

ORDINANCE NO. 643 2ND SERIES

AN ORDINANCE OF THE CITY OF EAGAN, MINNESOTA AMENDING EAGAN CITY CODE CHAPTER TWELVE ENTITLED “COMPREHENSIVE GUIDE PLAN AND LAND USE REGULATIONS – INTERIM USE STUDY” BY ADDING SECTION 12.09 ENTITLED “INTERIM USE: DATA CENTER REGULATIONS STUDY”; AND BY ADOPTING BY REFERENCE EAGAN CITY CODE CHAPTER 1 AND SECTION 11.99.

The City Council of the City of Eagan does ordain:

Section 1. Eagan City Code, Chapter 12, is hereby amended by adding Section 12.09 to read as follows:

Section 12.09. Interim Use: Data Center Regulations Study

- A. On February 2, 2026, the Eagan City Council directed the preparation of this Ordinance to authorize and direct implementation of a study to be conducted for the purpose of evaluating whether data centers require additional local regulation within the City of Eagan, and whether absent such additional local regulation, data centers may interfere with existing and future land uses and may have substantial impacts on the environment, the city’s municipal water and wastewater system and infrastructure, and public health, safety, and welfare.
- B. For purposes of this Ordinance and the scope of application, the term *data center* shall mean the following:

A facility or a complex of buildings and facilities used primarily for the storage, management, processing, and transmission of digital data, including cryptocurrency mining, AI generation, and support of the internet, which houses computer and/or network equipment systems, servers, appliances and other associated components related to digital data operations. The facility or the complex uses more than 20 megawatts of electricity or is proposed to be located on Property that is, at its nearest property line, within 500 feet of a property zoned or guided under the city’s comprehensive plan for residential use. The facility may also include air handlers, power generators, water cooling systems and water storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at a data center. A data center complex/campus may include data management or storage buildings and ancillary support buildings and structures, including secure and controlled entrances, perimeter fencing, sally-ports, and cargo screening buildings.

- C. It is in the City's best interest to restrict the expansion and establishment of data centers, or the development of property for a data center while the study is on-going.

Specifically, the City is desirous of assessing its regulations and to implement an appropriate regulatory approach, if necessary, for addressing potential impacts of data centers while ensuring the productive and healthy development of data centers within the City, ensuring that data centers do not interfere with other land uses, or have substantial negative impacts on the environment, public health, safety, and welfare; and

- D. All property located within the City of Eagan (the "Property") is affected by this interim use ordinance.
- E. This interim use ordinance is adopted and is applicable to the Property for the purpose of protecting the planning process and the health, safety, and welfare of the citizens of Eagan.
- F. Commencing on the effective date of this interim use ordinance and ending on February 17, 2027, or such sooner time as the City Council may determine, the Property shall be subject to the following to the extent of the establishment or operation of a data center:
1. No building permits shall be issued for the construction, reconstruction, alteration, or expansion of any structure or improvements except for (i) necessary repairs of existing structures; (ii) tenant improvements made to existing structures for commercial, industrial or business park use; (iii) expansion of a structure for commercial, industrial or business park use; or (iv) construction or expansion of structures or installation of equipment for an existing or approved data center project provided improvements will not allow the data center to use more than 9 megawatts of electricity.
 2. No proposal for rezoning (which includes planned development amendments and planned development concepts) or comprehensive plan amendment shall be recommended for approval or approved by the planning commission or the city council.
 3. No conditional use permit or variance shall be recommended for approval or be approved by the planning commission or the city council.
 4. No portion of the Property shall be replatted or subdivided, except for the purpose of consolidation of parcels of land into single ownership.
 5. No application for the establishment or expansion of a data center shall be accepted, processed or approved.

Section 2. Eagan City Code Chapter 1 entitled “General Provisions and Definitions Applicable to the Entire City Code Including ‘Penalty for Violation’” and Section 12.99 entitled “Violation of a Misdemeanor” are hereby adopted in their entirety by reference as though repeated verbatim.

Section 3. Effective Date. This ordinance shall take effect upon its adoption and publication according to law.

ATTEST:

CITY OF EAGAN
City Council

/s/ Elizabeth VanHoose
Elizabeth VanHoose
Its: City Clerk

/s/ Mike Maguire
Mike Maguire
Its: Mayor

Date of Public Hearing: February 17, 2026

Date Ordinance Adopted: February 17, 2026

Date Ordinance Published in the Legal Newspaper: February 19, 2026