MEMO TO: City Council

FROM: Planning Staff

SUBJECT: Consideration of adopting an ordinance imposing a one-year moratorium on the acceptance, processing, and approval of applications for data centers, data processing facilities, cryptocurrency mining operations, and other uses associated with data processing facilities within the City of Lincolnton, North Carolina, pursuant to N.C.G.S. § 160D-107.

DATE: September 3, 2026

ITEMS TO CONSIDER:

- Under Session Law 2024-57 (S.B. 382), any future modifications to our ordinance can only reduce restrictions, not increase them. Consequently, if a text amendment for Data Centers is adopted and later determined to be insufficiently strict, we will be legally prohibited from adding more stringent regulations. We must establish the proper terms for this text amendment on the initial attempt.
- The City Manager is actively researching consultants, planning information sessions, and conducting research with the Planning Department.
- Information sessions are expected to be scheduled in October and December.
- The text amendment should come after the information sessions.
- We have not identified a consultant, and we do not have an estimated cost to present to Council.

Given the above, the Planning Department strongly recommends a minimum six-month moratorium. If the Council does not want to adopt a six-month timeframe, we urge you to at least consider pausing Data Centers until the end of the year.

Planning Board Vote:

3-2 in favor of recommending approval of the Twelve-Month Moratorium

Planning Board Recommendation:

Approve the Moratorium for 12 months.

Planning Staff Request:

Planning Staff requests approval of a moratorium lasting at least six months, which would result in presenting a text amendment to City Council at the March meeting. If a six-month duration is unacceptable, staff respectfully requests that Council consider implementing at least a temporary pause.

Motions:

Motion to approve

Or

Motion to deny