**ORDINANCE NO. 26-42**

**AN ORDINANCE OF MANATEE COUNTY, FLORIDA ESTABLISHING A TEMPORARY MORATORIUM ON THE SUBMISSION AND ACCEPTANCE OF APPLICATIONS FOR BUILDING PERMITS, SITE PLANS, DEVELOPMENT ORDERS, DEVELOPMENT AGREEMENTS, SPECIAL PERMIT USES, REZONINGS, AND COMPREHENSIVE PLAN AMENDMENTS RELATED TO DATA CENTERS, LARGE-SCALE DATA CENTERS AND OTHER LARGE LOAD CUSTOMERS WITHIN UNINCORPORATED MANATEE COUNTY; PROVIDING FOR AUTHORITY; LEGISLATIVE FINDINGS OF FACT; TEMPORARY MORATORIUM IMPOSED; DURATION OF TEMPORARY MORATORIUM; PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Manatee County, Florida, (hereinafter the "Board") has the authority pursuant to Chapter 125, Florida Statutes, and Article VIII of the Florida Constitution to protect the public health, safety, and general welfare of its residents and to enact ordinances for valid governmental purposes that are not inconsistent with general or special law; and

**WHEREAS**, Chapter Law 2026-65 creating Section 163.326, Florida Statutes, specifically provides for the authority of the Board to regulate facilities with substantial electric or other utility demands, such as data centers, large-scale data centers, as defined in Sections 373.203(3) and (4), Florida Statutes, and other large load customers, as defined in Section 366.043(2)(d), Florida Statutes, through comprehensive plans and land development regulations. Further, newly created Section 373.262, Florida Statutes, provides that local governments may prohibit the siting of large-scale data centers within their jurisdictions; and

**WHEREAS**, Manatee County is located within a coastal region and in the Tampa Bay Area, an area that relies heavily upon groundwater resources from the Floridan Aquifer system and surface waters; and

**WHEREAS**, the Southwest Florida Water Management District and the Peace River Manasota Regional Water Supply Authority, of which Manatee County is a member, emphasize the importance of careful management of groundwater withdrawals and surface

water resources to ensure long-term environmental and economic stability for the region; and

**WHEREAS**, data centers, large-scale data centers, and other large load customers (hereinafter referred to collectively as "Data Center or Facilities") are known to require substantial water resources for cooling systems and substantial electrical power to support continuous computing operations, which in some cases require infrastructure demands comparable to small municipalities; and

**WHEREAS**, such Facilities have the potential to place significant demands on regional water supplies, water treatment infrastructure, electrical grid capacity, particularly in rapidly growing areas such as Manatee County; and

**WHEREAS**, such Facilities are typically massive in scale, covering vast land areas hundreds of acres in size with buildings and infrastructure, while providing little to no employment opportunities; and

**WHEREAS**, the Board finds that Manatee County currently lacks specific zoning provisions or development regulations addressing the unique operational characteristics, infrastructure requirements, and environmental considerations associated with Data Center Facilities; and

**WHEREAS**, the Board further finds that allowing such Facilities to proceed without appropriate regulatory standards would create risks to the County's and the Region's water resources, electrical infrastructure capacity, and land use planning objectives, will undermine economic development initiatives and long-term community development strategies; and

**WHEREAS**, local governments may enact moratoriums if the moratorium is intended to preserve the status quo and is rationally related to the government's attempt to enact changes to development regulations. (*WCI Communities Inc. v. City of Coral Springs*, 885 So. 2d 912 (Fla. 4th DCA 2004)); and

**WHEREAS**, Florida courts have held that a permissible base for land use restrictions include concern about the effect of the proposed development on traffic, congestion, surrounding property values, demands for public services, and on other aspects of the general welfare. (*WCI Communities, Inc. v. City of Coral Springs*, 885 So. 2d 912, 915 (Fla. 4th DCA 2004); see also *Corn v. City of Lauderdale Lakes*, 997 F. 2d 1369, 1375 (11th Cir. 1993)); and

**WHEREAS**, local governments are entitled to enact moratoriums as a land-use tool to promote effective planning and preserve the status quo while formulating a more permanent development strategy. (*Tahoe-Sierra Pres. Council, Inc. v. Tahoe Reg'l Planning Agency*, 535 U.S. 302, 337; 122 S. Ct. 1465, 1487 (2002); and

**WHEREAS**, a temporary moratorium on the submission and acceptance of applications for building permits, site plans, development orders, development agreements, special permit uses, rezonings, and comprehensive plan amendments related to Data Center Facilities within unincorporated Manatee County will allow the Board the opportunity to determine the appropriateness of allowing such uses and adopt amendments to the Manatee County Comprehensive Plan ("Comprehensive Plan"), Land Development Code("LDC"), and Code of Ordinances ("County Code") and other applicable regulations, as may be required, to regulate or prohibit such uses and the off-site impacts related thereto; and

**WHEREAS**, the Board wishes to establish a temporary moratorium of up to one (1) year on the submission and acceptance of applications for building permits, site plans, development orders, development agreements, special permit uses, rezonings, and comprehensive plan amendments related to Data Center Facilities within the unincorporated area and such moratorium is reasonable and necessary to accomplish the goal of revising its regulations to ensure the community welfare is well-balanced and the public health, safety, and general welfare are preserved; and

**WHEREAS**, on September 22, 2026, the Board of County Commissioners applied the Pending Ordinance Doctrine to this Data Center Facilities Moratorium Ordinance, which was first noticed by publication for public hearing on September 4, 2026; and

**WHEREAS**, public notice of all hearings required by law has been provided in accordance with Chapters 125 and 163, Florida Statutes, and the LDC; and

**WHEREAS,** the Board hereby finds and declares that this Ordinance imposing a moratorium on the submission and acceptance of applications for building permits, site plans, development orders, development agreements, special permit uses, rezonings, and comprehensive plan amendments related to Data Center Facilities is in the best interest of the public health, safety, and welfare, and that it advances a valid and important public purpose.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Manatee County, Florida, as follows:

**SECTION 1. Authority.** This Ordinance is enacted pursuant to Chapter 125, Florida Statutes, and under the home rule powers of the County in the interest of the health, peace, safety, and general welfare of the people of Manatee County.

**SECTION 2. Legislative Findings of Fact.** The foregoing Whereas clauses, incorporated herein, are true and correct. The Board further finds that to enable the Development Services Department and other affected County Departments the opportunity to research, study, and determine the appropriate treatment of Data Center Facilities in Manatee County, it is necessary to place a moratorium on the submission and acceptance of applications for building permits, site plans, development orders, development agreements, special permit uses, rezonings, and comprehensive plan amendments related to Data Center Facilities within the unincorporated area.

**SECTION 3. Applicability.** The temporary moratorium is applicable to the unincorporated area of Manatee County, Florida.

**SECTION 4. Temporary Moratorium Imposed.** The County hereby imposes a temporary moratorium on the submission and acceptance of applications for building permits, site plans, development orders, development agreements, special permit uses, rezonings, and comprehensive plan amendments related to Data Center Facilities within the unincorporated areas. The adoption of this Ordinance is undertaken by the County in good

faith and is intended to further the goals of the Comprehensive Plan and Chapter 163, Florida Statutes, and Chapter Law 2026-65 and is not intended to discriminate against those landowners which may be subject to this Ordinance.

