

ROCKDALE COUNTY

STATE OF GEORGIA

RESOLUTION NO. # 12-2020-01

A RESOLUTION OF ROCKDALE COUNTY, GEORGIA IMPOSING A ONE-HUNDRED-EIGHTY-DAY (180) MORATORIUM ON THE ACCEPTANCE, PROCESSING AND APPROVAL OF APPLICATIONS RELATING TO THE ESTABLISHMENT OR EXPANSION OF DATA CENTERS AND BATTERY ENERGY STORAGE SYSTEMS;

WHEREAS, the Board of Commissioners of Rockdale County have been vested with substantial powers, rights and functions to generally regulate the practice, conduct, or use of property for the purposes of maintaining health, morals, safety, security, peace, and the general welfare of Rockdale County; and

WHEREAS, data centers are energy- and water-intensive facilities that may impose significant demands on developable land, electricity generation, transmission infrastructure, water supply, wastewater capacity, and emergency services; and

WHEREAS, battery energy storage systems, including large-scale lithium-ion and similar technologies, may present potential risks and impacts including fire and explosion hazards, thermal runaway events, release of hazardous substances, noise, visual impacts, and increased demands on emergency response capabilities; and

WHEREAS, the cumulative impacts of data centers and battery energy storage systems have not been fully evaluated under Rockdale County's existing land-use regulations, comprehensive plan, and infrastructure planning assumptions; and

WHEREAS, the Board of Commissioners of Rockdale County finds that additional time is necessary to study and evaluate the cumulative impacts of data centers and battery energy storage systems, including but not limited to energy consumption, greenhouse gas emissions, water usage, noise pollution, visual impacts, heat discharge, public safety, resiliency, and compatibility with surrounding land uses; and

WHEREAS, the Board of Commissioners of Rockdale County further finds that a temporary moratorium is a reasonable and necessary measure to prevent potentially incompatible or harmful development while such studies and regulatory updates are undertaken; and

WHEREAS, this moratorium is intended to be temporary, narrowly tailored, and enacted in good faith to allow for the development of clear, objective, and predictable development standards for data center and battery energy storage system development;

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NOW, THEREFORE, BE IT RESOLVED, and authorized by the Board of Commissioners of Rockdale County as follows:

SECTION 1. FINDINGS OF FACT

The Board of Commissioners of Rockdale County hereby finds and determines as follows:

1. The County is authorized under the Home Rule provisions of the Georgia Constitution and O.C.G.A. §§ 36-1-20 et seq. and 36-66-1 et seq. to regulate land use, zoning, and development in order to protect the public health, safety, and welfare.
2. Data centers are energy- and water-intensive land uses that may impose substantial demands on developable land, electricity generation and transmission infrastructure, water supply systems, wastewater capacity, stormwater facilities, and emergency services.
3. The cumulative environmental impacts of data centers may include increased water consumption, wastewater discharges, stormwater runoff, noise, air emissions from backup power generation, heat discharge, visual impacts, and effects on nearby residential, agricultural, and environmentally sensitive areas. Analysis is necessary to review these various impacts to the County's existing facilities and infrastructure.
4. Battery energy storage systems constitute a distinct and evolving land use with potential public safety, environmental, and infrastructure impacts that are not expressly regulated under the County's current zoning ordinance.
5. Large-scale battery energy storage systems may increase fire risk, require specialized emergency response planning and equipment, and pose uncertainties related to long-term operation, decommissioning, and disposal of battery materials.
6. Rockdale County has experienced increased interest in the siting and development of data centers and battery energy storage systems that were not anticipated when the County's current zoning regulations and future land use recommendations were adopted.
7. Additional time is necessary for the County to study appropriate siting, design, safety, operational, and decommissioning standards for data centers and battery energy storage systems, including systems proposed as standalone facilities or as accessory uses.
8. Absent interim action, applications for data centers and battery storage systems could be approved under existing regulations that do not adequately address these impacts.
9. A temporary moratorium is a reasonable, necessary, and a good faith planning measure to allow the County to complete these evaluations and consider regulatory updates.

