

Public Hearing: YES NO

Department: Planning and Sustainability

SUBJECT:

Commission District(s): All Districts

Application of the Director of Planning and Sustainability to extend a moratorium on the permitting or other authorization of any new data centers, or the expansion of any existing data centers, in Unincorporated DeKalb County.

Information Contact: Juliana A. Njoku, Director, Planning & Sustainability

Phone Number: (404) 371-4909

PURPOSE:

Application of the Director of Planning and Sustainability to extend a moratorium on the permitting or other authorization of any new data centers, or the expansion of any existing data centers, in Unincorporated DeKalb County.

NEED/IMPACT:

The proposed extension of the moratorium allows County Staff and governing authority time to study the impacts of data centers on the public safety and general welfare of County residents, and to craft and potentially adopt regulations to counter or ameliorate any such negative impacts.

FISCAL IMPACT:

None.

RECOMMENDATION:

To approve the moratorium extension.

RESOLUTION

A RESOLUTION DECLARING A 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 consider revisions to the Code designed to protect existing access to power and water supply for the County's residents.

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

WHEREAS, the Governing Authority approved a Resolution establishing the Moratorium until 11:59 p.m. on December 16, 2025

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 26, 2026 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 26, 2026 to establish terms and definitions and to consider appropriate regulations for the health, safety, and welfare of the County's residents and businesses.

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 26, 2026 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 26, 2026 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 26, 2026 unless shortened or extended by official action of the Governing Authority of DeKalb County.
6. The Planning and Sustainability Department and the Law Department shall study the effects of data centers on the health, safety, and welfare of the County's residents and businesses.
7. 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.
8. 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 _____, 2025

MICHELLE LONG SPEARS
Presiding Officer
Board of Commissioners DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this _____ day of _____, 2025.

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