

CITY OF WOODBURY  
WASHINGTON COUNTY, MINNESOTA

ORDINANCE NO. 2082

AN INTERIM ORDINANCE AUTHORIZING A STUDY AND IMPOSING A MORATORIUM ON DATA  
CENTERS AND OTHER HIGH-VOLUME PUBLIC INFRASTRUCTURE USERS

THE CITY COUNCIL OF THE CITY OF WOODBURY, WASHINGTON COUNTY, MINNESOTA DOES  
ORDAIN:

01 Purpose and Intent. The purpose and intent of this interim ordinance ("Ordinance") is to protect the planning process and the health, safety, and welfare of the citizens of the City of Woodbury (the "City") by (i) imposing, pursuant to Minnesota Statutes, section 462.355, subdivision 4, a moratorium on data centers and other high-volume public infrastructure users, during the term of this Ordinance; and (ii) authorizing a study related to the local regulation of data centers and high-volume public infrastructure users.

02 Legislative Findings. The City Council of the City of Woodbury hereby finds and determines as follows:

(a) Minnesota Statutes Section 462.355, subdivision 4 authorizes the City to adopt interim ordinances to regulate, restrict, or prohibit any use, development, or subdivision within the City, the purpose of which is to protect the planning process and the health, safety, and welfare of the residents within the City;

(b) Due to a significant transformation and evolution in new technologies, including artificial intelligence, cloud computing, and other digital infrastructure, Minnesota and the entire nation have recently seen an increase in developers looking for sites to construct new data centers, and data centers are known and understood to be high-volume users of public infrastructure, including municipal water;

(c) Woodbury is fully committed to ensuring that adequate public infrastructure is either available or planned for to serve existing and future Woodbury residents, businesses and visitors;

(d) Woodbury is committed to foster environmental stewardship through focused conservation, social responsibility, and implementation of best management practices and has adopted an Environmental Stewardship Plan to lead the way to protect our community, and meet the needs of future generations;

(e) The City recently determined that although the Zoning Ordinance imposes express

regulations on numerous types of uses in its respective zoning districts, it does not impose any express rules or regulations specifically related to data centers and other high-volume public infrastructure users;

(f) The City will benefit from establishing its own local official controls, rules and regulations related to data centers and other high-volume public infrastructure users within the Zoning Ordinance; and

(g) It is in the best interests of the public to place a City-wide moratorium on data centers and other high-volume public infrastructure users to provide the City with a meaningful opportunity to study whether and how the City should amend its official controls to effectively regulate data centers and other high-volume public infrastructure users moving forward.

03 Definitions. For purposes of this Ordinance, the term “data center” means a building or other facility used principally for the storage, management, processing, and/or transmission of digital data, which houses computer or network equipment, systems, services, appliances, and/or other associated components related to digital data operations. A data center may also include accessory and appurtenant facilities, such as offices, air handlers, power generators, water cooling systems and water storage facilities, utility substations, and other associated infrastructure necessary to support sustained digital data operations. The term “data center” shall not include computing facilities which are not the principal use of a building or other facility in extent or area, but which may perform similar functions in a manner that is merely accessory to a separate and lawful principal use. A “high-volume public infrastructure user” is defined as any proposed use that, if implemented, would utilize public infrastructure (sanitary sewer or water) to a level which would make them amongst the top users, based on annual consumption, within the City of Woodbury.

04 Study Authorized. City staff and the City’s Planning Commission are hereby authorized and directed to conduct a study of data centers and other high-volume public infrastructure users, including, without limitation, their relevant localized impacts, best practices, and how other communities regulate them, and provide the City Council with recommendations on whether and when and how the Zoning Ordinance should be amended to meet the needs of the City of Woodbury.

05 Moratorium Imposed. A moratorium is hereby imposed throughout the City on data centers and high-volume public infrastructure users, which during the term of this Ordinance shall be considered a prohibited use within the City. During the period of the moratorium, all property in the City is subject to the following as it pertains to data centers and high-volume public infrastructure users:

1. No building or other City permits shall be issued for the construction or expansion of any existing structure or improvements,

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 application for the establishment or expansion of a data center shall be accepted, processed or approved.

06 Duration. This Ordinance shall remain in effect for one year from its effective date unless it is expressly repealed earlier by the City Council. If the City Council adopts an amendment to the City Code of Ordinances expressly regulating data centers and/or high-volume public infrastructure users prior to the expiration of this Ordinance, this Ordinance shall terminate on the effective date of such amendment.

07 Penalty and Enforcement. The City may enforce this Ordinance through criminal prosecution or by undertaking such civil actions or proceedings, including, without limitation, injunctive relief, as it determines appropriate to prevent, restrain, correct, or abate any violation or threatened violation of this Ordinance. The initiation of one type of enforcement action shall not preclude the City from instituting any other action or proceeding available to it under law to enforce this Ordinance. Any person, firm, partnership, corporation, or other entity violating any provision of this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to imprisonment for up to 90 days, a fine of up to \$1,000, or both, plus the costs of prosecution. Each day that a violation occurs shall be considered a separate offense.

08 Severability. Every section, provision and part of this Ordinance is declared severable from every other section, provision and part thereof. If any section, provision or part of this Ordinance is held to be invalid by a court of competent jurisdiction, such judgment shall not invalidate any other section, provision or part of this Ordinance.

09. Effective Date. This Ordinance shall take effect immediately upon its adoption and publication.

Passed and adopted by the City Council of Woodbury, Washington County, Minnesota, this 23rd day of September, 2026.

ATTEST:

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Anne W. Burt, Mayor

Jeffrey J. Dahl, City Administrator

(SEAL)