



**CITY OF HAMPTON
MAYOR AND CITY COUNCIL
SPECIAL CALLED MEETING AGENDA
January 15, 2026**

6:30 p.m.

**COUNCIL CHAMBER, CITY HALL
17 EAST MAIN STREET SOUTH, HAMPTON, GA 30228.**

1. Opening Ceremonies

A. Call to Order

2. New Business

A. Council discussion of a 120-day moratorium on data centers within the City of Hampton city limits

B. Council discussion of a 120-day moratorium on annexations into the City of Hampton city limits

3. Executive Session for the purpose of legal, personnel, real estate, and/or Cyber Security.

4. Adjournment.

ADA Compliance: Individuals with disabilities who require certain accommodations to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting, or the facilities are required to contact the City Clerk at 770-946-4306 promptly on the Thursday before the meeting to allow the City to make reasonable accommodations for those needing assistance.

**NOTICE OF PUBLIC HEARING
CITY OF HAMPTON, GEORGIA**

PUBLIC NOTICE is hereby given that on **Tuesday, February 10, 2026**, during the regularly scheduled meeting of the Mayor and City Council of the City of Hampton, Georgia, the Mayor and City Council will hold a public hearing to consider the adoption of resolutions establishing two separate one hundred twenty (120) day moratoria within the City of Hampton, Georgia.

The public hearing will be held at Hampton City Hall, located at 17 East Main Street South, Hampton, Georgia, during the City Council meeting scheduled to begin at 6:30 p.m.

The first proposed resolution would establish a one hundred twenty (120) day moratorium on the acceptance, processing, review, and approval of new data center-related zoning and development applications and associated development permits within the City of Hampton. The purpose of this moratorium is to allow the City to evaluate public infrastructure and service capacity and consider potential amendments to the City's zoning and land use regulations applicable to data center uses.

The second proposed resolution would establish a one hundred twenty (120) day moratorium on the acceptance, processing, consideration, and approval of new annexation petitions or requests seeking to annex property into the municipal limits of the City of Hampton. The purpose of this moratorium is to allow the City to evaluate annexation policies, service delivery capacity, infrastructure impacts, and long-term growth and planning objectives before accepting and approving additional annexations.

Each moratorium, if adopted, shall commence on February 11, 2026, and shall conclude on June 10, 2026, unless earlier terminated or extended by resolution of the Mayor and City Council.

All interested persons are invited to attend and be heard.

**STATE OF GEORGIA
CITY OF HAMPTON**

RESOLUTION NO. 2026-07

A RESOLUTION BY THE MAYOR AND COUNCIL OF THE CITY OF HAMPTON, GEORGIA ESTABLISHING A ONE HUNDRED AND TWENTY (120) DAY MORATORIUM ON DATA CENTER APPLICATIONS AND ASSOCIATED DEVELOPMENT PERMITS; PROVIDING LEGISLATIVE FINDINGS AND PURPOSE; DEFINING SCOPE, EXCEPTIONS, AND DURATION; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the City of Hampton, Georgia ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia and is authorized to enact zoning and land use regulations pursuant to its police powers and applicable state law; and

WHEREAS, the Mayor and City Council of the City are vested with authority to regulate the use and development of land within the City in order to promote the public health, safety, morals, and general welfare of the community; and

WHEREAS, Georgia law recognizes that local governments may impose moratoria on zoning decisions, building permits, and other development approvals where exigent circumstances warrant the same, pursuant to case law found at *City of Roswell et al v. Outdoor Systems, Inc.*, 274 Ga. 130, 549 S.E.2d 90 (2001); *Lawson v. Macon*, 214 Ga. 278, 104 S.E.2d 425 (1958); *Taylor v. Shetzen*, 212 Ga. 101, 90 S.E.2d 572 (1955); and

WHEREAS, the Georgia Supreme Court, in the case of *DeKalb County v. Townsend*, 243 Ga. 80 (1979) held, "To justify a moratorium, it must appear first, that the interests of the public generally, as distinguished from those of a particular class, require such interference; and second, that the means are reasonably necessary for the accomplishment of the purpose, and not unduly oppressive upon individuals." The City has found that the interests of the public necessitate the enactment of a moratorium for health, safety, morals, and general welfare purposes by means which are reasonable and not unduly oppressive; and

