, the Board adopted an ordinance suspending the acceptance of applications for data centers, data center facilities, and data center utilities; and

WHEREAS, Lake County is located within a region that relies heavily upon groundwater resources from the Floridan Aquifer system, which has historically been subject to significant management and conservation; and

WHEREAS, state and regional planning efforts emphasize the importance of careful management of groundwater withdrawals to ensure long-term environmental and economic stability for local communities; and

WHEREAS, data centers, data center facilities, and data center utilities may require substantial water resources for cooling systems and substantial electrical power, which in some cases require large infrastructure demands; and

WHEREAS, such large-scale facilities have the potential to place significant demands on regional groundwater supplies, water treatment infrastructure, and electrical grid capacity, particularly in rapidly growing areas; and

WHEREAS, the Board finds that Lake County currently lacks specific zoning provisions or development regulations addressing the unique operational characteristics, infrastructure requirements, and environmental considerations associated with data centers, data center facilities, and data center utilities; and

WHEREAS, the Board further finds that allowing such facilities to proceed without appropriate regulatory standards could create risks to the County’s water resources, electrical infrastructure capacity, land use planning objectives, and long-term community development strategy; and

WHEREAS, Lake County’s strategic geologic location at the heart of Central Florida’s regional potable water supply, abundance of critical surface waters, flow ways, and navigable waters, close proximity to sensitive wetlands, and environmental protection zones further underscores the importance of ensuring that new forms of industrial-scale development are evaluated carefully and responsibly; and

WHEREAS, Florida courts have held that permissible basis for land use restrictions include concern about the effect of the proposed development on traffic, congestion, surrounding property values, demands for public services, and on other aspects of the general welfare. *WCI Communities Inc. v. City of Coral Springs*, 885 So.2d 55 912 (Fla. 4th DCA 2004; *see also Corn v. City of Lauderdale Lakes*, 997 F.2d 1369, 1375 56 (11th Cir. 1993); and

WHEREAS, Section 163.326, Florida Statutes, clearly states that local governments shall maintain the authority to exercise the powers and responsibilities for comprehensive planning and land development regulation granted by law with respect to large load customers; and

WHEREAS, the Board of County Commissioners finds this Ordinance serves the health, safety, and welfare of the residents of and visitors to Lake County, Florida.

NOW THEREFORE, be it ordained by the Board of County Commissioners of Lake County, Florida, as follows:

Section 1. Legislative Findings of Fact. The foregoing recitals are hereby adopted as legislative findings of the Board of County Commissioners and are ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. Amendment. Section 3.01.02, Lake County Code, Appendix E, Land Development Regulations, entitled *Classification of Uses*, is hereby amended to read as follows:

3.01.02 Classification of Uses.

D. Industrial Uses.

1. Data Centers; Data Center Campus.

a. Data Center: A facility that primarily contains electronic equipment used to process, store, and transmit digital information which may be (a) a free-standing structure or (b) a facility within a larger structure which uses environmental control equipment to maintain the proper conditions for the operation of electronic equipment.

b. Large Scale Data Center: See Section 373.203, Florida Statutes.

c. Data Center Campus: A contiguous tract or tracts of land under common ownership or control that are planned, developed, or operated as an integrated facility for one or more Data Centers, together with Data Center Accessory Uses and infrastructure serving such Data Centers.

d. Data Center Accessory Uses: Uses, structures, equipment, and infrastructure that are customarily incidental and subordinate to, and directly support, the construction, operation, maintenance, repair, security, or protection of a Data Center or Data Center Campus, including electrical, mechanical, cooling, telecommunications, emergency power, stormwater, water, wastewater, parking, loading, security, and similar facilities, as authorized by this Code

e. Applicability: Data Centers, Large-Scale Data Centers, Data Center Campuses, and Data Center Accessory Uses shall be subject to the zoning district requirements, development standards, and application requirements established in Section 3.14.00 and elsewhere in this Code.

2. Industrial Use, Light. An Industrial Use engaged in the processing, manufacturing, compounding, assembly, packaging, treatment, or fabrication of materials and products, from processed or previously manufactured materials, generally within an enclosed Building. Light Industrial uses include, but are not limited to: Publishing plants, medical/biomedical operations, warehousing, automotive/mechanical repair, paint and body shops. These examples are not intended to be comprehensive and may not include all light industrial uses. If a use is not specifically listed herein and exhibits similar characteristics to those listed, the County Manager, or designee, Shall make a written interpretation that the proposed use exhibits similar characteristics to a listed use, in which case the use Shall be permitted in the same manner as the use with similar characteristics. This category also includes crematories.