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SECTION 2. PURPOSE AND INTENT

The purpose and intent of this Resolution is to:

1. Temporarily suspend the intake, review, approval, permitting, and development of new data centers and battery energy storage systems in order to protect public health, safety, welfare, natural resources, and infrastructure;
2. Allow Rockdale County to prepare and adopt clear zoning and development standards specific to data centers and battery energy storage systems;
3. Facilitate a comprehensive evaluation of the environmental, infrastructure, and community impacts of data centers and battery energy storage systems, including cumulative impacts; and
4. Ensure that any future data center and battery energy storage system development is orderly, compatible with surrounding land uses, and consistent with the County's long-term planning goals.

SECTION 3. DEFINITIONS

For purposes of this Resolution, the following terms shall have the meaning set forth below:

Data Center: Any facility, or portion thereof, primarily used to house computer systems, servers, networking equipment, or related infrastructure for the storage, processing, or transmission of digital data, including associated cooling systems and backup power generation, whether operated for private, commercial, or institutional purposes.

Battery Energy Storage System (BESS): One or more devices, systems, or facilities that store electrical energy for later use through electrochemical batteries or similar technologies, including but not limited to battery modules, racks, enclosures, containers, buildings, inverters, transformers, cooling systems, fire suppression systems, and associated control and monitoring equipment, whether installed as a principal use or as an accessory or ancillary use.

SECTION 4. TEMPORARY MORATORIUM

1. A temporary moratorium is hereby imposed on the acceptance, processing, approval, or issuance of any application, permit, entitlement, rezoning, special exception, conditional use, site plan, building permit, or other discretionary or ministerial approval for the siting, construction, or expansion of new data centers and battery energy storage systems, whether proposed as standalone facilities or as accessory or ancillary uses, within Rockdale County, Georgia.
2. The moratorium shall not apply to:

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- a) Maintenance, repair, or interior improvements to existing, lawfully established data centers and battery energy storage systems that do not increase building area, operational capacity, energy demand, or water use; or
 - b) Applications that received final, non-appealable approval prior to the effective date of this Resolution.
3. This moratorium shall take effect immediately upon adoption and shall remain in effect for a period of one-hundred-eighty (180) days, unless earlier repealed or extended by action of the Board of Commissioners of Rockdale County in accordance with applicable law.

SECTION 5. ADMINISTRATION DURING MORATORIUM

During the moratorium period, Rockdale County shall undertake studies, analyses, and public engagement necessary to evaluate the environmental and infrastructure impacts of data centers and battery energy storage systems and to develop proposed amendments to the County's zoning ordinance, comprehensive plan, and related development regulations.

SECTION 6. SEVERABILITY

If any section, subsection, sentence, clause, or provision of this Resolution is held invalid or unenforceable by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions, which shall remain in full force and effect.

SECTION 7. EFFECTIVE DATE

This Resolution shall take effect immediately upon adoption.

SO RESOLVED, this 13 day of January, 2026.

(Signatures on following page)

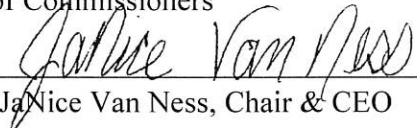
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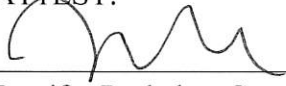
ROCKDALE COUNTY, GEORGIA

Board of Commissioners

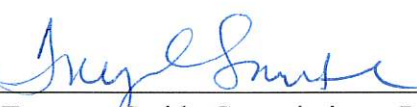
By:


Janice Van Ness, Chair & CEO

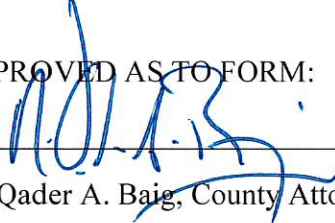
ATTEST:


Jennifer Rutledge, County Clerk

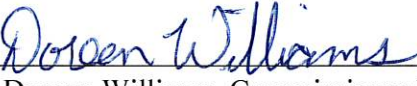
By:


Tuwanya Smith, Commissioner Post 1

APPROVED AS TO FORM:


M. Qader A. Baig, County Attorney

By:


Dr. Doreen Williams, Commissioner Post 2