WHEREAS, the City has experienced increasing interest in the siting and development of large-scale data center facilities, which by their nature may involve substantial consumption of water, significant electrical load demands, increased infrastructure capacity requirements, and impacts to transportation systems and public safety services; and

WHEREAS, certain proposed or anticipated data center developments may meet or approach the thresholds for classification as a Development of Regional Impact ("DRI") under Georgia law, thereby requiring coordinated review and analysis of regional impacts; and

WHEREAS, the City recognizes the importance of ensuring that development with potential regional impacts is reviewed in coordination with the appropriate regional planning authority, including the Atlanta Regional Commission; and

WHEREAS, the Mayor and Council has determined that additional time is necessary to allow for coordination regarding DRI review requirements, to evaluate the adequacy of existing public infrastructure and municipal services to support data center development, and to consider potential amendments to the City's zoning and development regulations applicable to such uses; and

WHEREAS, the Mayor and Council, therefore, consider it paramount that land use regulation continue in the most orderly and predictable fashion with the least amount of disturbance to landowners and to the citizens of the City. The Mayor and Council have always had a strong interest in growth management so as to promote the traditional police power goals of health, safety, morals, aesthetics and the general welfare of the community; in particular, the lessening of congestion on City streets, security of the public from crime and other dangers, promotion of health and general welfare of its citizens, protection of the aesthetic qualities of the City including access to air and light, and facilitation of the adequate provision of transportation and other public requirements; and

WHEREAS, it is the belief of the Mayor and Council that the concept of "public welfare" is broad and inclusive; that the values it represents are spiritual as well as physical, aesthetic as well as monetary; and that it is within the power of the City "to determine that a community should be beautiful as well as healthy, spacious as well as clean, well balanced as well as carefully patrolled," *Berman v. Parker*, 348 U.S. 26, 75 S.Ct. 98 (1954); *Kelo v. City of New London*, 545 U.S. 469, 125 S. Ct. 2655, 162 L. Ed. 2d 439 (2005). It is also the opinion of the City that "general welfare" includes the valid public objectives of aesthetics, conservation of the value of existing lands and buildings within the City, making the most appropriate use of resources, preserving neighborhood characteristics, enhancing, and protecting the economic well-being of the community, facilitating adequate provision of public services, and the preservation of the resources of the City.

WHEREAS, the Mayor and Council find that the approval of additional data center applications during the pendency of such review and evaluation could result in development inconsistent with the City's planning objectives or infrastructure capacity and could adversely affect the public health, safety, and welfare; and

WHEREAS, the Mayor and Council further find that a temporary moratorium of limited duration is a reasonable and necessary legislative tool to preserve the status quo while the City undertakes such planning and review, and that such moratorium is narrowly tailored in scope and duration and is not intended to permanently prohibit data center development within the City.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Hampton, Georgia, as follows:

Section 1. Findings of Fact. The Mayor and Council hereby make the following findings of fact:

(a) The City's current zoning and land use regulations require additional review as they relate to the siting, intensity, and infrastructure impacts of data center facilities;

(b) Approval of additional data center-related zoning and development applications prior to completion of such review could result in development inconsistent with the City's long-term planning objectives and infrastructure capacity;

(c) It is necessary and in the public interest to temporarily delay the acceptance and approval of such applications in order to allow for coordinated planning and regulatory review; and

(d) The Georgia Supreme Court has recognized that limited, generally applicable moratoria of reasonable duration are permissible and do not constitute an unlawful taking of property.

Section 2. Imposition of Moratorium.

(a) There is hereby imposed a moratorium on the acceptance, processing, review, and approval of new applications for rezonings, conditional use permits, special use permits, site plans, variances, building permits, or other zoning or development approvals whose primary purpose is the development or expansion of a data center facility.

(b) This moratorium shall apply citywide and shall be generally applicable to all properties and applicants.

(c) This moratorium shall not apply to applications submitted or approvals granted prior to the effective date of this Resolution, nor to projects for which vested rights have accrued under Georgia law.

