

COUNTY COUNCIL
OF
TALBOT COUNTY, MARYLAND

2026 Legislative Session, Legislative Day No.: August 11, 2026

Resolution No.: 395

Introduced by: Mr. Leshner, Ms. Mielke, Mr. Stepp

A RESOLUTION TO ADOPT A TEMPORARY MORATORIUM ON THE PROCESSING, REVIEW, AND APPROVAL OF APPLICATIONS, SITE PLANS, PERMITS, AND OTHER AUTHORIZATIONS FOR THE LOCATION, CONSTRUCTION, AND/OR OPERATION OF DATA CENTERS FOR A PERIOD OF TWELVE (12) MONTHS TO ALLOW THE COUNTY SUFFICIENT TIME TO ENACT REASONABLE, THOUGHTFUL, AND LAWFUL ZONING REQUIREMENTS AND OTHER REGULATIONS PERTAINING THERETO AS DEEMED NECESSARY TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE

By the Council: August 11, 2026

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, September 8, 2026, at 5:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By order: 
Susan W. Moran, Secretary

A RESOLUTION TO ADOPT A TEMPORARY MORATORIUM ON THE PROCESSING, REVIEW, AND APPROVAL OF APPLICATIONS, SITE PLANS, PERMITS, AND OTHER AUTHORIZATIONS FOR THE LOCATION, CONSTRUCTION, AND/OR OPERATION OF DATA CENTERS FOR A PERIOD OF TWELVE (12) MONTHS TO ALLOW THE COUNTY SUFFICIENT TIME TO ENACT REASONABLE, THOUGHTFUL, AND LAWFUL ZONING REQUIREMENTS AND OTHER REGULATIONS PERTAINING THERETO AS DEEMED NECESSARY TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE

WHEREAS, pursuant to Md. Code Ann., Local Gov't § 10-324, Talbot County, Maryland (the "County"), as a Charter county, may enact local laws relating to zoning and planning to protect and promote public safety, health, morals, and welfare; and

WHEREAS, as a local jurisdiction under Division I of the Land Use Article of the Annotated Code of Maryland, the County exercises planning and zoning authority, maintains a Planning Commission, a Board of Appeals, and a Zoning Administrator, and has adopted a Zoning Ordinance and a Comprehensive Plan; and

WHEREAS, the County Council of Talbot County, Maryland (the "County Council") recognizes that the location, construction, and operation of data centers raise significant concerns for the communities in which they are located, including sustainability, energy and water usage, noise, vibration, and impacts on residents' quality of life; and

WHEREAS, as public infrastructure and environmental impacts of data centers come into focus, it is clear that regulation is needed, including, but not limited to, mitigation of the large amounts of public utility usage of data centers, such as water and electricity, in order to maintain the public health, safety, and welfare; and

WHEREAS, to leverage the benefits of data centers can provide to the local economy while protecting the environment and local quality of life, the County Council desires to establish a comprehensive approach to data centers, including, but not limited to, defining a "data center," designating zoning districts in which data centers will be permitted, whether by right, with conditions, or by special exception, establishing bulk and area regulations, landscaping requirements, and noise limitations; and

WHEREAS, the County Council considers the public interest to be best served by sufficiently deliberated local laws and regulations regarding data centers in the unincorporated areas of the County; and

WHEREAS, the County currently lacks local laws and regulations regarding data centers; and

WHEREAS, the County Council recognizes the potential negative impacts of local laws and regulations regarding data centers stemming from inadequate and hurried deliberations; and

WHEREAS, the County Council has determined that enacting hastily prepared local laws and regulations regarding data centers would potentially create confusion, unintended consequences, unreasonable and inequitable outcomes, and litigation, and would otherwise be prejudicial to the public health, safety, and welfare; and

WHEREAS, the County Council requires sufficient time for appropriate study and public input to ensure the establishment of effective and durable zoning text amendments and other necessary local laws regulations applicable to data centers; and

WHEREAS, the County Council has determined that a temporary moratorium, for a term of twelve (12) months, to be a reasonable length of time for the due consideration of zoning text amendments and other local laws and regulations for the safe, practical, and legal implementation of data centers in the County.

NOW, THEREFORE, BE IT RESOLVED by the County Council for Talbot County, Maryland, that:

1. Definition. As used herein, the term “data center” means and refers to a building, group of buildings, or portion thereof whose primary use is the housing and operation of computer servers, computer storage equipment, and associated infrastructure that businesses or other organizations use to organize, process, store, and disseminate large amounts of data. The term “data center” does not mean and refer to, and this moratorium does not prohibit, the housing and operation of such computer servers, computer storage equipment, and associated infrastructure that is accessory and subordinate to a lawful, principal use on the same property and serves only the occupant thereof.

2. Moratorium established. A temporary moratorium is hereby established on the processing, review, and approval of applications, site plans, permits, and other authorizations, including but not limited to zoning, occupancy, and building certificates and permits and approvals, for data centers for a period of twelve (12) months.

3. Recommendations and legislation. This temporary moratorium is established to allow a reasonable time within which County staff, with the assistance of subject matter experts if deemed appropriate by the County Council, can prepare recommendations for review by the Planning Commission; the Planning Commission can prepare recommendations for the County Council; and the County Council can consider and enact legislation to efficiently and fairly establish zoning requirements and other local laws and regulations regarding data centers and consider such other related matters as the County Council, the Planning Commission, and County staff deem appropriate.

4. Applications. During the duration of this temporary moratorium, the County shall not process, review, or approve any application, site plan, permit, or other authorization, including but not limited to any zoning, occupancy, or building certificate or permit, or application for a zoning text amendment within the County’s jurisdiction, for a data center. This temporary moratorium shall apply to applications currently pending before the County, if any, as well as applications filed after the effective date.

5. Effective date. This temporary moratorium shall be effective immediately upon adoption of this Resolution.

6. Amendment; extension. The County Council reserves the right to amend or extend, for up to two (2) additional six (6) month periods, this temporary moratorium as it deems necessary to protect the public health, safety, and welfare and in furtherance of the purposes set forth herein.

7. Recitals. The recitals to this Resolution are not merely prefatory but are a substantive part hereof.

8. Severability. If any section, subsection, sentence, clause, or phrase of this Resolution is, for any reason, held to be unconstitutional or otherwise unlawful, such decision shall not affect the validity of the remaining portions of this Resolution, which can be given effect without the invalid section, subsection, sentence, clause, or phrase, and to that end, all provisions of this Resolution are hereby declared to be severable.

PUBLIC HEARING

Having been posted and Notice, Time, and Place of Hearing, and Title of Resolution No. 395 having been published, a public hearing was held on Tuesday, September 8, 2026, at 5:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

BY THE COUNCIL

Read the second time:

Adopted: September 8, 2026

By Order: Susan W. Moran
Susan W. Moran, Secretary

Callahan	-	Aye
Stepp	-	Aye
Leshner	-	Aye
Mielke	-	Aye
Haythe	-	Aye

Effective: September 8, 2026