**SECTION 5. Duration of Temporary Moratorium.** The duration of this temporary moratorium shall be twelve (12) months, or until such time as repealed by the Board, whichever occurs first, and may be extended by resolution of the Board to the extent permitted by law. In addition, this temporary moratorium shall not exceed twelve (12) months unless approved by the Board by a majority vote. The limited duration of this temporary moratorium has been established to accomplish appropriate planning and regulations for future development through the LDC amendment process as described in Chapter 163, Part II, Florida Statutes, the Comprehensive Plan, the County Code and other applicable regulations. The Board may extend this moratorium by resolution if it makes a legislative determination that it is in the best interests of the citizens of Manatee County to do so.

**SECTION 6. Severability.** If any section, subsection, sentence, clause, provision or word of this Ordinance is held invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

**SECTION 7. Effective Date.** This Ordinance shall take effect immediately upon filing with the Florida Department of State.

**DULY ADOPTED** with a quorum present and voting this 8th day of October 2026.

**BOARD OF COUNTY COMMISSIONERS**
**OF MANATEE COUNTY, FLORIDA**

**By:** _____
**Chairperson**

**ATTEST: ANGELINA COLONNESO**
**CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

**By:** _____
**Deputy Clerk**

FLORIDA DEPARTMENT of STATE

**RON DESANTIS**
Governor

**CORD BYRD**
Secretary of State

October 13, 2026

Angelina Colonneso
Clerk of the Circuit Court
Manatee County
1115 Manatee Ave W
Bradenton, FL 34205

Dear Angelina Colonneso:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. 26-42, which was filed in this office on October 12, 2026.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp

## Hannah Bishop

**From:** Municode Ords Admin <MunicodeOrds@civicplus.com>
**Sent:** Friday, October 9, 2026 4:32 PM
**To:** Hannah Bishop
**Subject:** Re: Manatee County Ordinance

**Follow Up Flag:** Follow up
**Flag Status:** Completed

[**NOTICE:** This message originated outside of Manatee County Clerk's Office -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

We have received your files.

Thank you very much.

Have a great day,

Ords Administrator
municodeords@civicplus.com
1-800-262-2633
P.O. Box 2235
Tallahassee, FL 32316

When available, please send all documents in WORD format to municodeords@civicplus.com. However, if WORD format is not available, we welcome any document format including PDF.



Powering and Empowering Local Governments

JPB

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**From:** Hannah Bishop <Hannah.Bishop@ManateeClerk.com>
**Sent:** Friday, October 9, 2026 9:24 AM
**To:** countyordinances@dos.myflorida.com <countyordinances@dos.myflorida.com>; Municode Ords Admin <MunicodeOrds@civicplus.com>
**Subject:** Manatee County Ordinance

| | |
|---|---|
| Sender Full Name: | Hannah Bishop |
| Sender Phone number: | 941-749-1800 |
| County Name: | Manatee |
| Ordinance Number: | Ordinance 26-42 |

Adopted on October 8, 2026

**Hannah Bishop**
Deputy Clerk, Board Records Department

For Angelina "Angel" Colonneso, Esq.
Manatee Clerk of the Circuit Court & Comptroller
(941) 749-1800 Ext. 4181
1115 Manatee Ave W, Bradenton, FL 34205
www.ManateeClerk.com

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**APPROVED** in Open Session
10/8/2026
Manatee County Board of County Commissioners

October 8, 2026 - Regular Meeting

## Subject

**Adoption of Ordinance 26-42, Data Center Moratorium - PLN2609-0022 - Legislative - Countywide - Jay Stearman, Planner I**

An Ordinance of Manatee County, Florida establishing a temporary moratorium on the submission and acceptance of applications for building permits, site plans, development orders, development agreements, special permit uses, rezonings, and Comprehensive Plan Amendments related to Date Centers, Large-Scale Data Centers and other large load customers within unincorporated Manatee County; providing for authority; Legislative Findings of Fact; temporary moratorium imposed; duration of temporary moratorium, providing for severability; and an effective date.

**Category**
**ADVERTISED PUBLIC HEARINGS (Presentations Upon Request)**

**Briefings**
Briefing Provided Upon Request

**Contact and/or Presenter Information**
Presenter: Jay Stearman, Planner I, 941-748-4501 ext. 3477, jay.stearman@mymanatee.org
Contact: Bobbi Roy, Supervisor, Agenda Division, 941-748-4501 ext. 6878, bobbi.roy@mymanatee.org

**Action Requested**
**ALTERNATIVE MOTIONS**

**APPROVAL**
Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and in accordance with the applicable provisions of the Land Development Code, I move to ADOPT Manatee County Ordinance No. 26-42, as recommended by the Planning Commission.

**DENIAL**
Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be INCONSISTENT with the Manatee County Comprehensive Plan and not in accordance with the applicable provisions of the Land Development Code, I move to DENY Manatee County Ordinance No. 26-42.

**Enabling/Regulating Authority**
Manatee County Comprehensive Plan
Manatee County Land Development Code.

**Applicable Advisory Board**
**PLANNING COMMISSION ACTION:**

- On September 17, 2026, by a vote of 6 – 0, the Planning Commission recommended approval.

**PUBLIC COMMENT AND CORRESPONDENCE:**
**September 17, 2026 – Planning Commission**

- There were no public comments.
- A revised Ordinance was entered into the record and it attached hereto.

**Background Discussion**
At the Regular Meeting of the Board of County Commissioners on July 28, 2026, a motion was made and carried 6-0, to authorize preparation of a proposed ordinance regarding a temporary moratorium for data centers and other large-load customers or facilities with substantial electrical, water, wastewater, or other utility demands. The Planning Commission public hearing is set for September 17, 2026 (rescheduled from September 10, 2026), the first Board public hearing is scheduled for September 22, 2026 and the adoption public hearing is scheduled for October 6, 2026.

**PLANNING COMMISSION ACTION:**

- On September 17, 2026, by a vote of 6 – 0, the Planning Commission recommended approval.

**BOARD OF COUNTY COMMISSIONERS ACTION:**

- The first public hearing is scheduled for September 22, 2026. No action will be take at that hearing.

- The second public hearing scheduled for October 6 was continued to October 8, 2026.

**PUBLIC COMMENT AND CORRESPONDENCE:**
**September 17, 2026 – Planning Commission**

- There were no public comments.
- A revised Ordinance was entered into the record, and it attached hereto.

**September 22, 2026 – Board of County Commissioners Regular meeting**

- Martha Jacobs spoke in support of a temporary moratorium and hopes Manatee County decides to enforce a permanent moratorium following the 12-month moratorium.
- Updated with the Affidavit of Publishing, Revised Ordinance 26-42, and public comments was entered into the record.

**October 6, 2026 – Board of County Commissioners Regular meeting**

- Andra Griffin spoke against the continuance of this Ordinance, and feels the continuance was planned.

- Carol Whitmore requested the date for the continuance.
- Pat Simmons questioned when and where the public hearing will take place.
- Tracy Lipton questioned what will be heard and when.
- Updated with the Revised Business Impact Estimate and Affidavit of Publishing and additional public comment entered into the record.

**Attorney Review**
Other (Requires explanation in field below) Schenk
Sarah Schenk reviewed and responded by emails to Matter FY24/26-0472.

**Instructions to Board Records**
Please ensure the Chairman signs page 6 of the Ordinance.

Please forward a copy of the executed document to bobbi.roy@mymanatee.org

**Cost and Funds Source Account Number and Name**
N/A

**Amount and Frequency of Recurring Costs**
N/A

October 8, 2026 - Land Use Meeting

## Subject
**Updates to Agenda - October 7, 2026**

**Category**
ANNOUNCEMENTS

**Briefings**
None

**Contact and/or Presenter Information**
Bobbi Roy, Agenda Division Supervisor, ext 6878

**Action Requested**
Updates incorporated appropriately

**Enabling/Regulating Authority**
N/A

**Applicable Advisory Board**
N/A

**Background Discussion**
**Below are agenda updates(dated 10/7/2026) for the meeting of 10/8/2026 9:00 AM - October 8, 2026 - Land Use Meeting**

**G. CONSENT AGENDA**

**Financial Management**

**Item 9. Adoption of Budget Amendment Resolution B-26-117 and Budget Amendment Resolution B-26-120 for Infrastructure Sales Tax, Claudia Campos, Chief Financial Officer** - Revised Budget Resolution added.