23. Industrial Use, Heavy. An Industrial Use that has significant potential impacts on the environment or adjacent uses including but not limited to noise, vibrations, emissions, hazards and odors, where more than twenty (20) percent of the use takes place outside of an enclosed Building or where exterior storage equals or exceeds building floor area. Heavy Industrial uses include, but are not limited to: junkyards, rail-yards, bulk petroleum storage, concrete batch plants, asphalt plants, resource extraction, incinerators (A facility in which Solid Waste or Recovered Materials are disposed of through a burn process.), fabrication facilities (involving open air grit blasting or open air painting), fiberglass products manufacturing facility, explosive storage and or manufacturing facility, pesticide formulation facility, soil remediation facility, bulk solvent chemical storage/processing facility, and secondary metals recovery/manufacturing facility. Heavy Industrial uses also include agriculturally related industry or processes. These examples are not

intended to be comprehensive and may not include all heavy industrial uses. If a use is not specifically listed herein and exhibits similar characteristics to those listed, the County Manager, or designee, Shall make a written interpretation that the proposed use exhibits similar characteristics to a listed use, in which case the use Shall be permitted in the same manner as the use with similar characteristics.

~~34.~~ Recycling Center. A facility used for the processing and temporary storage of small recyclable items such as, but not limited to, food and beverage containers, fabrics, and paper.

~~45.~~ Junkyard. An establishment engaged in the storage and sale, from the premises, of used or waste material or other items, except where such activities are incidental to a manufacturing operation. Uses include automobile salvage yards.

(All other sections of 3.01.02 shall remain unchanged)

Section 3. Amendment. Section 3.01.03, Lake County Code, Appendix E, Land Development Regulations, entitled *Schedule of Permitted and Conditional Uses*, is hereby amended to read as follows:

*{The remainder of this page is left intentionally blank.
Schedule of Permitted and Conditional Uses to follow.}*

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3.01.03 Schedule of Permitted and Conditional Uses.

	ZONING DISTRICTS																						
Use Classifications	A	RA	AR	R1	R2	R3	R4	R6	R7	R10	RP	RMRP ¹	RM	C1 ₂	C2 ₂	C3 ₂	CP _{6, 7}	LM	HM	MP _{6, 7}	CFD ⁶	RV	CONDITION/ LDR SECTION
RESIDENTIAL USES																							
Single-Family Dwelling Unit	P	P	P	P	P	P	P	P	P		P	P ¹	P	P ²	P ²	P ²	P	P	P	P			Sec. 3.01.02.A.1
Bed & Breakfast Home	P	P	P	C	C	C	C	C			C												Sec. 3.12.03
Bed & Breakfast Inn	C	C	C	C							P			P	P	P	P						Sec. 3.12.02
Two-Family Dwelling Unit						P	P	P	P	P	P												Sec. 3.01.02.A.2
Multi-Family Dwelling Unit							P	P	P	P	C			P	P	P	P	P ⁸	P ⁸	P ⁸	P ⁸		Sec. 3.01.02.A.3 & F.S §125.01055(7)(a)
Recreational Vehicle Park																						P	Sec. 3.01.02.A.5
Mixed-Use Residential District														P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸		Sec. 3.01.02.G & F.S §125.01055(7)(a)
AGRICULTURAL USES																							
General Agriculture	P																	P ³	P ³	P ³	P		Sec. 3.01.02.B.1
Non-Intensive Agricultural	P	P	P	P																	P		Sec. 3.01.02.B.2
Agricultural Housing/Camps	P	C																					Sec. 3.02.02.B.4 & F.S. §163.3162(5)
Chicken Farms	P/C																						See F.S. §163.3162(3) & 3.03.00
Egg Processing Facilities	P/C																						See F.S. §163.3162(3) & 3.03.00

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Exotic Animals	C																						3.01.02.B.14
Family Gardens		P	P	P	P	P	P	P	P	P	P	P	P										Sec. 3.01.02.B.3
Hog Farms	P/C																						F.S. §163.3162(3)
Horse-Breeding Farms	P	P	P	P																			
Kennels	C														P		P	P	P	P			Sec. 3.01.02.B.5 & Chap. II, Definitions
Loft/Aviary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P						
Mills	C																			P			Sec. 3.01.02.B.6
Mining and Quarrying	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		Sec. 3.01.02.B.7
Plant Nurseries *5 acre requirement	P	C	C	C *										P	P	P	P						Sec. 3.01.02.B.8
Obnoxious Uses	C													C	C	C	C	C	C	C	C		Chap. II, Definitions
Riding Stable or Academy	P	C	C																		P		Sec. 3.01.02.B.9 & 3.03.00
Roadside Farm Stands	P	P	C																				Sec. 3.01.02.B.10
Slaughter Houses	P/C																	C					See F.S. §163.3162(3) & 3.03.00
Veterinary Clinics	P										C			C	C	C	P	C	P	P			Sec. 3.01.02.B.11
COMMERCIAL USES (See Policy 1-1.13 of Comprehensive Plan for commercial site restrictions in Employment Center land use designation.)																							
Adult Use															C		C						Sec. 3.01.02.C.1 & Sec. 3.07.00
Amusements, Commercial	C													C	C		P						Sec. 3.01.02.C.2
Automotive Repair															P	P	P	P	P	P			Sec. 3.01.02.C.3
Automotive Service Station/Convenience Store														P	P	P	P			P			Sec. 3.01.02.C.4
Banking														P	P	P	P			P			Sec. 3.01.02.C.5

