

**A RESOLUTION OF THE HEARD COUNTY
BOARD OF COMMISSIONERS ENACTING A MORATORIUM
ON FUTURE LAND USE AMENDMENTS, REZONING OR SPECIAL
USE PERMIT APPLICATIONS, VARIANCE APPLICATIONS, AND
ALL PUBLIC HEARINGS FOR COMPUTER INFRASTRUCTURE PROVIDERS,
DATA PROCESSING, WEB HOSTING, AND RELATED DATA CENTER SERVICES**

WHEREAS, “the Digital Revolution,” which began in the 1980s and continues today, is epitomized by the advancement of technology from analog electronic and mechanical devices to the digital technology available today; and

WHEREAS, this revolution in telecommunications, computing technology and interconnectivity has forever changed the way we think and live; and

WHEREAS, because of these developments, tech-based industries have grown exponentially in recent years; and

WHEREAS, one such industry whose presence has expanded across the country is the creation/development/expansion of commercial data centers; and

WHEREAS, the Heard County Code of Ordinances regulates zoning and development, and the use of property throughout the unincorporated areas of Heard County, Georgia (“County”); and

WHEREAS, the Heard County Board of Commissioners (“Board”) has an interest in modifying the Code of Ordinances such as to change the land use designations, zoning permitted uses, standards, and other characteristics as they apply to data center developments and land use, such as will reflect new approaches to the regulation of any data center development in the County; and

WHEREAS, the Board desires to ensure that future land use decisions involving data centers will occur pursuant to newly created data center zoning regulations rather than the current zoning regulations; and

WHEREAS, the County has begun receiving inquiries, requests, and applications for data center development projects to be constructed in the County; and

WHEREAS, the citizens of the County have raised substantial concerns related to the proposed data centers; and

WHEREAS, the Board has determined that it is in the best interests of the health, safety, and welfare of the County to enact a moratorium on data centers in order to give County staff time to study and develop an appropriate ordinance governing the zoning, permitting, and development of data centers; and

WHEREAS, the Georgia Supreme Court has held that a moratorium with respect to application of a zoning ordinance may be put in place for a reasonable period of time without the

necessity of complying with the notice requirements of the Georgia Zoning Procedures Law, *City of Roswell v. Outdoor Systems, Inc.*, 274 Ga. 130 (2001); and

WHEREAS, for the reasons set forth above, the Board finds that a moratorium barring until close of business on September 12, 2026, the acceptance of rezoning petitions for data center developments, is the most appropriate yet least restrictive means available to achieve the goals of this moratorium, a reasonable exercise of the County's police power, and in the best interests of the public health, safety, and welfare;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Heard County, Georgia as follows:

The recitals, findings and declarations in the preamble are hereby adopted and incorporated herein:

The Heard County Board of Commissioners does hereby enact a one hundred-eighty (180) day moratorium barring until close of business on September 12, 2026, the acceptance of future land use amendments, rezoning, special use permit applications, variance applications, and all public hearings for computer infrastructure providers, data processing, web hosting, and related data center services.

The moratorium imposed by this Resolution shall terminate on the earliest date of:

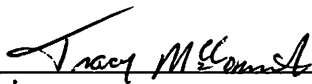
1. Close of business day on September 12, 2026; or
2. Affirmative action by the Board of Commissioners of Heard County, Georgia otherwise terminating the moratorium.

This Resolution shall become effective **March 17, 2026**.

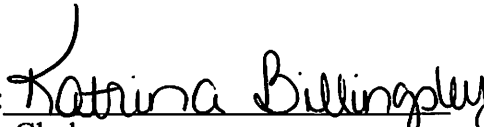
In no event shall this moratorium affect submittals under development review or permits already issued by Heard County.

SO RESOLVED this 17th day of March, 2026,

THE BOARD OF COMMISSIONERS OF HEARD COUNTY, GEORGIA



Chairman

Attest: 

Clerk

