CITY OF PLYMOUTH

ORDINANCE NO. 2026-08

AN INTERIM ORDINANCE PROHIBITING THE LOCATION, ESTABLISHMENT, AND OPERATION OF DATA CENTERS IN THE CITY OF PLYMOUTH

THE CITY OF PLYMOUTH ORDAINS:

Section 1. Authority and Purpose.

1. Communities in Minnesota have been managing development applications for the siting and construction of data centers.

2. These uses have the potential to have impacts upon neighboring properties, including but not limited to electricity and water consumption, and light and noise impacts.

3. As provided by Minnesota Statutes § 462.357, zoning regulations are enacted to promote the public health, safety, morals, and general welfare, and there is an emergent and immediate need to study data center uses, to ensure that zoning standards appropriately provide for public safety, health, and welfare in the city.

4. Pursuant to Minnesota Statutes § 462.355, subd. 4, the city has the power to enact an interim ordinance "for the purpose of protecting the planning process and the health, safety and welfare of its citizens." Specifically, the city has the power to enact a moratorium by interim ordinance in order to examine the impacts of these uses and the efficacy of current city zoning regulations, and to undertake a study of the issue for future regulation.

Section 2. Definitions. For purposes of this Interim 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 but not limited to 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 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. This definition does not include any new or existing data center facility or complex having less than 50,000 square feet of gross floor area. For purposes of this definition, the gross floor area of all facilities or buildings comprising or supporting a single data center complex or campus shall be aggregated.

Section 3. Findings. The City Council finds that:

1. There is a need to study data center uses in the city, and to determine whether data center uses are consistent with the intent of the zoning ordinance, and whether they are consistent with the city's comprehensive plan.

2. 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 wishes to ensure that data centers do not interfere with other land uses, or have substantial negative impacts on the environment, public health, safety, and welfare.

3. There is a need to adopt a city-wide moratorium for the purpose of protecting the planning process related to the location, establishment, and operation of data centers in the city, and for the purpose of examining the impacts of these uses.

Section 4. Moratorium. Commencing on the effective date of this Interim Ordinance and for the term set forth in Section 7 of this Interim Ordinance, all property located within the City of Plymouth shall be subject to the following regarding the establishment or operation of a data center:

1. Planning or zoning applications related to a data center shall not be accepted or considered while the moratorium is in effect.

2. No proposal for rezoning related to a data center (which includes planned unit development amendments and planned unit development concepts) or comprehensive plan amendment shall be recommended for approval by the Plymouth Planning Commission or be or approved by the City Council.

3. No conditional use permit or variance related to a data center shall be recommended for approval by the Plymouth Planning Commission or be or approved by the City Council.

4. No property within the city related to a data center shall be replatted or subdivided.

Section 5. Study. The City Council directs city staff to study the efficacy of current zoning regulation regarding data center uses within the City of Plymouth. Staff must also study the need for creating or amending zoning ordinance provisions to protect the residents of Plymouth from any potential negative impacts of such uses. Upon completion of the study, the City Council, together with the Planning Commission as the City Council deems appropriate or, as may be required by law, will consider the advisability of amending its current ordinances.

Section 6. Enforcement. The city may enforce this Interim Ordinance by mandamus, injunctive relief, or other appropriate civil remedy in any court of competent jurisdiction. The City Council hereby authorizes the City Manager, in consultation with the City Attorney, to initiate any legal action deemed necessary to secure compliance with this Interim Ordinance.

Section 7. Term. The moratorium established under this Interim Ordinance shall remain in effect until the date of the adoption of the official controls contemplated hereunder or September 8, 2027, whichever occurs first (the "Expiration Date"). The City Council may extend this Interim Ordinance as set forth in Minnesota Statutes § 462.355, subd. 4. If it is not extended or rescinded earlier by the City Council, this Interim Ordinance will automatically expire on the Expiration Date.

Section 8. Effective Date. This Interim This Ordinance shall be in full force and effect upon its passage.

ADOPTED by the City Council this 8th day of September, 2026.

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Jeffry Wosje, Mayor

ATTEST:

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Jodi M. Gallup, City Clerk