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Bar or Tavern															P	P	P	P	P	P	P			Sec. 3.01.02.C.6
Carwash															P	P	P	P		P				Chap. II, Definitions
Consumer Services and Repair																P		P	P		P		C	Sec 3.01.02.C.7
Hotel or Motel																P	P	P						Sec.3.01.02.C.8
Marina	C	C	C													P	P	P			P	P		Sec. 3.01.02.C.9
Medical Service										P					P	P	P	P	P	P	P			Sec.3.01.02.C.10
Personal Care Services															P	P	P	P	P		P			Sec.3.01.02.C.11
Professional Office										P					P	P	P	P	P	P	P	P		Sec.3.01.02.C.12
Recreation, Commercial																P	P	P	P					Sec.3.01.02.C.13
Research Services																P	P	P	P	P	P			Sec.3.01.02.C.14
Restaurant, Fast Food															P	P	P	P	P	P	P			Sec.3.01.02.C.15
Restaurant, General															P	P	P	P	P	P	P		C	Sec.3.01.02.C.16
Retail, Convenience											C				P	P	P	P	P	P	P		C	Sec. 3.01.02.C.17
Retail, General															P	P	P	P			P		C	3.01.02.C.18
Self-Service Laundry										P	P				P	P		P						Sec. 3.01.02.C.19
Self-Service Storage																C		P	P	P	P			Sec. 3.01.02.C.20
Theaters																P		P				P		Sec. 3.01.02.C.21
Recreational Vehicles																							P	
Truck Yard	C																	P	P	P	P			Sec. 3.01.02.C.22
Vehicular Sales																C	C	P	P	P	P			Sec. 3.01.02.C.23
Wholesale and Warehouse																P	P	P	P	P	P			Sec.3.01.02.C.24
INDUSTRIAL USES																								
Airport																				P	P	P		Sec. 4.01.00

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Data Centers; Data Center Campus																<u>C</u>		<u>C</u>	<u>C</u>	<u>C</u>			Sec. 3.01.02.D.1, 3.01.04(4), 3.14.00, F.S. §373.203, F.S. & §373.262 F.S.
Industrial, Light																	P	P	P			Sec. 3.01.02.D.12	
Industrial, Heavy	C																	P, C	P, C			Sec. 3.01.02.D.23	
Junkyard																P		P	P			Sec. 3.01.02.D.45	
Recycling Center																	P	P	P	P		Sec. 3.01.02.D.34	
Trucking Facilities																	P	P	P				
COMMUNITY FACILITY USES																							
Assisted Living Facility																				P		F.S. Ch. 429, Pt. I	
Cemetery	C															P				P		Sec. 3.01.02.E.1	
College or University	C													P	P	P				P		Sec. 3.01.02.E.2	
Church													P	P	P	P				P		Sec. 3.01.02.E.3	
Comprehensive Transitional Education Facility																				P		Sec. 3.01.02.E.11	
Community Residential Home										P				P	P		P				P		Sec. 3.01.02.E.4
Cultural Institution														P	P	P	P	P			P		Sec. 3.01.02.E.5
Day Care Center														P	P	P	P				P		Sec. 3.01.02.E.6
Dormitory															P	P	P				P		Sec. 3.01.02.E.7
Expressway Interchange, Wekiva																					P		
Family Day Care Home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P		Sec. 3.01.02.E.8
Family Residential Home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P						P		Sec. 3.01.02.E.9

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Landfill	C																P	C	C	P			Sec. 3.01.02.E.12	
Nursing Home									C	C	C				P	P					P		Sec. 3.01.02.E.13	
Primary or Secondary School	C	C	C	C	C	C	C	C	P	P	P	C		C	P	P	P		P			P	Sec. 3.01.02.E.10	
Public Safety Service	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	Sec. 3.01.02.E.16	
Utilities, Limited	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P		Sec.3.01.02.E.14	
Utilities, Major	C														P	P	P	P	P	P	P		Sec.3.01.02.E.15	
Wireless Antennas, Towers and Equipment																						a., b. & c. below covered in Sec. 3.13.00		
a. Camouflaged	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P		
b. Amateur Radio Station Operators/ Receive Only Antennas	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P			
c. All others must meet 3.13.00 requirements	C	C	C	C	C	C	C	C	C	C	C	C		C	C	C	C	C	C	C	P	C		
Floating Solar Facility	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	F.S. §163.32051	
Solar Facility	P																						F.S. §163.3205	
Resiliency Facility															P	P	P	P	P	P	P		F.S. §163.3210	
RECREATIONAL USES																								
Club Private or Country															P	P	P	P				P	Sec. 3.01.02.F.1	
Parks and Recreation	p ⁵	p ⁵	p ⁵	p ⁵	p ⁵	p ⁵	p ⁵	p ⁵	p ⁵	p ⁵	p ⁵	p ⁵		p ⁵	p ⁵	p ⁵	p ⁵	p ⁵	p ⁵	p ⁵	p ⁵	C	Sec. 3.01.02.F.4	
Hunting and Fishing Resorts	C	C	C	C	C											C						P	C	Sec. 3.01.02.F.3

Note 1. Only rental mobile home dwelling units are allowed in RMRP.

