

RESOLUTION NO. 2-2026

Introduced by: Comm. Potter

A RESOLUTION OF THE COUNCIL OF TRAPPE ESTABLISHING A MORATORIUM ON APPLICATIONS, SITE PLANS, PERMITS FOR, CONSTRUCTION OR OPERATION, PROCESSING OF, AND APPROVAL OF DATA CENTERS WITHIN THE TOWN FOR A PERIOD OF TWELVE (12) MONTHS IN ORDER TO ALLOW THE TOWN TO CONSIDER AND IMPLEMENT CERTAIN RESTRICTIONS ON WHERE AND UNDER WHAT CIRCUMSTANCES DATA CENTERS MAY LOCATE IN TOWN TO PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE TOWN.

WHEREAS, the Town of Trappe is authorized by Md. Code Ann. Local Government Article, § 5-202 and Section 302 of the Trappe Town Charter, to enact legislation that is not contrary to the Constitution, laws of the State of Maryland, or the provisions of the Charter, for the protection and preservation of the Town's property, rights, and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of residents of the Town and visitors thereto; and

WHEREAS, the Town is authorized by the Local Government Article of the Annotated Code of Maryland, § 5-213 to enact and administer reasonable zoning regulations; and

WHEREAS, for purposes of this Resolution, "Data Center" means a building or group of buildings primarily used to house computer or network systems, computer storage equipment, servers, and associated infrastructure to store, manage, process, and transmit digital data. "Data Center" includes a use proposed by an applicant for a Cable Communications System if the proposed use consists of a building or group of buildings primarily used to house computer or network systems, computer storage equipment, servers, and associated infrastructure to store, manage, process, and transmit digital data; and

WHEREAS, it is in the public interest for the Council to have adequate time and opportunity to fully consider, deliberate, and address the potential impact of Data Centers, including but not limited to: existing and future local energy demands; negative impacts to the surrounding environment, including wetlands, streams, rivers, flood plains, or environmentally sensitive areas; negative impacts to parks and recreational facilities; the visual impact on surrounding properties; and appropriate measures to mitigate such impacts;

WHEREAS, pursuant to Senate Bill 116, the potential environmental, energy, and economic impacts of data center development in the State of Maryland are also under review by the State through an on-going multiagency assessment as enacted by the General Assembly of Maryland with a final report due on or before September 1, 2026; and

WHEREAS, the Town's current Zoning Ordinance contains no specific or particular

provisions for the development and/or regulation of data centers in the Town of Trappe; and

WHEREAS, revisions to the Town's Zoning Ordinance will be necessary to accommodate data centers, if determined appropriate, which will take some time; and

WHEREAS, current and planned growth within the Town and its environs may necessitate text amendments to the Zoning Ordinance that accommodate the health, safety and welfare impacts inherent with data centers; and

WHEREAS, the Town requires time to ensure that the appropriate study and desired public input can be obtained before establishing effective and enduring text amendments to the Zoning Ordinance and/or other regulations of the Town; and

WHEREAS, a temporary moratorium on the acceptance, consideration, and processing of permit applications for Data Centers by the Town is necessary to afford the Council such an opportunity to complete its legislative function in considering the related zoning issues and to prevent public harm; and

WHEREAS, the Council has determined that a temporary moratorium, for a term of twelve (12) months, is necessary and in the interest of the present and future residents of the Town whose health, safety and well-being may be prejudiced by the unregulated operation of data centers within the Town; and

WHEREAS, the Council believe that twelve (12) months is a reasonable length of time for the completion, or substantial completion of the updated comprehensive plan, and any revisions to the Zoning Ordinance necessary to implement regulations on the use of data centers.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF TRAPPE:

Section 1. A moratorium on the application or site plan for, consideration of, approval of, construction of, expansion of, permits for, or certificates of occupancy for any businesses engaged in data centers is hereby imposed for a period of twelve (12) months.

Section 2. During the moratorium, the Town shall not process, consider, review, or approve any application, permit, certificate of occupancy, site plan or other approval under the Town Zoning Ordinance or Town Building Code for data centers.

Section 3. The moratorium shall apply to applications currently pending before the Town, if applicable, as well as, applications filed after that date.

Section 4. This moratorium is adopted to allow sufficient time for the Town to accomplish the following:

- a. Review the Comprehensive Plan and adopt any necessary amendments;
- b. Consider any revisions to the Zoning Ordinance or any other law or regulation as necessary to adequately address data centers in the Town;

- c. Obtain expert advice and assistance as necessary;
- d. Obtain such other studies and reports as necessary to identify and address the impacts of data centers; and
- e. Consider all such other matters as the Council, Planning Commission, and Town staff deem appropriate.

Section 5. The Council shall have and reserve the right to extend or modify this moratorium for such additional period or periods and on such terms and conditions as it deems necessary for the health, safety and welfare of the citizens of the Town.

Section 6. If any section, subsection, sentence, clause or phrase of this Resolution is, for any reason, held to be unconstitutional, 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.

Section 7. This Resolution shall become effective immediately.

RESOLVED, this 5th day of August, 2020.

absent
Daniel Deakins

Walter Chase
Walter Chase, Sr.

Michael Sullivan
Michael Sullivan

Rose Potter
Rose Potter

Jeremy Newnam
Jeremy Newnam

I hereby certify that the foregoing Resolution 2-2026 of the Town of Trappe was duly read and enacted in accordance with the applicable provisions of the Charter of the Town of Trappe.

Attest: Erin Braband
Erin Braband, Clerk/Treasurer
Town of Trappe

