ORDINANCE NUMBER 2026-17

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF SANTA ROSA COUNTY, FLORIDA; IMPOSING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, REVIEW, OR APPROVAL OF APPLICATIONS FOR DEVELOPMENT PERMITS, DEVELOPMENT ORDERS, REZONING, SITE PLANS, AND OTHER COUNTY APPROVALS FOR LARGE-SCALE DATA CENTERS AND LARGE LOAD CUSTOMER FACILITIES WITHIN THE UNINCORPORATED AREA OF SANTA ROSA COUNTY; PROVIDING FINDINGS; PROVIDING FOR AUTHORITY; LEGISLATIVE FINDINGS OF FACT; TEMPORARY MORATORIUM IMPOSED; DURATION OF TEMPROARY MORATORIUM; SEVERABILITY; EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Santa Rosa County, Florida, is authorized by Chapter 125, Florida Statutes, and Article VIII of the Florida Constitution to establish and administer land development regulations and to protect the health, safety, and welfare of the citizens of Santa Rosa County; and

WHEREAS, Santa Rosa County is located within a coastal region, an area the relies heavily upon groundwater resources from the Florida Aquifer System, which has historically been subject to significant management and conservation efforts, due to saltwater intrusion risks and long-term sustainability concerns; and

WHEREAS, state and regional planning efforts emphasize the importance of careful management of groundwater withdrawals and coastal water resources to ensure long-term environmental and economic stability for coastal communities; and

WHEREAS, data center facilities are known to require substantial water resources for cooling systems and substantial electrical power to support continuous computing operations, which in some cases require infrastructure demands comparable to small municipalities; and

WHEREAS, such facilities have the potential to place significant demands on regional groundwater supplies, water treatment facilities, and electrical grid capacity, particularly in rapidly growing areas; and

WHEREAS, the Board finds that Santa Rosa County currently lacks specific zoning provisions or developmental regulations addressing the unique operational characteristics, infrastructure requirements, and environmental considerations associated with data center facilities; and

WHEREAS, the Board finds that allowing data center facilities to proceed without appropriate regulatory standards could create risks to the County's water resources, electrical infrastructure, land use planning objectives, and long-term community development strategy; and

WHEREAS, Santa Rosa's proximity to sensitive coastal ecosystems, wetlands, estuarine systems, and maritime forests further underscores the importance of ensuring that new forms of industrial-scale development are evaluated carefully and responsibly; and

WHEREAS, the Board finds it necessary that a temporary, one-year moratorium is necessary and appropriate to allow County staff to study the issues and prepare proposed amendments to the Comprehensive Plan and Land Development Code, including time for staff review, public input, drafting, notice, hearings, adoption, and implementation of appropriate regulations; and

WHEREAS, the Board has conducted the necessary hearings and has determined that the adoption of this Ordinance is in the best interests of the citizens of Santa Rosa County, Florida;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Santa Rosa County, Florida:

Section 1: Findings and Intent

The foregoing recitals are true and correct and incorporated herein by reference as findings of the Board of County Commissioners. The purpose of this Ordinance is to establish a temporary, countywide pause of new applications and approvals of large-scale data centers and large load customer facilities in order to allow the County to review and if appropriate, amend its Comprehensive Plan and Land Development Code to address the impact of such uses.

Section 2: Definitions

For the purpose of this Ordinance, the following terms shall have the meanings set forth below:

Data center: means a facility that primarily contains electronic equipment used to process, store, and transmit digital information, which may be a free-standing structure or a facility within a larger structure, and which uses environmental control equipment to maintain proper conditions of the operation of electronic equipment.

Development regulations: means rezoning, special exception, conditional use, variance, site plan approval, development order, development permit, building permit, construction plan approval, certificate of concurrency, capacity reservation, comprehensive plan amendment, or other County approval necessary to establish, construct, expand, or intensify a covered facility.

Large load customer facility: means a facility or use with an anticipated monthly peak electric load of 50 megawatts or more, calculated as the highest average load over a 15-minute interval at a single location. A customer, applicant, owners, operator, or other entity may not separate electrical load into multiple smaller connections, meters, accounts, parcels, phases, tenants, or related facilities at a single location for the purpose of avoiding this definition. The term includes customers or other entities that have entered into colocation or similar agreement at a single location where the aggregate anticipated monthly peak load at that location meets or exceeds 50 megawatts.