Note 2. Residences permitted with site plan approval when used in conjunction with business.

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- 1
- Note 3. Agricultural uses in these use classifications are limited to hay production.
- 2
- Note 4. Reserved.
- 3
- Note 5. Active Recreation Uses as defined by the Comprehensive Plan permitted with site plan approval.
- 4
- Note 6. Uses shown as "P" under the CP, MP, and CFD district are only permitted to the extent the use is specifically identified in an approved zoning ordinance for a particular property.
- 5
- Note 7. Uses shown as "P" under the CP and MP districts are only permitted to the extent they are specifically identified, or specifically not excluded, in an approved zoning ordinance for a particular property.
- 6
- Note 8. Multi-family uses are permitted in CFD, PUD, CP, LM, and HM districts, and Mixed-Use Residential uses are permitted in CFD, PUD, CP, C-1, C-2, C-3, LM and HM, if they comply with the requirements of Section 125.01055(7)(a),
- 7
- Florida Statutes, and Section 11-40, Lake County Code. Otherwise, Multi-family uses are not permitted in CFD, PUD, CP, LM and HM districts, and Mixed-Use Residential is only permitted as otherwise allowed under these regulations.

Section 4. Amendment. Section 3.01.04, Lake County Code, Appendix E, Land Development Regulations, entitled *Key to Table of Permitted and Conditional Uses*, is hereby amended to read as follows:

3.01.04 Key to Conditions in Table of Permitted and Conditional Uses.

1. Keeping of Livestock for General Agriculture and Non-Intensive Agriculture. These uses shall only be Permitted as shown in Table 3.01.03 Schedule of Permitted and Conditional Uses and shall adhere to the following setbacks:
 - a. A Livestock Building should maintain a two hundred (200) foot setback from the property line. In the event that a Livestock Building cannot be constructed because of the two hundred (200) feet setback, then the Livestock Building shall be as closely centered as possible between the property lines AND shall maintain a fifty (50) foot setback from the property line.
 - b. If the Lot Width or Length is equal to or less than one hundred fifty (150) feet, then the Livestock Building shall be as closely centered as possible between the property lines AND shall maintain a fifty (50) foot setback from the property line.
2. Adult Uses. Adult Uses must comply with the provisions of Section 3.07.
3. Single-Family and Multifamily Dwelling Units in the C-1, C-2 Zones and RMRP.
 - a. Single-family and multifamily Dwelling Units are Permitted in the C-1 and C-2 zones, with Site Plan approval by the County Manager or designee when used in conjunction with the operation of a business on the premises. Such single-family and multifamily Dwelling Units shall be an integral part of the principle business structure and located behind or above that portion of the business structure devoted to service to the public.
 - b. Only rental single family dwelling units are permitted in RMRP.
4. Reserved: Data Centers/Data Center Campus. The following are excluded from the requirements set forth in Sections 3.01.02 and 3.01.03 of these regulations pertaining to data centers, so long as the use does not meet the definition of a Large-Scale Data Center or Large-Load User as defined in Section 373.203 and Section 373.262, Florida Statutes:
 - a. Data centers, server rooms, computer rooms, or information technology facilities owned or operated by a business, governmental agency, educational institution, healthcare provider, or nonprofit organization for the primary purpose of supporting that entity's internal operations, information systems, cybersecurity, communications, business applications, or data storage.
 - b. Facilities used primarily to host enterprise information technology infrastructure, cloud services dedicated to a single organization, disaster recovery, backup operations, or routine business computing.
 - c. Incidental or ancillary artificial intelligence applications that support the operations of the owner or operator and are not offered as commercial artificial intelligence computing services to third parties.

d. A structure, facility, or use shall not be deemed or classified as a "Data Center" where its primary purpose is the provision of communications or telecommunications services, including, but not limited to, wireline, wireless, broadband, fiber-optic, internet, or network interconnection services, or the operation of emergency communications infrastructure. Such facilities shall not be subject to the zoning, siting, permitting, or operational restrictions, provided that the facility is not designed, constructed, or operated for large-scale computational processing, artificial intelligence model training or inference, cloud computing, or commercial data storage services.

In addition, a data center shall not be approved or classified as a similar use, accessory use, office use, warehouse use, utility use, industrial use, communications use, or other use classification for the purposes of avoiding or circumventing the Conditional Use Permit set forth in Section 3.14.00 of these regulations.

(Subsections 5 through 24 shall remain unchanged.)

Section 5. Creation. Section 3.14.00, Lake County Code, Appendix E, Land Development Regulations, to be entitled *Data Centers*, is hereby created to read as follows:

3.14.00 Data Centers.

3.14.01 Purpose and Intent. Data Centers may create unique land use and infrastructure impacts associated with electrical demand, water consumption, cooling systems, emergency and standby generation, utility infrastructure, building size and mass, noise, vibration, electromagnetic (EM) leakage in the form of electromagnetic fields (EMF) and electromagnetic interference (EMI), lighting, fire protection, environmental resources, and compatibility with surrounding development. As the nature and extent of such impacts may vary substantially according to the location, scale, design, technology, water demand, electrical demand, other unanticipated resource and infrastructure demands, use and generation of regulated materials including, but not limited to, nuclear power supplies and operational characteristics of an individual facility, each Data Center shall be reviewed on a case-by-case basis. No Data Center subject to this section shall be permitted by right within unincorporated Lake County.