(d) Any application submitted or accepted in violation of this Resolution shall be deemed null and void and shall confer no rights upon the applicant.

Section 3. Exclusions and Exceptions. This moratorium shall not apply to:

(a) Any project for which the applicant has obtained vested rights under Georgia law prior to the effective date of this Resolution;

(b) Applications that received final zoning approval prior to the effective date of this Resolution and for which only ministerial permits remain, provided no material modification to the approved development is proposed;

(c) Routine inspections, maintenance, repair, or replacement activities for existing legally established data center facilities that do not increase intensity, capacity, footprint, or operational impact; or

(d) Emergency work necessary to protect life, property, or public safety.

Section 4. Duration. This moratorium shall be in effect for a period of one hundred twenty (120) days from the effective date of this Resolution, unless earlier terminated or extended by resolution of the Mayor and Council. Any extension of the moratorium shall require adoption of a subsequent resolution supported by additional legislative findings and compliance with all applicable public notice and hearing requirements.

Section 5. Planning and Review Activities. During the pendency of the moratorium, the City may undertake one or more of the following actions: (i) coordinate with the Atlanta Regional Commission regarding applicable DRI review requirements; (ii) evaluate the capacity of public infrastructure and municipal services to accommodate data center development; (iii) review and consider amendments to the City's zoning ordinance or development regulations applicable to data center uses; and (iv) develop standards or procedures to ensure that future data center development is consistent with the City's comprehensive planning objectives.

Section 6. Severability.

(a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses, and phrases of this Resolution are and were, upon their enactment, believed by the City to be fully valid, enforceable, and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause, or phrase of this Chapter is severable from every other section, paragraph, sentence, clause, or phrase of this Resolution. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Resolution is mutually dependent upon any other section, paragraph, sentence, clause, or phrase of this Resolution.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Resolution and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Resolution shall remain valid, constitutional, enforceable, and of full force and effect.

Section 7. Effective Date. This Resolution shall become effective upon adoption by the Mayor and City Council of the City of Hampton, Georgia.

SO RESOLVED this 13th day of January, 2026.

CITY OF HAMPTON, GEORGIA

Ann Tarpley, *Mayor*

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

**STATE OF GEORGIA
CITY OF HAMPTON**

RESOLUTION NO. 2026-08

A RESOLUTION BY THE MAYOR AND COUNCIL OF THE CITY OF HAMPTON, GEORGIA ESTABLISHING A ONE HUNDRED AND TWENTY (120) DAY MORATORIUM ON THE ACCEPTANCE, PROCESSING, AND APPROVAL OF ANNEXATION PETITIONS AND REQUESTS INTO THE MUNICIPAL LIMITS OF THE CITY; PROVIDING LEGISLATIVE FINDINGS AND PURPOSE; DEFINING SCOPE, EXCEPTIONS, AND DURATION; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the City of Hampton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia and is vested with legislative and home-rule authority to govern matters affecting the City's municipal boundaries, growth, and provision of public services; and

WHEREAS, the Mayor and City Council of the City are vested with authority to regulate the use and development of land within the City in order to promote the public health, safety, morals, and general welfare of the community; and

WHEREAS, Georgia law recognizes that local governments may impose moratoria on zoning decisions, building permits, and other development approvals where exigent circumstances warrant the same, pursuant to case law found at *City of Roswell et al v. Outdoor Systems, Inc.*, 274 Ga. 130, 549 S.E.2d 90 (2001); *Lawson v. Macon*, 214 Ga. 278, 104 S.E.2d 425 (1958); *Taylor v. Shetzen*, 212 Ga. 101, 90 S.E.2d 572 (1955); and

WHEREAS, the Georgia Supreme Court, in the case of *DeKalb County v. Townsend*, 243 Ga. 80 (1979) held, "To justify a moratorium, it must appear first, that the interests of the public generally, as distinguished from those of a particular class, require such interference; and second, that the means are reasonably necessary for the accomplishment of the purpose, and not unduly oppressive upon individuals." The City has found that the interests of the public necessitate the enactment of a moratorium for health, safety, morals, and general welfare purposes by means which are reasonable and not unduly oppressive; and

