

**STATE OF GEORGIA
COUNTY OF JACKSON/ BANKS**

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MAYSVILLE, GEORGIA ENACTING FOR ONE HUNDRED EIGHTY (180) DAYS A TEMPORARY MORATORIUM BARRING THE ACCEPTANCE OF APPLICATIONS FOR REZOING, LAND DISTURBANCE PERMITS, BUILDING PERMITS, SPECIAL USE OR CONDITIONAL USE PERMITS, BUSINESS LICENSES, CERTIFICATES OF OCCUPANCY, OR OTHER PERMITS FOR THE PLACEMENT, SITING, CONSTRUCTION, ESTABLISHMENT, EXPANSION, OR OPERATION OF DATA CENTERS SUCH AS WILL ALLOW THE CITY TO CONSIDER AMENDMENTS TO THE CITY OF MAYSVILLE’S LAND USE MANAGEMENT CODE; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the City of Maysville, Georgia (“City”) is a duly formed political subdivision of the State of Georgia, with all powers attendant thereto; and

WHEREAS, the City’s Charter empowers the City to regulate development within the City limits through zoning and associated land development regulations; and

WHEREAS, the City has adopted the City of Maysville Land Use Management Code (“LUMC”), which regulates zoning, land development, permitting, administration, and related standards within the City; and

WHEREAS, throughout the State of Georgia there has been a significant increase in the planning, development, and construction of data centers; and

WHEREAS, data centers are becoming increasingly pervasive as a land use supporting cloud computing, artificial intelligence, streaming, communications, data storage, and other modern conveniences; and

WHEREAS, while data centers provide computing power and data storage, they can also impact surrounding residents and businesses through increased demands for utilities, including electricity and water, as well as noise, light, heat discharge, air emissions from standby generators, traffic, aesthetics, public safety, emergency response, and other land use compatibility concerns; and

WHEREAS, data centers are energy, water, and land-use intensive, and because of their scale, operating characteristics, utility demands, and limited compatibility with many adjoining uses, they are, by their very nature, uniquely situated to impose a tremendous land use burden on the City of Maysville and on individuals living near such developments; and

WHEREAS, the City Council desires that it and the Mayor, in consultation with the Planning and Zoning board, the City Attorney, and other appropriate City staff, review the LUMC and propose amendments that will enhance, mitigate and otherwise regulate this specific form of land use; and

WHEREAS, the matters to be reviewed may include, without limitation, definitions, use classifications, zoning districts, special use or conditional use requirements, separation requirements, setbacks, buffers, screening, building design, noise, lighting, water demand, electricity demand, wastewater capacity, generator fuel storage and emissions, fire protection, emergency access, traffic, security, environmental impacts, decommissioning, and compatibility with surrounding land uses; and

WHEREAS, upon such review being completed, the City Council will consider amendments to the LUMC, following public hearings, with respect to the LUMC-based regulations uniquely applicable to data centers; and

WHEREAS, in order to protect the integrity and focus of the work to be conducted, the City Council desires to temporarily bar the acceptance of applications that would authorize or otherwise permit the placement, siting, construction, establishment, expansion, or operation of data centers within the City that have not already been approved; and

WHEREAS, a moratorium is a necessary land development tool enabling local governments to temporarily discontinue certain land development applications in order to update applicable land use codes and related regulations; and

WHEREAS, if a moratorium is not in place, there may be a rush of land development, rezoning, and permit applications for parcels affected by proposed new rules, as owners and developers seek to avoid the new rules while those rules are being prepared and implemented; and

WHEREAS, this can lead to the will of the legislative body being undermined, as new ordinances, rules, and regulations may have no effect on applications already received and under review; and

WHEREAS, Georgia law recognizes that local governments may impose temporary moratoria on zoning decisions, building permits, and other development approvals where exigent circumstances warrant such action, including pursuant to *City of Roswell v. Outdoor Systems, Inc.*, 274 Ga. 130 (2001); and

WHEREAS, the City Council finds that a temporary one hundred eighty (180) day moratorium barring the acceptance of applications relating to data centers is reasonably necessary, appropriately limited in duration and scope, a reasonable exercise of the City's police power, and in the best interests of the public health, safety, and welfare.