3.14.02 Conditional Use Permit Required.

- A. A Data Center may only be established, constructed, expanded, or operated following approval of a Conditional Use Permit by the Board of County Commissioners pursuant to the requirements of this section and Section 14.05.00 of these regulations.
- B. A Conditional Use Permit shall be specific to the property, development plan, maximum development intensity, water demand, electrical demand, EMI / EMF shielding and operational characteristics approved by the Board of County Commissioners.
- C. Approval of a Conditional Use Permit shall not relieve the applicant from compliance with any other applicable County, regional, state, or federal requirement.

D. Associated cooling facilities, generators, battery energy storage systems, substations, water facilities, fuel storage, and other infrastructure principally serving the Data Center shall be reviewed as part of the Conditional Use Permit.

E. A Data Center shall not be approved administratively or through a similar-use determination unless otherwise required by Florida law.

3.14.03 Pre-Application Conference. Prior to submitting a Conditional Use Permit application for a Data Center, the applicant shall participate in a pre-application conference as set forth under Section 14.00.03 of these regulations. The County Manager or designee shall request participation by the applicable water management district when the proposed Data Center requires a consumptive use permit or may materially affect groundwater resources. The County Manager or designee may also invite the electrical utility provider, water and wastewater provider, and other agencies having jurisdiction or technical expertise to participate.

3.14.04 Application Requirements. In addition to the requirements of Section 14.05.02, an application for a Data Center Conditional Use Permit shall include the following information for the maximum proposed development at full buildout, including all phases:

A. Development Plan.

1. Total acreage of the development site
2. Total Data Center building square footage
3. Number, location, and maximum height of buildings
4. Proposed development phases
5. Building setbacks
6. Cooling equipment and systems
7. Emergency and standby generators
8. Fuel storage
9. Battery energy storage systems
10. On-site or proximal power supplies constructed for the operation of the data center, electrical substations and associated infrastructure
11. Water and wastewater facilities
12. Stormwater facilities
13. Security fencing
14. Landscaping and buffering
15. Vehicular and emergency access
16. EMI / EMF shielding
17. Major utility infrastructure located on or proposed to serve the site
18. Long-term, permanent job creation number from phase one to full build out to include median wage
19. Capital investment and anticipated schedule of expenditures to align with phases of development

B. Electrical Demand and Infrastructure Analysis. The applicant shall provide:

1. Maximum anticipated electrical demand at full buildout, expressed in megawatts
2. Monthly peak load expressed in megawatts, calculated as the highest average load over a fifteen (15) minute interval
3. Anticipated electrical demand in megawatts for each proposed phase

4. Anticipated method and management of electrical generation and waste disposition and disposal methods for all mediums if intended
5. Identification of the serving electric utility
6. Identification of electrical substations, transmission facilities, and other significant electrical infrastructure necessary to serve the development
7. A utility service or capacity statement from the serving electrical utility
8. Identification of reasonably foreseeable electrical infrastructure improvements required to serve the facility

C. Water Resource Analysis. The applicant shall provide:

1. Proposed water source or sources
2. Average daily water demand
3. Maximum daily water demand
4. Cooling-related water demand
5. Potable water demand
6. Process water demand
7. Availability and proposed use of reclaimed water
8. Waste water volume, rate, treatment, and final disposition
9. Description of the proposed cooling technology
10. Estimated percentage of cooling water recirculated or reused
11. Water conservation measures
12. Identification of all required consumptive use permits, including the status of any application and the maximum annual average and maximum daily quantity of water requested or authorized.
13. A demonstration that the proposed consumptive use and any required consumptive use permit are consistent with the applicable water management district's adopted Regional Water Supply Plan, including the water supply source, planning assumptions, water supply development or alternative water supply strategies, and any applicable minimum flows and minimum water levels recovery or prevention strategy.
14. A written technical analysis prepared by the County Manager or designee evaluating the proposed water demand and, when applicable, the proposed consumptive use permit for the maximum development authorized by the Conditional Use Permit, including all phases. The analysis shall evaluate reasonably foreseeable impacts to groundwater resources, the Floridan Aquifer, existing legal users, wetlands and surface waters, aquifer recharge resources, and applicable minimum flows and minimum water levels. The written analysis shall specifically address consistency with the applicable Regional Water Supply Plan and identify any recommended avoidance, minimization, monitoring, alternative water supply, or mitigation measures. If the County retains a consultant to prepare this analysis, the consultant costs shall be paid by the applicant as a pass-through cost.
15. An applicant-prepared analysis of potential short-term, long-term, and cumulative effects upon groundwater resources and the Floridan Aquifer when groundwater withdrawal is proposed, including the effect of the maximum water demand authorized by the Conditional Use Permit.