WHEREAS, annexation of property into the municipal limits of the City results in the extension of municipal jurisdiction, services, infrastructure obligations, and regulatory authority, including but not limited to zoning, public safety, utilities, and code enforcement; and

WHEREAS, the Mayor and City Council have determined that the City has experienced, or may experience, increased interest in annexation requests that could materially impact the City's ability to provide services in a fiscally responsible and orderly manner; and

WHEREAS, the City finds that additional time is reasonably necessary to evaluate annexation policies, service delivery capacity, infrastructure impacts, and long-term growth objectives before accepting and approving additional annexations; and

WHEREAS, the City further finds that a temporary, generally applicable moratorium on annexations is a reasonable and necessary legislative tool to preserve the status quo while such evaluation and planning efforts are undertaken; and

WHEREAS, this moratorium is narrowly tailored in scope and duration, is not intended to permanently prohibit annexation, and is adopted solely to allow the City sufficient time to conduct policy review and planning activities.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Hampton, Georgia, as follows:

Section 1. Findings of Fact. The Mayor and Council hereby make the following findings of fact:

(a) That recent growth and development activity have created increased demands on the City's municipal services, infrastructure, staffing, and financial resources, warranting further evaluation before additional annexations are considered;

(b) That annexation of additional properties may have material fiscal and service delivery impacts on the City, and that additional time is needed to assess the City's capacity to provide municipal services in a fiscally responsible and orderly manner;

(c) That a temporary moratorium on the acceptance and consideration of new annexation requests will allow the City to review existing annexation policies, service capacity, and long-term planning objectives to ensure consistency with the public health, safety, and welfare; and

(d) That this moratorium is temporary in nature, narrowly tailored in scope and duration, and is not intended to permanently prohibit annexation or impair vested rights under Georgia law.

Section 2. Imposition of Moratorium.

(a) There is hereby imposed a moratorium on the acceptance, processing, consideration, and approval of new annexation petitions, applications, or requests seeking to annex property into the municipal limits of the City of Hampton, whether initiated by property owners, electors, or by any other lawful method authorized under O.C.G.A. § 36-36-1 *et seq.*;

(b) This moratorium shall apply citywide and shall be generally applicable to all properties and potential annexation requests; and

(c) Any annexation petition or request submitted or accepted in violation of this Resolution shall be deemed null and void and shall confer no rights upon the applicant.

Section 3. Exclusions and Exceptions. This moratorium shall not apply to:

- (a) Annexation petitions that were fully submitted and accepted by the City prior to the effective date of this Resolution;
- (b) Annexations previously approved by the Mayor and Council prior to the effective date of this Resolution; or
- (c) Actions necessary to correct clerical errors or to finalize annexations already lawfully approved.

Section 4. Duration. This moratorium shall be in effect for a period of one hundred twenty (120) days from the effective date of this Resolution, unless earlier terminated or extended by resolution of the Mayor and Council. Any extension of the moratorium shall require adoption of a subsequent resolution supported by additional legislative findings and compliance with all applicable public notice and hearing requirements.

Section 5. Public Notice and Hearing. Prior to adoption of this Resolution, the City has provided public notice and conducted a public hearing before the Mayor and City Council. Such notice and hearing were provided voluntarily and in the interest of transparency and public participation, notwithstanding that annexation decisions are not subject to the Georgia Zoning Procedures Law.

Section 6. Severability.

(a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses, and phrases of this Resolution are and were, upon their enactment, believed by the City to be fully valid, enforceable, and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause, or phrase of this Chapter is severable from every other section, paragraph, sentence, clause, or phrase of this Resolution. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Resolution is mutually dependent upon any other section, paragraph, sentence, clause, or phrase of this Resolution.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Resolution and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Resolution shall remain valid, constitutional, enforceable, and of full force and effect.

Section 7, Effective Date. This Resolution shall become effective upon adoption by the Mayor and City Council of the City of Hampton, Georgia.

SO RESOLVED this 13th day of January, 2026.

CITY OF HAMPTON, GEORGIA

Ann Tarpley, *Mayor*

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney