



**York County
Planning Commission
Agenda
June 30, 2026**



Special Called Meeting

**York County Government Center
6 South Congress Street
York, SC 29745**

6:00 PM

Call to Order

Approval of Agenda

New Business

1. PLANNING COMMISSION TO REVIEW AND PROVIDE A RECOMMENDATION TO COUNTY COUNCIL REGARDING AN ORDINANCE THAT ESTABLISHES A TEMPORARY MORATORIUM FOR A PERIOD OF NINE (9) MONTHS ON THE CONSIDERATION AND ISSUANCE OF SPECIAL EXCEPTIONS AND ISSUANCE OF SPECIAL EXCEPTIONS OR CONDITIONAL USE APPROVALS, ON THE ACCEPTANCE OF SITE PLANS, AND ON ALL OTHER LAND USE OR DEVELOPMENT APPROVALS FOR DATA CENTERS WITHIN THE UNINCORPORATED AREAS OF YORK COUNTY IN ORDER TO PROVIDE AN OPPORTUNITY FOR THE COUNTY TO STUDY AND EXAMINE THE IMPACT OF DATA CENTERS ON CRITICAL RESOURCES, ADJACENT AND NEARBY PROPERTIES, AND/OR INFRASTRUCTURE, THEREBY ENABLING THE COUNTY TO PROPERLY AMEND THE YORK COUNTY ZONING AND LAND USE ORDINANCES WITH REGARD TO DATA CENTERS; TO PROVIDE FOR AN EXTENSION OF TIME BY FURTHER RESOLUTION OF COUNTY COUNCIL IF AFTER PROPER NOTIFICATION TO COUNCIL, IT DETERMINES THAT THE EXTENSION IS NECESSARY TO COMPLETE THE STUDIES OR EXAMINATIONS CONTEMPLATED HEREIN.

Other Business

Executive Session

Matters for consideration/actions following Executive Session

Adjourn

"York County is committed to assuring accessibility with reasonable accommodation, of county services, facilities, employment and programs for all individuals, in compliance with federal law. Please contact the County Manager's Office at 803-684-8511 if you need assistance."

Ordinance No.: _____
Adopted: _____

AN ORDINANCE

ESTABLISHING A TEMPORARY MORATORIUM FOR A PERIOD OF NINE (9) MONTHS ON THE CONSIDERATION AND ISSUANCE OF SPECIAL EXCEPTIONS OR CONDITIONAL USE APPROVALS, ON THE ACCEPTANCE OF SITE PLANS, AND ON ALL OTHER LAND USE OR DEVELOPMENT APPROVALS FOR DATA CENTERS WITHIN THE UNINCORPORATED AREAS OF YORK COUNTY IN ORDER TO PROVIDE AN OPPORTUNITY FOR THE COUNTY TO STUDY AND EXAMINE THE IMPACT OF DATA CENTERS ON CRITICAL RESOURCES, ADJACENT AND NEARBY PROPERTIES, AND/OR INFRASTRUCTURE, THEREBY ENABLING THE COUNTY TO PROPERLY AMEND THE YORK COUNTY ZONING AND LAND USE ORDINANCES WITH REGARD TO DATA CENTERS; TO PROVIDE FOR AN EXTENSION OF TIME BY FURTHER RESOLUTION OF COUNTY COUNCIL IF AFTER PROPER NOTIFICATION TO COUNCIL, IT DETERMINES THAT THE EXTENSION IS NECESSARY TO COMPLETE THE STUDIES OR EXAMINATIONS CONTEMPLATED HEREIN; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

BE IT ORDAINED AND ENACTED BY THE COUNTY COUNCIL OF YORK COUNTY, SOUTH CAROLINA:

SECTION 1. Legislative Findings.

Incident to the adoption of this ordinance, the York County Council, as the governing body of York County, South Carolina, makes the following findings:

- 1.1 Council is empowered pursuant to Sections 4-9-25 and 4-9-30 (9), (14), and (17), S.C. Code Ann., as amended to enact ordinances, and adopt regulations or resolutions not inconsistent with the Constitution or general laws of the State of South Carolina, and to exercise that authority respecting any subject as appears to the Council necessary and proper for the security, general welfare, and convenience of the County for preserving health, peace, order, and good government, including the authority to provide for land use regulations therewith.
- 1.2 The South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Sections 6-29-310 et seq., of the South Carolina Code of Laws, 1976, as amended, authorizes the County to enact or amend its land development regulations to guide development reflective of existing and future needs and to protect, promote, and improve the public health, safety, and general welfare of County residents.