D. Wastewater Analysis. The applicant shall identify:

1. Average and peak wastewater generation
2. Proposed wastewater treatment, including thermal treatment, and disposal
3. Available utility capacity
4. Characteristics of process wastewater, if applicable
5. Off-site infrastructure improvements necessary to serve the facility

E. Noise, EM Leakage and Vibration Impact Analysis. A noise, EM leakage and vibration study prepared by a qualified professional that evaluates daytime and nighttime conditions and, where applicable, high-frequency sound, low-frequency sound, vibration, EM emissions associated with, but not limited to:

1. Cooling systems
2. Air handlers and chillers
3. Transformers and substations
4. Emergency and standby generators
5. Generator testing
6. Battery energy storage systems
7. Other continuously operating mechanical and digital equipment or accessory uses on the data center campus

The study should include an illustration of surrounding properties and the extent of the proposed auditory interference into neighboring properties. Measurements should be in G-weighted and flat response Infrasound and Low-Frequency Noise (ILFN) measurements (1-200Hz).

F. Land Use Compatibility Analysis. The applicant shall evaluate:

1. Existing and planned surrounding land uses
2. Adjacent Future Land Use Categories and zoning districts
3. Distance to residences and other sensitive uses
4. Building height and mass
5. Setbacks
6. Landscaping and buffering
7. Screening of mechanical and electrical equipment
8. Exterior lighting
9. Security fencing
10. Generator testing
11. Other operating characteristics that reasonably affect surrounding properties

G. Environmental Resource Analysis. The applicant shall identify and evaluate, as applicable:

1. Wetlands and surface waters
2. Flood plains and flood flow ways
3. Surface water flow ways and navigable waters
4. Groundwater and aquifer recharge resources
5. Karst geology
6. Listed species, wildlife habitat, and wildlife corridors
7. Significant ecological resources
8. Proposed clearing

9. Stormwater impacts
10. Hazardous and regulated materials
11. Fuel storage
12. Generator emissions
13. Other reasonably foreseeable environmental impacts

H. Thermal Impact Mitigation Plan. The applicant shall provide:

1. Identification of primary sources of waste heat
2. Evaluation of potential offsite thermal impacts under seasonal conditions
3. Description of design measures to minimize heat impacts
4. Evaluation of feasible opportunities for waste heat reuse

I. Fire Protection and Emergency Response. The applicant shall provide:

1. Fire protection plan
2. Emergency response plan
3. Emergency access plan
4. Required fire flow
5. Generator fuel storage information
6. Battery type and storage capacity
7. Battery fire suppression and isolation systems
8. Hazardous materials inventory
9. Other information requested by Lake County Fire Rescue or Emergency Management

J. Transportation Analysis. The applicant shall evaluate:

1. Construction traffic
2. Employee traffic
3. Truck traffic
4. Access locations
5. Construction routes
6. Normal operational traffic
7. Transportation and associated stormwater improvements necessary to accommodate the development
8. Identify a truck route and perform a roadway analysis that considers roads from the state highway system to the site with full analysis of the pavement condition, pavement structural allowance, roads with truck restriction, any bridges or bridge culvert weight restrictions, and turning radii allowances of existing roadways and intersections, including, but not limited to, overhead obstructions, tree or vegetation, height restrictions from any overpass, overhead bridge, signage, traffic signals, or similar limitations to vertical or horizontal limitations to truck deliveries for construction materials or materials needed for operational purposes.

K. Infrastructure Impact Statement. The applicant shall identify significant public and private infrastructure required to serve the Data Center, the anticipated timing of such infrastructure, the entity responsible for its construction, and the proposed method of funding.

1 L. Decommissioning Plan. The applicant must identify a decommissioning plan in
2 the event the facility ceases operations.

3
4 **3.14.05 Standards for Approval.** In addition to the standards contained in Section
5 14.05.03, Land Development Regulations, the applicant must demonstrate that the proposed plan
6 meets each of the standards identified herein. Failure to satisfy the required standards shall
7 constitute grounds for denial by the Board of County Commissioners.

8
9 A. Water Resources. The proposed Data Center has an adequate and lawful water
10 supply; the proposed consumptive use and any required consumptive use permit are
11 consistent with the applicable water management district's adopted Regional Water
12 Supply Plan; and the written technical analysis supports a finding that reasonably
13 foreseeable adverse impacts upon groundwater resources, the Floridan Aquifer,
14 existing users, wetlands and surface waters, aquifer recharge resources, and
15 applicable minimum flows and minimum water levels have been avoided or
16 minimized or can be adequately mitigated through enforceable conditions.
17 Additionally, the cooling systems shall be served by reclaimed water where
18 available.

19
20 B. Water and Wastewater Infrastructure. Adequate water and wastewater facilities
21 exist or will be available to accommodate the maximum development authorized
22 by the Conditional Use Permit.

23
24 C. Electrical Infrastructure. The applicant has adequately identified the maximum
25 anticipated electrical demand and reasonably foreseeable electrical infrastructure
26 necessary to serve the development, and the land use impacts associated with such
27 infrastructure have been adequately addressed.