NOW THEREFORE, BE IT RESOLVED BY THE MAYSVILLE CITY COUNCIL, as follows:

1. The statements set forth in the preamble are incorporated herein by reference and constitute a material part of this Resolution.

2. **DEFINITION:** For purposes of this Resolution, the term “data center” means a facility, room, building, structure, campus, or group of structures the primary use of which is to house information technology infrastructure for the building, running, processing, hosting, delivering, transmitting, storing, or managing data, applications, services, network services, telecommunications services, cloud computing services, artificial intelligence services, or similar digital services. A data center may include accessory or supporting infrastructure such as cooling equipment, electrical substations or switchyards, uninterruptible power supply systems, battery systems, standby or emergency generators, fuel storage, water or wastewater infrastructure, security facilities, offices, and other appurtenant equipment or improvements. The term does not include a server room, telecommunications closet, or similar accessory space that primarily supports the internal operations of an otherwise permitted principal use located on the same premises.
3. **MORATORIUM DURATION:** The City of Maysville does hereby enact a temporary moratorium, for a period of one hundred eighty (180) days, barring the acceptance of any application relating to the placement, siting, construction, establishment, expansion, or operation of a data center within the corporate limits of the City, including, without limitation, applications for rezoning, special use or conditional use approval, variance approval, site plan approval, land disturbance permits, building permits, business licenses, certificates of occupancy, and any similar or related land use or development approvals.
4. **PURPOSE:** The purpose of this moratorium is to allow the City adequate time to review the LUMC and to consider amendments, following public hearings and any other procedures required by law, that will impose enhanced regulations, standards, guidelines, and requirements specific to data centers as a distinct and uniquely burdensome form of land use.
5. **DIRECTION:** The Planning and Zoning board, in consultation with the City Attorney and any other appropriate City staff or consultants, is hereby directed to review the LUMC and to present recommendations for the City Council’s consideration concerning the appropriate regulation of data centers within the City.
6. **TERMINATION:** This moratorium shall terminate on the earliest of (1) 11:59 p.m. on the one hundred eightieth (180th) day following adoption of this Resolution; (2) adoption of an amendment to the LUMC addressing the data center matters described in the preamble and body of this Resolution; (3) repeal or termination of this moratorium by further action of the City Council; or (4) approval by the City Council of an additional moratorium after any public hearing or other process deemed necessary by the City Attorney.
7. **NO IMPAIRMENT:** The moratorium imposed herein does not limit the ability of any property owner or developer to continue to develop land and receive permits in accordance with (i) existing zoning approvals, (ii) already issued and active permits, or (iii) applications for permits or approvals that were properly tendered to and

accepted by the City prior to enactment of this Resolution. This Resolution shall not disturb legally vested rights that began before the effective date of this Resolution. The property owner or applicant shall bear the burden of establishing any vested right.

8. **SEVERABILITY:** The provisions of this Resolution are severable and should any part of this Resolution be deemed by a tribunal of competent jurisdiction to be invalid, such invalidity shall not affect the validity of this Resolution as a whole or any part hereof, other than the part declared to be invalid.
9. **EFFECTIVE DATE:** This Resolution shall be effective upon a majority vote of the City Council.

SO RESOLVED, the public health, safety and welfare demanding it, this _____ day of _____, 2026.

ATTEST

Kim Jackson, City Clerk

Steve Boswell, Council Member

Amanda Farley, Council Member

CITY OF MAYSVILLE

Richard Presley, Mayor

Richard Parr, Council Member

Brodriche Jackson, Council Member

APPROVED AS TO FORM

Douglas Kidd, City Attorney