- 1.3 The York County Code of Ordinances serves to regulate the use of land in the unincorporated areas of the County, including the use and location of structures and other site improvements, and the construction of private facilities and improvements related to the development of land.
- 1.4 Council finds that Data Center is a use which, if inadequately regulated, may negatively and disproportionately impact, among other things, critical energy and water resources, the environment, adjacent and nearby properties, as well as other infrastructure given the intensity of the use.
- 1.5 Council has determined that the existing ordinances were not developed in a manner which accounted for the potential impacts of this type of high-intensity use, and Council began the process of amending its ordinance to address certain of the impacts, including invoking the pending ordinance doctrine in _____ of 2026. Since that review began, Council has determined that additional studies and analysis are warranted with regard to this use in order to comprehensively and appropriately amend its ordinances to mitigate the potential negative impacts to the extent possible within its authority.
- 1.6 Council finds that the Code of the County of York should be amended pertaining to Data Centers in order to adequately address the impacts of this high-impact use, and in order to comprehensively address the potential negative impacts, suspending approvals related to this use by way of a temporary Moratorium is the most appropriate avenue to accomplish this objective.
- 1.7 For purposes of this Ordinance, Data Centers have the same definition as currently codified in Chapter 155 of the York County Code of Ordinances, which states “[a] facility containing one or more large-scale computer systems, located within a building or group of buildings, used for data storage and processing for off-site users. Key components of a data center include routers, switches, firewalls, storage systems, servers, and application-delivery controllers. Typical supporting equipment includes back-up batteries and/or power generators, cooling units, fire suppression systems, and enhanced security features. This definition includes cryptocurrency mining operations.”
- 1.8 Council finds that this Moratorium will promote the public health, safety, order, appearance, prosperity and overall general welfare of the County.

SECTION 2. Moratorium Imposed.

By and through enactment of this Ordinance, County Council hereby imposes a moratorium on the consideration of development/civil site plan or other applications for new Data Centers, and on the issuance or approval of site plans, special use permits, conditional use permits, or any other development approval, as applicable, for the development of new Data Centers within the County for a period of nine (9) months from the date of the enactment of this Ordinance. County staff is hereby directed to hold in abeyance, upon the effective date of this Ordinance, any development applications for new Data Centers.

SECTION 3. Staff Direction During Pendency of Moratorium.

During the pendency of the Moratorium, County staff is directed to establish a plan and timeline to study the issues contemplated herein, to recommend retention of independent experts needed to conduct analyses regarding certain of the impacts and potential methods of redress to mitigate those impacts on critical resources, the environment, nearby and adjacent properties, as well as any other impacts which can be reduced or eliminated through the ordinance amendment process, and to provide Council with text amendment recommendations for its consideration.

SECTION 4. Exemption.

This Moratorium shall not apply to developments for which civil site plan approval was granted prior to the effective date of this Ordinance, provided such plans must remain in compliance with applicable approvals and conditions, and which approvals are limited to the scope that was already approved.

SECTION 5. Moratorium Extension.

County Council hereby finds and determines that the Moratorium hereby imposed may be extended by Resolution.

SECTION 6. Public Hearing.

The York County Council shall conduct a public hearing after publishing a notice of the date, time and place of such hearing at least two (2) weeks in advance of such hearing before final legislative action is taken for the adoption of this Ordinance.

SECTION 7. Severability.

The provisions of this Ordinance are hereby declared to be severable, and if any provision or section of this Ordinance is declared to be unconstitutional or unenforceable by a court of competent jurisdiction, such declaration shall not affect the constitutionality or legality of any other section or provision of this Ordinance, which shall remain in force and effect.

SECTION 8. Repeal of Inconsistent Sections and Ordinances.

All sections of the York County Code of Ordinances and all York County ordinances in conflict with this ordinance are hereby amended to the extent of such conflict.

SECTION 9. Effective Date.

This ordinance shall take effect immediately upon adoption.

Adopted this ____ day of _____, 2026.

YORK COUNTY COUNCIL

By: _____

Christi P. Cox, Chairwoman
York County Council

Attest: _____

Joshua S. Edwards
County Manager

1st Reading: _____

2nd Reading: _____

3rd Reading: _____