28
29 D. Compatibility. The proposed location, size, intensity, height, mass, setbacks, noise,
30 lighting, mechanical equipment, utility infrastructure, and operating characteristics
31 are compatible with existing and planned surrounding land uses or can be made
32 compatible through enforceable conditions of approval.

33
34 E. Noise, Vibration and EM Leakage. The facility can operate, including normal
35 operations, equipment testing, and reasonably anticipated emergency operations,
36 without creating an undue adverse noise, vibration and EM impact upon
37 surrounding property.

38
39 F. Environmental Resources. The development has adequately avoided, minimized,
40 or mitigated reasonably foreseeable adverse impacts upon wetlands, surface waters,
41 flow ways, flooding, groundwater, wildlife habitat and migration, and other
42 significant natural resources. Data Centers shall not be sited in a Special Flood
43 Hazard Area or within any Regulatory Floodway.

44
45 G. Fire Protection and Emergency Services. Adequate fire protection, emergency
46 access, emergency water supply, hazardous materials response, and emergency
47 response capabilities exist or will be provided.
48

1 H. Transportation and Public Facilities. Adequate transportation infrastructure and
2 public facilities exist or will be available to accommodate the maximum
3 development authorized by the Conditional Use Permit.

4
5 I. Mitigation. Reasonable mitigation has been incorporated into the Conditional Use
6 Permit or separate developer’s agreement to address identifiable adverse impacts
7 of the proposed facility. Mitigation will be reasonably related and proportionate to
8 an identified impact of the proposed Data Center and may include some or all of
9 the following:

10 1. Monetary or in-kind contributions to the Lake County conservation land
11 acquisition program for the purchase of conservation lands to offset
12 identified impacts to natural resources, groundwater recharge, wildlife
13 habitat, community open space, or other environmental resources.

14 2. Monetary or in-kind contributions for management, restoration,
15 stewardship, prescribed fire, invasive species management, habitat
16 enhancement, or other land-management activities on County-owned
17 conservation lands to offset identified environmental or natural-resource
18 impacts.

19 3. Design, construction, dedication, or monetary contributions toward County
20 road capacity, intersection, safety, or other transportation projects serving
21 or affected by the proposed Data Center to offset identified construction or
22 operational transportation impacts.

23 4. Monetary or in-kind contributions to County road resurfacing, pavement
24 preservation, or roadway rehabilitation projects or funds to offset
25 identifiable incremental pavement wear or damage associated with
26 construction traffic, heavy vehicles, truck traffic, or ongoing operations of
27 the proposed Data Center.

28 5. Other project-specific mitigation measures reasonably necessary to offset
29 an identifiable adverse impact of the proposed facility.

30 6. Any monetary, in-kind, land, or infrastructure contribution imposed as a
31 condition of approval shall be based upon an individualized determination
32 that the contribution is reasonably related and proportionate to an identified
33 impact of the proposed Data Center, shall be authorized by applicable law,
34 and shall not duplicate an impact fee, concurrency obligation, or other
35 payment otherwise required for the same impact except where a credit or
36 other adjustment is expressly authorized by law.

37
38 J. Full Buildout. The required findings can be made for the maximum building area,
39 electrical demand, water demand, waste demand and operational intensity
40 authorized by the Conditional Use Permit, including all phases of development. If
41 the Board of County Commissioners cannot make each applicable finding required
42 by this section based upon competent substantial evidence in the record, the
43 Conditional Use Permit shall be denied.

44
45 **3.14.06 Staff Review and Report.** The County Manager or designee shall prepare a
46 written staff report for each Data Center Conditional Use Permit application. The staff report shall
47 separately evaluate each of the following criteria and include a finding that the request is
48 consistent, consistent with conditions or not consistent with the land development regulations:

- A. Water Resources and Water/Wastewater Capacity
- B. Electrical Demand and Supporting Infrastructure
- C. Land Use and Neighborhood Compatibility
- D. Environmental Resources
- E. Noise, Vibration, EM Leakage, and Lighting
- F. Fire Protection and Emergency Response
- G. Transportation and Public Facilities
- H. Infrastructure Impacts

The staff report shall evaluate the maximum development intensity authorized by the proposed Conditional Use Permit, including all phases, rather than only the first phase proposed for construction. For Water Resources, the staff report shall incorporate and separately evaluate the written technical analysis prepared by the County Manager or designee as required by Section 3.14.04.C of these regulations. The staff report shall make a specific finding as to whether the proposed consumptive use and any required consumptive use permit are consistent with the district's adopted Regional Water Supply Plan and whether identified adverse water-resource impacts have been avoided, minimized, or can be adequately mitigated. The staff report shall identify recommended conditions necessary to mitigate reasonably foreseeable adverse impacts.

3.14.07 Planning and Zoning Board Review. Upon a determination that an application is sufficient, the application shall be presented to the Lake County Planning and Zoning Board at a duly noticed public hearing. The Planning and Zoning Board shall evaluate the application pursuant to the requirements of this section and of Section 14.05.03 of these regulations. The Planning and Zoning Board shall make a recommendation of approval, approval with conditions or denial. The recommendation and record shall thereafter be transmitted to the Board of County Commissioners.

3.14.08 Board of County Commissioners Review.

- A. Following the Planning and Zoning Board hearing and recommendation, the Data Center Conditional Use Permit application shall be presented to the Board of County Commissioners at a duly noticed public hearing.
- B. The Board of County Commissioners shall be the final County decision-making authority for every Data Center Conditional Use Permit.
- C. The Board may:
 - 1. Approve the application;
 - 2. Approve the application with conditions;
 - 3. Continue the application for additional information or evidence; or
 - 4. Deny the application.
- D. No County employee, department, administrative official, or other County body may administratively approve a Data Center subject to this section without approval of the required Conditional Use Permit by the Board of County Commissioners.

3.14.09 Conditions of Approval. In addition to conditions authorized by Section 14.05.04, Land Development Regulations, the Board of County Commissioners may impose conditions addressing:

- A. Maximum Data Center building square footage
- B. Maximum approved electrical demand
- C. Maximum approved water demand
- D. Approved water source
- E. Cooling technology
- F. Reclaimed water use
- G. Surface water, groundwater, flooding, karst geology, ecology, wildlife habitat and corridors
- H. Building height
- I. Building setbacks
- J. Landscaping and buffering
- K. Noise, vibration and EM leakage
- L. Generator location and testing
- M. Fuel storage
- N. Battery energy storage systems
- O. Exterior lighting
- P. Electrical substations and associated infrastructure
- Q. Fire protection
- R. Emergency response
- S. Transportation improvements, including lawful project-specific contributions toward County Road capacity, intersection, safety, resurfacing, pavement preservation, or roadway rehabilitation projects or funds where reasonably related and proportionate to identified impacts
- T. Environmental and community mitigation, including lawful project-specific contributions to the Lake County conservation land acquisition program for conservation land purchase and for management, restoration, stewardship, or enhancement of County-owned conservation lands where reasonably related and proportionate to identified impacts
- U. Phasing
- V. Monitoring and reporting reasonably related to compliance with the Conditional Use Permit
- W. Decommissioning
- X. Other project-specific conditions reasonably necessary to mitigate impacts and satisfy the findings required by this sections and Section 14.05.03 of these regulations.

3.14.10 Expansion or Modification.

- A. A material expansion or modification of an approved Data Center shall require an amendment to the Conditional Use Permit and review by the Planning and Zoning Board and Board of County Commissioners.
- B. A Conditional Use Permit amendment shall be required before:
 - 1. Increasing approved Data Center building area by more than five percent (5%);

2. Increasing maximum approved electrical demand by more than five percent (5%);
3. Increasing maximum approved water demand by more than five percent (5%), which shall require updated water-resource information and an updated written technical analysis by the County Manager or designee, or consultant as applicable;
4. Adding an electrical substation or power generation source not included within the approved Conditional Use Permit;
5. Materially changing the approved cooling technology, unless the new system uses less water;
6. Materially changing the approved water source, which shall require updated water-resource information and an updated written technical analysis report;
7. Materially increasing approved generator or battery energy storage capacity;
8. Expanding the Data Center Campus into an area not included within the approved Conditional Use Permit; or
9. Making another modification determined by the County Manager or designee to materially increase an impact evaluated as part of the original Conditional Use Permit.

3.14.11 Circumvention Prohibited. A Data Center development shall be evaluated based upon the overall development or integrated project. A Data Center shall not be divided, separately metered, separately owned, separately leased, phased, subdivided, or otherwise configured for the principal purpose of avoiding the requirements of this section. Separate buildings, parcels, phases, tenants, or operations that function as part of a single integrated Data Center development shall be reviewed collectively for purposes of this section.

3.14.12 Conversion of Exempt Facility. A facility meeting an exemption contained within the definition of Data Center may continue and may be modified so long as it continues to qualify for the exemption. Conversion of an exempt facility to a use meeting the definition of Data Center shall require approval of a Conditional Use Permit pursuant to this section prior to commencement of the Data Center use.

Section 5. Inclusion in Code. It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Lake County Code and that the sections of this Ordinance may be renumbered or relettered and the word “ordinance” may be changed to “section”, “article”, or such other appropriate word or phrase to accomplish such intentions.

Section 6. Severability. If any section, sentence, clause, or phrase or word of this Ordinance is for any reason held or declared to be invalid, unconstitutional, inoperative or void by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this Ordinance; and it shall be construed to have been the Commissioners’ intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the remainder of this Ordinance, after the exclusion of such part or parts shall be deemed and held to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions

thereof shall be held inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

Section 7. Filing with the Department of State. The Clerk shall be and is hereby directed forthwith to send an electronic copy of this Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66, Florida Statutes.

Section 8. Effective Date. This Ordinance shall become effective as provided for by law.

ENACTED this day of _____ day of _____, 2026.

FILED with the Secretary of State the ____ day of _____, 2026.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

Gary J. Cooney, Clerk
Board of County Commissioners of
Lake County, Florida

Leslie Campione, Chairman

This ____ day of _____, 2026.

Approved as to form and legality:

Melanie Marsh, County Attorney