Large-scale data center: means a single location, with a data center onsite, that has an anticipated monthly peak electric load of 50 megawatts or more, calculated as the highest average load over a 15-minute interval. The term includes customers or other entities that have entered into a colocation or similar agreement at a single location where the aggregate anticipated monthly peak load at that location meets or exceeds 50 megawatts.

Moratorium period: means the period beginning on the effective date of this Ordinance and ending one year thereafter, unless earlier terminated or extended by action of the Board of County Commissioners as provided herein.

Section 3: Temporary Moratorium Established.

A temporary moratorium is hereby imposed on the acceptance, processing, review, approval, or issuance of any application, development approval, development order, development permit, building permit, construction plan approval, certificate of concurrency, capacity reservation, or other County approval for the establishment, construction, expansion, or intensification of any large scale data center or large-load customer facility within the unincorporated area of Santa Rosa County.

During the moratorium period, County staff shall not accept, process, review, approve, or issue any such application or approval, except as expressly provided in this Ordinance.

Section 4: Duration

The moratorium shall commence on the effective date of this Ordinance and shall remain in effect for one year, unless earlier terminated by the Board of County Commissioners. The Board may extend the moratorium by ordinance after public hearing upon a finding that additional time is necessary to complete the study, drafting, public review, transmittal, adoption, implementation, or legal review of Comprehensive Plan or Land Development Code amendments addressing large-scale data centers or large load customer facilities.

Section 5: Study and Evaluation

During the moratorium period, Santa Rosa County staff shall conduct a comprehensive review of the potential impacts associated with large scale data center and large-large customer facilities, including but not limited to:

1. Groundwater withdrawal impacts, particularly as they relate to the Floridan Aquifer and coastal aquifer management policies;
2. Water supply and wastewater treatment capacity, including potential impacts on municipal and regional water systems;
3. Electrical grid capacity and infrastructure requirements, including consultation with regional electric utilities regarding long-term demand impacts;
4. Land use compatibility, including appropriate zoning classifications and development standards for such facilities;

5. Environmental considerations, including impacts on wetlands, coastal ecosystems, agricultural lands, noise, lighting, and surrounding land uses;
6. Best practices employed by other jurisdictions in Florida and through the United States for the regulation of large scale data center and large-load customer facilities development.

Section 6: Severability

It is declared to be the intent of the Board that if any section, subsection, sentence, clause, or provision of this Ordinance shall be declared invalid, the remainder of this Ordinance shall be construed as not having contained said section, subsection, sentence, clause, or provisions and shall not be affected by such holding.

Section 7: Exceptions

This moratorium shall not apply to:

1. Ordinary repair, maintenance, or replacement of existing lawful equipment, structures, or facilities, provided such work does not increase electric load, water demand, cooling capacity, floor area, generator capacity, battery storage capacity, or fuel storage capacity so as to establish, expand, or intensify a large-scale data center or large load customer facility;
2. Interior alterations to an existing facility that do not establish, expand, or intensify a large-scale data center or large load customer facility;
3. Emergency work necessary to protect public health, safety, or welfare;
4. Permits necessary to correct unsafe conditions or code violations;
5. Government-owned public safety, emergency management, emergency communications, or critical public infrastructure facilities;
6. Developed authorized by a final, unexpired development order and building permit issued before the effective date of this Ordinance, provided the proposed work is consistent with such approvals and does not required a material modification; and
7. Any application or approval expressly exempted by the Board after a finding that application of the moratorium is not necessary to protect the public health, safety, or welfare and would not impair the purposes of this Ordinance.

Section 8: Effective Date

This ordinance shall be filed with the Florida Department of State by the Clerk to the Board by electronic mail within ten (10) days after adoption and shall take effect upon such filing.

ADOPTED with a quorum present and voting on this 23 day of July, 2026.

(seal)

BOARD OF COUNTY COMMISSIONERS
OF SANTA ROSA COUNTY, FLORIDA

COLTEN WRIGHT, CHAIRMAN

ATTEST:

JASON ENGLISH, ESQ.
SANTA ROSA CLERK OF COURT