

RESOLUTION

A RESOLUTION EXTENDING THE MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS RELATING TO THE ESTABLISHMENT OR EXPANSION OF DATA CENTERS.

WHEREAS, the Governing Authority of DeKalb County from time to time reviews its ordinances to ensure that its laws preserve the quality of life for citizens while imposing limited and effective regulations on certain industrial and commercial uses that impact quality of life; and

WHEREAS, the Governing Authority of DeKalb County intends to further consider revisions to its Code designed to protect existing access to electrical power and drinking water for the County's residents and businesses.

WHEREAS, the Governing Authority of DeKalb County intends to further research and/or commission studies relating to the adverse impacts of data centers on the public welfare, including their broad environmental impacts, and specifically concerning the reported "heat island" effect.

WHEREAS, the proposed regulations that were denied by the Governing Authority on June 23, 2026 were limited to land use (i.e. zoning) requirements formulated by the County's Planning & Sustainability Department based on its research and investigation, but at the June 23rd Board of Commissioners' meeting it became apparent for the first time that other County departments' input may be required in order to effectuate comprehensive regulations that fully protect the County's citizenry.

WHEREAS, the proposed regulations must be reviewed and potentially revised to recognize existing County operations and protocols, specifically including the Department of Watershed Management's ("DWM") protocols related to water use and sewer capacity.

WHEREAS, on June 9, 2026, the Governing Authority approved a Resolution extending the Moratorium on data centers until 11:59 p.m. on September 30, 2026.

WHEREAS, the Moratorium’s scheduled expiration date does not provide ample time for the County’s departments to prepare, or for the Governing Authority to consider, proposed regulations based on the aforementioned findings and resulting regulatory proposals.

WHEREAS, the Governing Authority of DeKalb County must take immediate and responsive action to protect the interests of DeKalb County, and it is in the best interests of the health, safety and welfare of the citizens of DeKalb County that no applications be accepted in unincorporated DeKalb County for a time period up to, March 30, 2027 if such applications relate to the establishment of new data centers or the expansion of currently existing data centers, including any applications for special land use permits, rezonings, land disturbance permits, building permits, business licenses, or certificates of occupancy.

WHEREAS, by enactment of this Resolution the Governing Authority of DeKalb County extends the Moratorium until 11:59 p.m. on, March 30, 2027, to establish terms and definitions and to consider appropriate regulations for the health, safety, and welfare of the County’s residents and businesses.

WHEREAS, by enactment of this moratorium the Governing Authority of DeKalb County does not intend to disturb the operation of any data center that is operating lawfully on the date of adoption of this moratorium.

NOW, THEREFORE, BE IT RESOLVED AND IT IS DECLARED BY THE GOVERNING AUTHORITY OF DEKALB COUNTY, GEORGIA, AS FOLLOWS:

1. The moratorium imposed herein incorporates the findings and statements set forth in the preceding “Whereas” clauses and such clauses are made a part of this Resolution.
2. For the purposes of this Resolution, "data center" means a physical room, building, or facility that houses infrastructure for building, running, delivering or transmitting applications and services, or for storing and managing the data associated with those applications or services.

3. For a time period up to, March 30, 2027 from the date of adoption of this Resolution, notwithstanding any provision of the Code to the contrary, there shall be a complete moratorium on the acceptance of any applications relating to the establishment of new data centers or the expansion of currently existing data centers, including any applications for special land use permits, rezonings, land disturbance permits, building permits, business licenses, or certificates of occupancy, in unincorporated DeKalb County.
4. For a time period up to, March 30, 2027 from the date of adoption of this Resolution, notwithstanding any provision of the Code to the contrary, no licenses or permits shall be granted or denied concerning the establishment of new data centers or the expansion of currently existing data centers, including special land use permits, rezonings, land disturbance permits, building permits, business licenses, or certificates of occupancy for such establishments, in unincorporated DeKalb County.
5. This moratorium shall expire at 11:59 p.m. on March 30, 2027, unless shortened or extended by official action of the Governing Authority of DeKalb County.
6. The Planning & Sustainability Department and other County departments shall continue to study the effects of data centers on the health, safety, and welfare of the County's residents and businesses.
7. Pursuant to Article 13(a) of the DeKalb County Organizational Act, the Board of Commissioners specifically requests that the Chief Executive Officer initiate a review of the proposed regulations by any and all affected County departments to identify all potential impacts on County or departmental operations or protocols, specifically to include:
 - (a) reviews by County Departments including, but not limited to, Public Safety, Watershed Management, Transportation, Roads and Drainage, and Public Health; and,
 - (b) identification of any anticipated changes to regulations, guidance, or governing agreements that might affect the requested review or the timing of the requested review.
8. Nothing in this Resolution shall prevent the continued operation of any existing data centers that is operating lawfully as of the date of enactment of this moratorium.

9. If any section, subsection, sentence, clause, phrase or other portion of this Resolution, or its application to any person, entity or circumstance, is held by a court of competent jurisdiction to be unconstitutional or invalid, the remainder of the Resolution, or application of the provision to other persons, entities or circumstances, shall not be affected.

ADOPTED by the DeKalb County Board of Commissioners, this _____ day of _____, 2026

CHAKIRA JOHNSON
Presiding Officer
Board of Commissioners DeKalb
County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this _____ day of _____, 2026.

LORRAINE COCHRAN-JOHNSON
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

BARBARA H. SANDERS-NORWOOD, CCC
Clerk to the Board of Commissioners and
Chief Executive Officer
DeKalb County, Georgia

APPROVED AS TO SUBSTANCE:

APPROVED AS TO FORM:

JULIANA A. NJOKU
Director, Planning and Sustainability

TERRY G. PHILLIPS
Interim County Attorney