



AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON DEVELOPMENT APPROVALS FOR DATA CENTERS AND RELATED HIGH-IMPACT FACILITIES IN PERQUIMANS COUNTY.

WHEREAS, the Perquimans County Board of Commissioners (the "Board") is responsible for promoting the health, safety, and general welfare of the County's residents; and

WHEREAS, North Carolina General Statute§ 160D-107 authorizes local governments to adopt temporary moratoria on development approvals under certain conditions; and

WHEREAS, the Board has observed recent interest, requests and potential applications for high-impact facilities, specifically data centers and cryptocurrency mining operations, within the unincorporated areas of the County; and

WHEREAS, these types of facilities present unique challenges and potential impacts not adequately addressed by the County's current Zoning Ordinance, including but not limited to:

- Extremely high energy consumption and strain on existing utility infrastructure;
- Significant noise generation from cooling systems and backup generators, affecting adjacent residential areas and general quality of life;
- Substantial water usage for cooling purposes;
- Potential environmental impacts, including hazardous material storage and electronic waste disposal; and
- Land use compatibility concerns, particularly in rural or agriculturally zoned districts; and

WHEREAS, the County's existing regulations were not developed with these specific types of high-impact uses in mind, and the County needs time to develop appropriate, comprehensive standards to ensure that any future development of such facilities is consistent with the County's long-term land use plan and protects the public interest; and

WHEREAS, the Board has considered alternative courses of action, such as relying on existing general use permits or special use permits, but determined these were inadequate because they lack the specific performance standards (e.g., noise limits, utility capacity requirements, setbacks) needed to mitigate the unique impacts of data centers effectively; and

WHEREAS, a temporary moratorium on accepting and processing new applications for such facilities is a reasonable and necessary measure to allow County staff and the Planning Board members

sufficient time to study the issues, engage with stakeholders, and draft appropriate amendments to the zoning ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Perquimans County Board of Commissioners:

Section 1. Moratorium Imposed

A temporary moratorium is hereby imposed for a period of one **(1) year** from the effective date of this Ordinance. During this period, the County shall not accept, process, or approve any applications for the following development approvals:

- Special Use Permits
- Conditional Zoning Permits
- Zoning Map Amendments (rezoning requests)
- Building Permits
- Any other development approval required by law

for the establishment, construction, erection, alteration, or expansion of any **data center, cryptocurrency mining facility, or other high-impact data processing facility.**

Section 2. Scope and Exemptions

This moratorium shall apply to all unincorporated areas of Perquimans County. Exemptions include:

- Any development that has received a valid development approval in accordance with G.S. 160D-107(c) prior to the effective date of this ordinance.

Section 3. Plan of Action and Schedule

During the effective period of this moratorium, the Perquimans County Board of Commissioners and County Staff shall take the following actions:

- **Month 1-4:** Study the potential impacts (energy, water, noise, land use) of data centers and cryptocurrency mining facilities, in consultation with local utility providers and the UNC School of Government.
- **Month 4-6:** Draft specific land use ordinance amendments and performance standards to regulate these facilities, including appropriate zoning districts, setback requirements, noise limitations, and utility capacity conditions.
- **Month 6-10:** Hold public workshops and Planning Board meetings to review the draft amendments and gather public input.
- **Month 10-12:** The Planning Board will provide a recommendation to the Board of Commissioners. The Board of Commissioners will hold the necessary public hearings to consider and potentially adopt the final ordinance amendments.

Section 4. Duration and Termination

This Ordinance shall be in full force and effect from and after September 08, 2026, until September 07, 2027, unless earlier terminated, extended, or modified by the Board of Commissioners in accordance with North Carolina law. The stated duration is reasonably necessary to address the identified problems.

Section 5. Severability

If any section or part of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining sections or parts.

Adopted this the 08th day of September, 2026.

(SEAL)

Wallace Nelson, Chairman
Perquimans County Board of Commissioners

Rebecca T. Corprew, Clerk to the Board
Perquimans County Board of Commissioners