**J. ADVERTISED PUBLIC HEARINGS - LEGISLATIVE**

**Presentations Upon Request**

**Item 14. Ordinance No. 26-45 Petition to Amend the Boundaries of the Buckhead Trails II Community Development District by Contraction of Boundaries-Legislative-Allecia Henry, Planner I- District 1** - Revised attachment 1. Petition to amend district

boundaries Buckhead trails CDD and 2.Ord.26-45 Buckhead trails II CDD boundary amendment.

**Item 25. Adoption of Ordinance 26-42, Data Center Moratorium - PLN2609-0022 - Legislative - Countywide - Jay Stearman, Planner I** - Added public comment.

**K. ADVERTISED PUBLIC HEARINGS - QUASI-JUDICIAL**

**Presentations Scheduled**

**Item 19. Ordinance No. 26-15 – Parrish Lakes DRI #28 – PLN2408-0048 - Quasi-Judicial - CJ Mills, Planner II - District 1** - Added public comment.

**Item 20. PDMU-16-16(G)(R3) – Parrish Lakes GDP Amendment – Hawk Parrish Lakes, LLC., CNL Parrish Lakes East, LLC., CNL Parrish Lakes West, LLC., and FLM Inc. – PLN2408-0049- Quasi-Judicial-CJ Mills, Planner II - District 1** - Added public comment.

**L. REGULAR**

**Development Services**

**Item 22. Planning Commission Appointment - Choose two - Nicole Knapp, Director**- Corrected applicants application to reflect Brad instead Brian.

**Attorney Review**
Not Reviewed (No apparent legal issues)

**Instructions to Board Records**
N/A

**Cost and Funds Source Account Number and Name**
N/A

**Amount and Frequency of Recurring Costs**
N/A

**Board of County Commissioners: October 8, 2026**

**ORDINANCE NO. 26-42**
**DATA CENTER MORATORIUM**
**(PLN2609-0022)**

**AN ORDINANCE MANATEE COUNTY, FLORIDA ESTABLISHING A TEMPORARY MORATORIUM ON THE SUBMISSION AND ACCEPTANCE OF APPLICATIONS FOR BUILDING PERMITS, SITE PLANS, DEVELOPMENT ORDERS, DEVELOPMENT AGREEMENTS, SPECIAL PERMIT USES, REZONINGS, AND COMPREHENSIVE PLAN AMENDMENTS RELATED TO DATA CENTERS, LARGE-SCALE DATA CENTERS AND OTHER LARGE LOAD CUSTOMERS WITHIN UNINCORPORATED MANATEE COUNTY; PROVIDING FOR AUTHORITY; LEGISLATIVE FINDINGS OF FACT; TEMPORARY MORATORIUM IMPOSED; DURATION OF TEMPORARY MORATORIUM; PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE.**

| | |
|---|---|
| **Planning Commission:** | **09/17/2026** |
| **BOCC (First Public Hearing):** | **09/22/2026** |
| **BOCC (Second Public Hearing-Adoption):** | **10/06/2026 & 10/08/2026** |

**ALTERNATIVE MOTIONS**

**APPROVAL**
**Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and in accordance with the applicable provisions of the Land Development Code, I move to ADOPT Manatee County Ordinance No. 26-42, as recommended by the Planning Commission.**

**DENIAL**
**Based upon the staff report, evidence presented, comments made at the Public Hearing, the actin of the Planning Commission, and finding the request to be INCONSISTENT with the Manatee County Comprehensive Plan and not in accordance with the applicable provisions of the Land Development Code, I move to DENY Manatee County Ordinance No. 26-42.**

**PLANNING COMMISSION ACTION:**

**On September 17, 2026, by a vote of 6 – 0, the Planning Commission recommended approval with Member Bower absent.**

**BOARD OF COUNTY COMMISSIONERS ACTION:**

**The first public hearing is scheduled for September 22, 2026. No action will be taken at that hearing.**

**The second public hearing scheduled for October 6 was continued to October 8, 2026.**

**PUBLIC COMMENT AND CORRESPONDENCE:**

**September 17, 2026 – Planning Commission**

- **There were no public comments.**
- **A revised Ordinance was entered into the record and is attached hereto.**

**September 22, 2026 – Board of County Commissioners Regular meeting**

- **Martha Jacobs spoke in support of a temporary moratorium and hopes Manatee County decides to enforce a permanent moratorium following the 12-month moratorium.**
- **Updated with the Affidavit of Publishing, Revised Ordinance 26-42, and public comments was entered into the record.**

**October 6, 2026 – Board of County Commissioners Regular meeting**

- **Andra Griffin spoke against the continuance of this Ordinance, and feels the continuance was planned.**
- **Carol Whitmore requested the date for the continuance.**
- **Pat Simmons questioned when and where the public hearing will take place.**
- **Tracy Lipton questioned what will be heard and when.**
- **Updated with the Revised Business Impact Estimate and Affidavit of Publishing and additional public comment entered into the record.**

**BACKGROUND INFORMATION:**

A motion, which carried 6-0, was made at the Regular Meeting of the Board of County Commissioners on July 28, 2026, to address data centers and large load customers by directing staff to prepare a draft ordinance establishing a temporary moratorium on the acceptance, processing, and review of applications and development orders related to Data Centers and other "large-load customers." The goal of the moratorium would be to allow staff to conduct a thorough evaluation of the County's Comprehensive Plan, Land Development Code, and other land development regulations to identify amendments to the Future Land Use Categories, applicable maps, goals, objectives and policies of the Comprehensive Plan, and amendments to the Land Development Regulations and other applicable manuals, codes and regulations. The full motion has been provided as Attachment 1.

On July 1, 2026, Chapter 2026-65, Laws of Florida (Senate Bill 484) took effect which defines the terms "data center" and "large-load customers," forbids economic agencies from entering into non-disclosure agreements for developments of Data Centers in progress, requires minimum energy tariffs for large load customers, adds conditions for providing water to large-scale data centers, and asserts local governments' authority to "exercise the powers and responsibilities for comprehensive planning and land development regulation granted by law with respect to large load customers." A "large-scale data center" or "other large-load customers" means a single location of one or more data centers that has an anticipated monthly peak load of 50 megawatts or more, calculated as the highest average load over a 15-minute interval. The minimum tariff and service requirements must reasonably ensure that each large load customer bears its own full cost of service and that such cost is not shifted to the general body of ratepayers. Regrading the provisioning of water to large-scale data centers, Chapter 2026-65, Laws of Florida states that the "governing board of a water management district or the department may not issue a permit to a large-scale data center applicant for an allocation of water if the proposed use of the water is harmful to the water resources of the area or is prohibited by the applicable local government zoning regulations and comprehensive plan." The law continues on to say that a permit shall be issued to a large-scale data center applicant for an allocation of water if the applicant establishes that the proposed use of water (a) is a reasonable-beneficial use as defined in s. 373.019, Florida Statutes, (b) will not interfere with any presently existing legal use of water, and (c) is consistent with the public interest.

While not an entirely new use, data center development has received a substantial increase in investment due macroeconomic trends targeting the provision of artificial intelligence operations within online products and services. Together with efficiency gains from the co-location of computer servers and associated equipment, large-scale and hyperscale data centers have received significant financial backing from major technology firms primarily in an effort to expand artificial intelligence related operations. Large-scale data centers, and other large load are known to require substantial water resources for cooling systems and substantial electrical power to support continuous computing operations, which in some cases require infrastructure demands comparable to small municipalities and have the potential to place significant demands on regional water supplies, water treatment infrastructure, electrical grid capacity, particularly in rapidly growing areas. Data centers, as a use, generally do not support many long-term employment opportunities once operational. Additionally, large data center buildings are continuously operated and are prone to emitting low-frequency 'hums' and 'drones' generated primarily by fans and other cooling equipment which may not exceed local conventional noise ordinance limits, yet can produce constant nuisance noise to surrounding properties.

Several counties in Central and South Florida have adopted or are currently contemplating the adoption of temporary moratoriums with respect to data centers including Sarasota County, DeSoto County, Pasco County, Lake County, Citrus County, Palm Beach County, and Hernando County.

*Positive Considerations*
A 12-month moratorium will allow staff time to recommend appropriate Comprehensive Plan, Land Development Code, and Code of Ordinances changes to establish planning and use categories for different types of data center facilities and to address water and electricity consumption considerations, noise abatement, siting and aesthetic standards, and compatible zoning districts and Future Land Use Categories.

Currently, the Land Development Code does not define “data center,” “large-scale data center,” or “large load customer” as a use or use category within Chapter 2 of the Land Development Code. As such, the use is not shown on any of the schedules of uses contained in Chapter 4 of the Land Development Code for either Standard or Planned Development zoning districts. Enacting the moratorium will allow staff the time to recommend appropriate definitions of data center uses and add them to schedules of uses within corresponding zoning districts which are compatible with the Comprehensive Plan to minimize adverse off-site impacts.

Staff would also use the time period of the moratorium to carefully design standards for specific uses contained in Section 531 of the Land Development Code. This section would contain siting standards including setbacks and buffers contextual to surrounding uses and impose regulations on noise abatement, process requirements, and other factors which may come into consideration during the course of research.

The Board will consider whether the establishment of a temporary moratorium of up to one year on the submission and acceptance of applications for building permits, site plans, development orders, development agreements, special permit uses, rezonings, and comprehensive plan amendments related to Data Center Facilities is reasonable and necessary to accomplish the goal of revising the County’s regulations to ensure the community welfare is well-balanced and the public health, safety, and general welfare are preserved.

**PROPOSED CHANGES:**
The proposed change is a proactive moratorium on the acceptance of all data center-related development orders in applications for the next 12 months so that staff can review and recommend adoption of appropriate regulations and updates to the Comprehensive Plan, Land Development Code, and Code of Ordinances as may be necessary.

**CONSISTENCY WITH THE LAND DEVELOPMENT CODE:**
The LDC is enacted pursuant to Section 163.3202 of the Florida Statutes and its purpose is to implement the Comprehensive Plan of the County by establishing regulations, procedures, and standards for review and approval of all development and use of land in the unincorporated portions of the County. It states in Section 101, Authority and Purpose, of the LDC that the “Land Development Code is adopted in order to foster and preserve public health, safety, comfort, and welfare in the unincorporated areas of the County.” Furthermore, the LDC states that “It is the intent of this Code that the development process in Manatee County be efficient, in terms of time and expense, effective, in terms of addressing the natural resource and public facility implications of proposed development, and equitable, in terms of consistency with established regulations and

procedures, respect for the rights of property owners, and the consideration of the interests of the citizens of the County."

**CONSISTENCY WITH THE COMPREHENSIVE PLAN:**
Specifically, the proposed ordinance is consistent with Elements 2, Future Land Use, 8, Recreation and Open Space, and 9, Public Facilities, of the Comprehensive Plan specifically with the following objectives and policies:

**Policy 2.1.4.2.** Continue enforcing the LDC provisions to mitigate the impact of light industrial uses on neighboring residential uses through the utilization of appropriate measures such as transition/landscape buffering, building design, setbacks, noise barriers, exterior lighting controls, operating hour limits, vibration limits, truck access/routing limits, binding agreements to benefit and protect the community, and other practices as necessary to protect and enhance neighborhoods and community character.

**Policy: 2.2.2.2.5. Watershed Overlay District Development Restriction/Conditions.**

**Objective 2.4.1. - Level of Service and Concurrency.** – Require the issuance of a Certificate of Level of Service for all development to ensure that required public facilities and services are available concurrent with development.

**Objective 2.6.1. - Compatibility through Screening, Buffering, Setbacks, and Other Mitigative Measures.** – Require suitable separation between adjacent incompatible land uses to reduce the possibility of adverse impacts to residents and visitors, to protect the public health, and to provide for strong communities.

**Objective 2.6.3. - Industrial Compatibility and Performance Measures.** – Industrial development compatible with adjacent uses. (See also Goals 3.2, 3.3, and 3.4)

**Policy 2.6.3.1.** Consider performance standards or other measures to distinguish between light and heavy industries.

**Objective 2.9.4. - Community Image.** – Develop an aesthetically pleasing environment which enhances the image of Manatee County as a high quality community in which to live, work, and visit.

**Policy 2.9.4.6.** Reduce noise and pollution, promote an aesthetically pleasing environment, and promote water conservation through the use of native landscaping materials.

**GOAL - 2.14** Establish Specific Area Policies to Minimize the Impact of Certain Developments on the Community.

**Objective 2.14.1.** - Establish specific policies restricting the location and intensity of certain developments in order to preserve and protect neighborhoods from encroachment by incompatible uses and intensities, ensure adequate provision of infrastructure, and other reasons the Board of County Commissioners may decide warrant a specific area policy.

**Objective 8.3.1.** – Protect Conservation and open space lands from incompatible uses to maintain the function and value of open space lands as habitat for wildlife, promote unique communities, and for passive recreation.

**GOAL - 9.5** Ensure Adequate Supply, Treatment, and Delivery of Potable Water For All Retail and Wholesale Customers of Manatee County Within the Potable/Wastewater Service Areas.

In the opinion of Staff, Ordinance 26-42 is consistent with the Comprehensive Plan and in accordance with the Land Development Code.

**Attachments**

1. Ordinance No. 26-42
2. Business Impact Estimate
3. Chapter 2026-65, Laws of Florida
4. Affidavit of Publishing
5. Public comment

**ORDINANCE NO. 26-42**

**AN ORDINANCE OF MANATEE COUNTY, FLORIDA ESTABLISHING A TEMPORARY MORATORIUM ON THE SUBMISSION AND ACCEPTANCE OF APPLICATIONS FOR BUILDING PERMITS, SITE PLANS, DEVELOPMENT ORDERS, DEVELOPMENT AGREEMENTS, SPECIAL PERMIT USES, REZONINGS, AND COMPREHENSIVE PLAN AMENDMENTS RELATED TO DATA CENTERS, LARGE-SCALE DATA CENTERS AND OTHER LARGE LOAD CUSTOMERS WITHIN UNINCORPORATED MANATEE COUNTY; PROVIDING FOR AUTHORITY; LEGISLATIVE FINDINGS OF FACT; TEMPORARY MORATORIUM IMPOSED; DURATION OF TEMPORARY MORATORIUM; PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Manatee County, Florida, (hereinafter the "Board") has the authority pursuant to Chapter 125, Florida Statutes, and Article VIII of the Florida Constitution to protect the public health, safety, and general welfare of its residents and to enact ordinances for valid governmental purposes that are not inconsistent with general or special law; and

**WHEREAS**, Chapter Law 2026-65 creating Section 163.326, Florida Statutes, specifically provides for the authority of the Board to regulate facilities with substantial electric or other utility demands, such as data centers, large-scale data centers, as defined in Sections 373.203(3) and (4), Florida Statutes, and other large load customers, as defined in Section 366.043(2)(d), Florida Statutes, through comprehensive plans and land development regulations. Further, newly created Section 373.262, Florida Statutes, provides that local governments may prohibit the siting of large-scale data centers within their jurisdictions; and

**WHEREAS**, Manatee County is located within a coastal region and in the Tampa Bay Area, an area that relies heavily upon groundwater resources from the Floridan Aquifer system and surface waters; and

**WHEREAS**, the Southwest Florida Water Management District and the Peace River Manasota Regional Water Supply Authority, of which Manatee County is a member, emphasize the importance of careful management of groundwater withdrawals and surface

water resources to ensure long-term environmental and economic stability for the region; and

**WHEREAS**, data centers, large-scale data centers, and other large load customers (hereinafter referred to collectively as “Data Center or Facilities”) are known to require substantial water resources for cooling systems and substantial electrical power to support continuous computing operations, which in some cases require infrastructure demands comparable to small municipalities; and

**WHEREAS**, such Facilities have the potential to place significant demands on regional water supplies, water treatment infrastructure, electrical grid capacity, particularly in rapidly growing areas such as Manatee County; and

**WHEREAS**, such Facilities are typically massive in scale, covering vast land areas hundreds of acres in size with buildings and infrastructure, while providing little to no employment opportunities; and

**WHEREAS**, the Board finds that Manatee County currently lacks specific zoning provisions or development regulations addressing the unique operational characteristics, infrastructure requirements, and environmental considerations associated with Data Center Facilities; and

**WHEREAS**, the Board further finds that allowing such Facilities to proceed without appropriate regulatory standards would create risks to the County’s and the Region’s water resources, electrical infrastructure capacity, and land use planning objectives, will undermine economic development initiatives and long-term community development strategies; and

**WHEREAS**, local governments may enact moratoriums if the moratorium is intended to preserve the status quo and is rationally related to the government’s attempt to enact changes to development regulations. (*WCI Communities Inc. v. City of Coral Springs*, 885 So. 2d 912 (Fla. 4th DCA 2004)); and

**WHEREAS**, Florida courts have held that a permissible base for land use restrictions include concern about the effect of the proposed development on traffic, congestion, surrounding property values, demands for public services, and on other aspects of the general welfare. (*WCI Communities, Inc. v. City of Coral Springs*, 885 So. 2d 912, 915 (Fla. 4th DCA 2004); see also *Corn v. City of Lauderdale Lakes*, 997 F. 2d 1369, 1375 (11th Cir. 1993)); and

**WHEREAS**, local governments are entitled to enact moratoriums as a land-use tool to promote effective planning and preserve the status quo while formulating a more permanent development strategy. (*Tahoe-Sierra Pres. Council, Inc. v. Tahoe Reg'l Planning Agency*, 535 U.S. 302, 337; 122 S. Ct. 1465, 1487 (2002); and

**WHEREAS**, a temporary moratorium on the submission and acceptance of applications for building permits, site plans, development orders, development agreements, special permit uses, rezonings, and comprehensive plan amendments related to Data Center Facilities within unincorporated Manatee County will allow the Board the opportunity to determine the appropriateness of allowing such uses and adopt amendments to the Manatee County Comprehensive Plan ("Comprehensive Plan"), Land Development Code("LDC"), and Code of Ordinances ("County Code") and other applicable regulations, as may be required, to regulate or prohibit such uses and the off-site impacts related thereto; and

**WHEREAS**, the Board wishes to establish a temporary moratorium of up to one (1) year on the submission and acceptance of applications for building permits, site plans, development orders, development agreements, special permit uses, rezonings, and comprehensive plan amendments related to Data Center Facilities within the unincorporated area and such moratorium is reasonable and necessary to accomplish the goal of revising its regulations to ensure the community welfare is well-balanced and the public health, safety, and general welfare are preserved; and

**WHEREAS**, on September 22, 2026, the Board of County Commissioners applied the Pending Ordinance Doctrine to this Data Center Facilities Moratorium Ordinance, which was first noticed by publication for public hearing on September 4, 2026; and

**WHEREAS**, public notice of all hearings required by law has been provided in accordance with Chapters 125 and 163, Florida Statutes, and the LDC; and

**WHEREAS,** the Board hereby finds and declares that this Ordinance imposing a moratorium on the submission and acceptance of applications for building permits, site plans, development orders, development agreements, special permit uses, rezonings, and comprehensive plan amendments related to Data Center Facilities is in the best interest of the public health, safety, and welfare, and that it advances a valid and important public purpose.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Manatee County, Florida, as follows:

**SECTION 1. Authority.** This Ordinance is enacted pursuant to Chapter 125, Florida Statutes, and under the home rule powers of the County in the interest of the health, peace, safety, and general welfare of the people of Manatee County.

**SECTION 2. Legislative Findings of Fact.** The foregoing Whereas clauses, incorporated herein, are true and correct. The Board further finds that to enable the Development Services Department and other affected County Departments the opportunity to research, study, and determine the appropriate treatment of Data Center Facilities in Manatee County, it is necessary to place a moratorium on the submission and acceptance of applications for building permits, site plans, development orders, development agreements, special permit uses, rezonings, and comprehensive plan amendments related to Data Center Facilities within the unincorporated area.

**SECTION 3. Applicability.** The temporary moratorium is applicable to the unincorporated area of Manatee County, Florida.

**SECTION 4. Temporary Moratorium Imposed.** The County hereby imposes a temporary moratorium on the submission and acceptance of applications for building permits, site plans, development orders, development agreements, special permit uses, rezonings, and comprehensive plan amendments related to Data Center Facilities within the unincorporated areas. The adoption of this Ordinance is undertaken by the County in good

faith and is intended to further the goals of the Comprehensive Plan and Chapter 163, Florida Statutes, and Chapter Law 2026-65 and is not intended to discriminate against those landowners which may be subject to this Ordinance.

**SECTION 5. Duration of Temporary Moratorium.** The duration of this temporary moratorium shall be twelve (12) months, or until such time as repealed by the Board, whichever occurs first, and may be extended by resolution of the Board to the extent permitted by law. In addition, this temporary moratorium shall not exceed twelve (12) months unless approved by the Board by a majority vote. The limited duration of this temporary moratorium has been established to accomplish appropriate planning and regulations for future development through the LDC amendment process as described in Chapter 163, Part II, Florida Statutes, the Comprehensive Plan, the County Code and other applicable regulations. The Board may extend this moratorium by resolution if it makes a legislative determination that it is in the best interests of the citizens of Manatee County to do so.

**SECTION 6. Severability.** If any section, subsection, sentence, clause, provision or word of this Ordinance is held invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

**SECTION 7. Effective Date.** This Ordinance shall take effect immediately upon filing with the Florida Department of State.

**DULY ADOPTED** with a quorum present and voting this 8th day of October 2026.

**BOARD OF COUNTY COMMISSIONERS**
**OF MANATEE COUNTY, FLORIDA**

**By:** _____
**Chairperson**

**ATTEST: ANGELINA COLONNESO**
**CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

**By:** _____
**Deputy Clerk**

**ORDINANCE NO. 26-42**

**AN ORDINANCE OF MANATEE COUNTY, FLORIDA ESTABLISHING A TEMPORARY MORATORIUM ON THE SUBMISSION AND ACCEPTANCE OF APPLICATIONS FOR BUILDING PERMITS, SITE PLANS, DEVELOPMENT ORDERS, DEVELOPMENT AGREEMENTS, SPECIAL PERMIT USES, REZONINGS, AND COMPREHENSIVE PLAN AMENDMENTS RELATED TO DATA CENTERS, LARGE-SCALE DATA CENTERS AND OTHER LARGE LOAD CUSTOMERS WITHIN UNINCORPORATED MANATEE COUNTY; PROVIDING FOR AUTHORITY; LEGISLATIVE FINDINGS OF FACT; TEMPORARY MORATORIUM IMPOSED; DURATION OF TEMPORARY MORATORIUM; PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Manatee County, Florida, (hereinafter the "Board") has the authority pursuant to Chapter 125, Florida Statutes, and Article VIII of the Florida Constitution to protect the public health, safety, and general welfare of its residents and to enact ordinances for valid governmental purposes that are not inconsistent with general or special law; and

**WHEREAS**, Chapter Law 2026-65 creating Section 163.326, Florida Statutes, specifically provides for the authority of the Board to regulate facilities with substantial electric or other utility demands, such as data centers, large-scale data centers, as defined in Sections 373.203(3) and (4), Florida Statutes, and other large load customers, as defined in Section 366.043(2)(d), Florida Statutes, through comprehensive plans and land development regulations. Further, newly created Section 373.262, Florida Statutes, provides that local governments may prohibit the siting of large-scale data centers within their jurisdictions; and

**WHEREAS**, Manatee County is located within a coastal region and in the Tampa Bay Area, an area that relies heavily upon groundwater resources from the Floridan Aquifer system and surface waters; and

**WHEREAS**, the Southwest Florida Water Management District and the Peace River Manasota Regional Water Supply Authority, of which Manatee County is a member, emphasize the importance of careful management of groundwater withdrawals and surface

water resources to ensure long-term environmental and economic stability for the region; and

**WHEREAS**, data centers, large-scale data centers, and other large load customers (hereinafter referred to collectively as “Data Center or Facilities”) are known to require substantial water resources for cooling systems and substantial electrical power to support continuous computing operations, which in some cases require infrastructure demands comparable to small municipalities; and

**WHEREAS**, such Facilities have the potential to place significant demands on regional water supplies, water treatment infrastructure, electrical grid capacity, particularly in rapidly growing areas such as Manatee County; and

**WHEREAS**, such Facilities are typically massive in scale, covering vast land areas hundreds of acres in size with buildings and infrastructure, while providing little to no employment opportunities; and

**WHEREAS**, the Board finds that Manatee County currently lacks specific zoning provisions or development regulations addressing the unique operational characteristics, infrastructure requirements, and environmental considerations associated with Data Center Facilities; and

**WHEREAS**, the Board further finds that allowing such Facilities to proceed without appropriate regulatory standards would create risks to the County’s and the Region’s water resources, electrical infrastructure capacity, and land use planning objectives, will undermine economic development initiatives and long-term community development strategies; and

**WHEREAS**, local governments may enact moratoriums if the moratorium is intended to preserve the status quo and is rationally related to the government’s attempt to enact changes to development regulations. (*WCI Communities Inc. v. City of Coral Springs*, 885 So. 2d 912 (Fla. 4th DCA 2004)); and

**WHEREAS**, Florida courts have held that a permissible base for land use restrictions include concern about the effect of the proposed development on traffic, congestion, surrounding property values, demands for public services, and on other aspects of the general welfare. (*WCI Communities, Inc. v. City of Coral Springs*, 885 So. 2d 912, 915 (Fla. 4th DCA 2004); see also *Corn v. City of Lauderdale Lakes*, 997 F. 2d 1369, 1375 (11th Cir. 1993)); and

**WHEREAS**, local governments are entitled to enact moratoriums as a land-use tool to promote effective planning and preserve the status quo while formulating a more permanent development strategy. (*Tahoe-Sierra Pres. Council, Inc. v. Tahoe Reg'l Planning Agency*, 535 U.S. 302, 337; 122 S. Ct. 1465, 1487 (2002); and

**WHEREAS**, a temporary moratorium on the submission and acceptance of applications for building permits, site plans, development orders, development agreements, special permit uses, rezonings, and comprehensive plan amendments related to Data Center Facilities within unincorporated Manatee County will allow the Board the opportunity to determine the appropriateness of allowing such uses and adopt amendments to the Manatee County Comprehensive Plan ("Comprehensive Plan"), Land Development Code("LDC"), and Code of Ordinances ("County Code") and other applicable regulations, as may be required, to regulate or prohibit such uses and the off-site impacts related thereto; and

**WHEREAS**, the Board wishes to establish a temporary moratorium of up to one (1) year on the submission and acceptance of applications for building permits, site plans, development orders, development agreements, special permit uses, rezonings, and comprehensive plan amendments related to Data Center Facilities within the unincorporated area and such moratorium is reasonable and necessary to accomplish the goal of revising its regulations to ensure the community welfare is well-balanced and the public health, safety, and general welfare are preserved; and

**WHEREAS**, on September 22, 2026, the Board of County Commissioners applied the Pending Ordinance Doctrine to this Data Center Facilities Moratorium Ordinance, which was first noticed by publication for public hearing on September 4, 2026; and

**WHEREAS**, public notice of all hearings required by law has been provided in accordance with Chapters 125 and 163, Florida Statutes, and the LDC; and

**WHEREAS,** the Board hereby finds and declares that this Ordinance imposing a moratorium on the submission and acceptance of applications for building permits, site plans, development orders, development agreements, special permit uses, rezonings, and comprehensive plan amendments related to Data Center Facilities is in the best interest of the public health, safety, and welfare, and that it advances a valid and important public purpose.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Manatee County, Florida, as follows:

**SECTION 1. Authority.** This Ordinance is enacted pursuant to Chapter 125, Florida Statutes, and under the home rule powers of the County in the interest of the health, peace, safety, and general welfare of the people of Manatee County.

**SECTION 2. Legislative Findings of Fact.** The foregoing Whereas clauses, incorporated herein, are true and correct. The Board further finds that to enable the Development Services Department and other affected County Departments the opportunity to research, study, and determine the appropriate treatment of Data Center Facilities in Manatee County, it is necessary to place a moratorium on the submission and acceptance of applications for building permits, site plans, development orders, development agreements, special permit uses, rezonings, and comprehensive plan amendments related to Data Center Facilities within the unincorporated area.

**SECTION 3. Applicability.** The temporary moratorium is applicable to the unincorporated area of Manatee County, Florida.

**SECTION 4. Temporary Moratorium Imposed.** The County hereby imposes a temporary moratorium on the submission and acceptance of applications for building permits, site plans, development orders, development agreements, special permit uses, rezonings, and comprehensive plan amendments related to Data Center Facilities within the unincorporated areas. The adoption of this Ordinance is undertaken by the County in good

faith and is intended to further the goals of the Comprehensive Plan and Chapter 163, Florida Statutes, and Chapter Law 2026-65 and is not intended to discriminate against those landowners which may be subject to this Ordinance.

**SECTION 5. Duration of Temporary Moratorium.** The duration of this temporary moratorium shall be twelve (12) months, or until such time as repealed by the Board, whichever occurs first, and may be extended by resolution of the Board to the extent permitted by law. In addition, this temporary moratorium shall not exceed twelve (12) months unless approved by the Board by a majority vote. The limited duration of this temporary moratorium has been established to accomplish appropriate planning and regulations for future development through the LDC amendment process as described in Chapter 163, Part II, Florida Statutes, the Comprehensive Plan, the County Code and other applicable regulations. The Board may extend this moratorium by resolution if it makes a legislative determination that it is in the best interests of the citizens of Manatee County to do so.

**SECTION 6. Severability.** If any section, subsection, sentence, clause, provision or word of this Ordinance is held invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

**SECTION 7. Effective Date.** This Ordinance shall take effect immediately upon filing with the Florida Department of State.

**DULY ADOPTED** with a quorum present and voting this 6th day of October 2026.

**BOARD OF COUNTY COMMISSIONERS**
**OF MANATEE COUNTY, FLORIDA**

**By:** _____
**Chairperson**

**ATTEST: ANGELINA COLONNESO**
**CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

**By:** _____
**Deputy Clerk**

Development Services
Public Hearing
9000 Town Center Parkway, Lakewood Ranch, FL 34202
Phone number: (941) 748-4501

# BUSINESS IMPACT ESTIMATE

In accordance with Section 125.66(3)(a), Florida Statutes, a Business Impact Estimate (BIE) is required to be prepared before enacting certain ordinances and posted on Manatee County's website no later than the date the notice of intent to consider the proposed ordinance is published (which, per Section 125.66, Florida Statutes, is 10 days before the public hearing).

## Proposed Ordinance Title

**ORDINANCE NO. 26-42**

**AN ORDINANCE MANATEE COUNTY, FLORIDA ESTABLISHING A TEMPORARY MORATORIUM ON THE SUBMISSION AND ACCEPTANCE OF APPLICATIONS FOR BUILDING PERMITS, SITE PLANS, DEVELOPMENT ORDERS, DEVELOPMENT AGREEMENTS, SPECIAL PERMIT USES, REZONINGS, AND COMPREHENSIVE PLAN AMENDMENTS RELATED TO DATA CENTERS, LARGE-SCALE DATA CENTERS AND OTHER LARGE LOAD CUSTOMERS WITHIN UNINCORPORATED MANATEE COUNTY; PROVIDING FOR AUTHORITY; LEGISLATIVE FINDINGS OF FACT; TEMPORARY MORATORIUM IMPOSED; DURATION OF TEMPORARY MORATORIUM; PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE.**

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The following types of ordinances are exempt from the BIE requirement under Section 125.66(3)(c), Florida Statutes. As such, if one or more boxes are checked below, Manatee County believes that a BIE is not required by state law for the proposed ordinance referenced above. Manatee County reserves the right to revise this BIE following an initial posting. Notwithstanding, Manatee County is preparing this BIE to prevent an inadvertent procedural issue from impacting the enactment of this proposed Ordinance. Manatee County reserves the right to revise this BIE following its initial posting and to discontinue providing this information for proposed ordinances believed to be exempt under state law.

☐ The proposed ordinance is required for compliance with Federal or State law or regulation.

☐ The proposed ordinance relates to the issuance or refinancing of debt.

VACANT District 1 | AMANDA BALLARD District 2 | TAL SIDDIQUE District 3 | MIKE RAHN District 4 | DR. BOB MCCANN District 5 | JASON BEARDEN At Large | GEORGE W. KRUSE At Large

☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget.

☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the local government.

☐ The proposed ordinance is an emergency ordinance.

☐ The ordinance relates to procurement.

☒ The proposed ordinance is enacted to implement the following:

a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits

b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts

c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or

d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

Consistent with the posting requirement set forth in Section 125.66(3)(a), Florida Statutes, the County hereby publishes the following BIE information for this proposed ordinance on its website for public viewing and consideration on this _____ day of _____ 2026:

## 1. Summary of Proposed Ordinance, Including a Statement of the Public Purpose to be Served by the Proposed Ordinance, Such as Serving the Public Health, Safety, Morals, and Welfare of the County:

*At the Regular Meeting of the Board of County Commissioners on July 28, 2026, a motion was made and carried 6-0, regarding a temporary moratorium for data centers and other large-load customers or facilities with substantial electrical, water, wastewater, or other utility demands.* The temporary moratorium is in the interest of the public health, safety, and welfare since it allows the Development Services Department the time to research, study, and prepare the appropriate amendments to the Manatee County Comprehensive Plan, Land Development Code and other applicable ordinances and regulations of the County, to sufficiently address the treatment of data centers.

## 2. Estimate of Direct Economic Impact of Proposed Ordinance on Private, For-Profit Businesses in the County, Including the Following (if any):

a. An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted:

*No direct compliance costs will be incurred if the ordinance is enacted.*

b. Any new charge or fee on businesses subject to the proposed ordinance or for which businesses will be financially responsible:

*There are no current businesses subject to the proposed ordinance that will be financially responsible.*

c. An estimate of the County's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs:

*No regulatory costs or revenues will be imposed on current businesses to cover such costs.*

## 3. A Good Faith Estimate of the Number of Businesses Likely to be Impacted by the Ordinance:

*At this time, no current businesses will be impacted by the ordinance.*

## 4. Additional Information the Board Determines May be Useful:

# CHAPTER 2026-65

## Committee Substitute for
## Committee Substitute for Senate Bill No. 484

An act relating to data centers; creating s. 163.326, F.S.; providing legislative findings; specifying that local governments maintain authority to exercise power and responsibility over comprehensive planning and land development regulations relating to large load customers; prohibiting a large load customer from being considered an electric substation; amending s. 288.075, F.S.; defining the term "data center"; providing an exception to a provision allowing an extension of certain confidentiality protections; creating s. 366.043, F.S.; providing legislative findings; defining terms; requiring public utilities to provide certain minimum tariff and service requirements for large load customers; requiring that such requirements ensure that large load customers bear their costs of service and that such costs are not shifted to the general body of ratepayers; requiring certain measures to minimize the risk of nonpayment of such costs; requiring that such minimum tariff and service requirements include certain provisions designed to prevent a public utility from providing electric service to a large load customer that is a foreign entity; prohibiting a customer from separating a certain electrical load into multiple smaller connections for a specified purpose; authorizing the Florida Public Service Commission to approve public utility tariffs that include certain utility industry-accepted ratemaking and other financial tools; prohibiting any tariff, contractual provision, service requirement, or other public utility policy from preventing or hindering the curtailment or interruption of electric service to a large load customer for certain purposes; prohibiting a public utility from knowingly providing electric service to a large load customer that is a foreign entity; requiring each public utility to file a tariff in compliance with the provisions of the bill by a specified date; amending s. 373.203, F.S.; defining terms; creating s. 373.262, F.S.; providing legislative intent; prohibiting the governing board of a water management district or the Department of Environmental Protection from issuing a permit for the consumptive use of water to a large-scale data center under certain circumstances; requiring that such permit be issued to a large-scale data center applicant if the applicant establishes that the proposed use of water satisfies certain requirements; requiring the governing board or the department to require the use of reclaimed water for a large-scale data center applicant's allocation when certain requirements are met; specifying requirements for certain permit applications; prohibiting the approval of permit applications without a hearing; amending s. 373.239, F.S.; requiring that consumptive use permit modifications proposed by a large-scale data center be treated in a specified manner; requiring the Office of Program Policy Analysis and Government Accountability to contract for a study relating to the construction and operation of large-scale data centers; providing requirements for the study; requiring the study to be submitted


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to the Governor, the President of the Senate, and the Speaker of the House by a specified date; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Effective upon becoming a law, section 163.326, Florida Statutes, is created to read:

163.326 Large load customer considerations.—

(1) The Legislature finds that certain land uses, including facilities with substantial electric or other utility demands, such as data centers and other large load customers as defined in s. 366.043(2), may present unique planning, infrastructure, and compatibility considerations. The Legislature intends that such considerations shall be addressed through local comprehensive planning and land development regulations adopted pursuant to this chapter, including provisions related to infrastructure capacity, land use compatibility, environmental impacts, and the efficient provision of public facilities and services.

(2) Local governments shall maintain the authority to exercise the powers and responsibilities for comprehensive planning and land development regulation granted by law with respect to large load customers. A large load customer may not be considered an electric substation for the purposes of s. 163.3208.

Section 2. Paragraphs (a), (b), and (c) of subsection (1) of section 288.075, Florida Statutes, are redesignated as paragraphs (b), (c), and (d), respectively, paragraph (a) of subsection (2) is amended, and a new paragraph (a) is added to subsection (1) of that section, to read:

288.075 Confidentiality of records.—

(1) DEFINITIONS.—As used in this section, the term:

(a) "Data center" has the same meaning as in s. 373.203.

(2) PLANS, INTENTIONS, AND INTERESTS.—

(a)1. If a private corporation, partnership, or person requests in writing before an economic incentive agreement is signed that an economic development agency maintain the confidentiality of information concerning plans, intentions, or interests of such private corporation, partnership, or person to locate, relocate, or expand any of its business activities in this state, the information is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution for 12 months after the date an economic development agency receives a request for confidentiality or until the information is otherwise disclosed, whichever occurs first.

2. An economic development agency may extend the period of confidentiality specified in subparagraph 1. for up to an additional 12 months upon


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written request from the private corporation, partnership, or person who originally requested confidentiality under this section and upon a finding by the economic development agency that such private corporation, partnership, or person is still actively considering locating, relocating, or expanding its business activities in this state. Such a request for an extension in the period of confidentiality must be received prior to the expiration of any confidentiality originally provided under subparagraph 1. This subparagraph does not apply to information described in subparagraph 1. relating to data centers.

If a final project order for a signed economic development agreement is issued, then the information will remain confidential and exempt for 180 days after the final project order is issued, until a date specified in the final project order, or until the information is otherwise disclosed, whichever occurs first. However, such period of confidentiality may not extend beyond the period of confidentiality established in subparagraph 1. or subparagraph 2.

Section 3. Section 366.043, Florida Statutes, is created to read:

366.043 Large load tariffs for public electric utilities.—

(1) The Legislature finds that the provision of safe and reliable electric services, provided at fair, just, and reasonable rates, is essential to the welfare of the ratepayers of this state. The Legislature further finds that when one class of electric service customer requires uniquely large electrical loads at a single location, it imposes a disproportionate risk on the other ratepayers of this state and makes it necessary for the commission to develop and enforce rate structures and other policies for such customers which ensure such risk is mitigated as much as possible and prevent shifting the costs of serving large load customers to the general body of ratepayers.

(2) As used in this section, the term:

(a) "Controlled by" means having the power to direct or cause the direction of the management or policies of a company, whether through ownership of securities, by contract, or otherwise. A person or an entity that directly or indirectly has the right to vote 25 percent or more of the voting interests of the company or that is entitled to 25 percent or more of its profits is presumed to control the entity.

(b) "Foreign country of concern" has the same meaning as in s. 692.201.

(c) "Foreign entity" means an entity that is:

1. Owned or controlled by the government of a foreign country of concern; or

2. A partnership, an association, a corporation, an organization, or other combination of persons organized under the laws of or having its principal


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place of business in a foreign country of concern, or a subsidiary of such entity.

(d) "Large load customer" means a customer with an anticipated monthly peak load of 50 megawatts or more, calculated as the highest average load over a 15-minute interval at a single location. The term does not include a load aggregated across multiple locations owned by the same customer. However, the term includes all customers or other entities that have entered into a colocation or similar agreement at a single location that otherwise meets the anticipated monthly peak load provided in this paragraph.

(e) "Public utility" has the same meaning as in s. 366.02, except that the term does not include a gas utility.

(3) The following minimum tariff and service requirements for large load customers are required in public utility tariffs:

(a) The minimum tariff and service requirements must reasonably ensure that each large load customer bears its own full cost of service and that such cost is not shifted to the general body of ratepayers. Such cost of service includes, but is not limited to, connection, incremental transmission, incremental generation, and other infrastructure costs; operations and maintenance expenses; and any other costs required to serve a large load customer. The risk of nonpayment of such costs may not be borne by the general body of ratepayers.

(b) The minimum tariff and service requirements must include provisions reasonably designed to prevent a public utility from providing electric service to a customer that would otherwise qualify as a large load customer if that customer is a foreign entity.

(4) A customer may not separate an electrical load at a single location into multiple smaller connections to avoid being classified as a large load customer.

(5) To effectuate the requirements of subsection (3), the commission may approve public utility tariffs that include utility industry-accepted rate-making and other financial tools, including, but not limited to, the following:

(a) Contributions in aid of construction or other required customer infrastructure investments that may be returned, in whole or in part, to such customers over time.

(b) Demand charges, including minimum demand charges.

(c) Incremental generation charges.

(d) Financial guarantees.

(e) Minimum load factors.



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(f) Take-or-pay provisions or similar provisions requiring payment for contracted capacity, regardless of a large load customer's actual electricity use or demand.

(g) Minimum period of service contract requirements, including early termination fees or other fees for violation of such contracts.

(6) Any tariff, contractual provision, service requirement, or other public utility policy relating to large load customers may not prevent or otherwise hinder the curtailment or interruption of electric service to a large load customer where such curtailment or interruption is intended to ensure grid stability, reduce the likelihood or breadth of wider service outages, or ensure public safety during an emergency or other exceptional circumstance.

(7) A public utility may not knowingly provide electric service to a customer that would otherwise qualify as a large load customer if that customer is a foreign entity.

(8) No later than October 1, 2026, each public utility shall file, for commission approval, a tariff that complies with this section.

Section 4. Effective upon becoming a law, subsections (3) and (4) of section 373.203, Florida Statutes, are redesignated as subsections (5) and (6), respectively, and new subsections (3) and (4) are added to that section, to read:

373.203 Definitions.—

(3) "Data center" means a facility that primarily contains electronic equipment used to process, store, and transmit digital information, which may be:

(a) A free-standing structure; or

(b) A facility within a larger structure which uses environmental control equipment to maintain the proper conditions for the operation of electronic equipment.

(4) "Large-scale data center" means a single location, with a data center on site, that has an anticipated monthly peak load of 50 megawatts or more, calculated as the highest average load over a 15-minute interval. The term does not include a load aggregated across multiple locations owned by the same customer. However, the term includes all customers or other entities that have entered into a colocation or similar agreement at a single location that otherwise meets the anticipated monthly peak load provided in this subsection.

Section 5. Section 373.262, Florida Statutes, is created to read:

373.262 Large-scale data center permitting.—



CODING: Words ~~stricken~~ are deletions; words underlined are additions.

(1) It is the intent of the Legislature that the development and operation of large-scale data centers in this state be managed under a permitting framework that ensures this state's water resources are used in the public interest, in a manner that is not harmful to the water resources of this state, and consistent with local government zoning regulations and comprehensive plans.

(2) Consistent with other provisions of this part, the governing board of a water management district or the department may not issue a permit to a large-scale data center applicant for an allocation of water if the proposed use of the water is harmful to the water resources of the area or is prohibited by the applicable local government zoning regulations and comprehensive plan. A permit shall be issued to a large-scale data center applicant for an allocation of water if the applicant establishes that the proposed use of water:

(a) Is a reasonable-beneficial use as defined in s. 373.019;

(b) Will not interfere with any presently existing legal use of water; and

(c) Is consistent with the public interest.

(3) The governing board or the department shall require the use of reclaimed water in lieu of all or a portion of a proposed use of surface water or groundwater by a large-scale data center applicant when:

(a) A suitable reclaimed water supply source is available and permitted;

(b) Reclaimed water distribution or supply lines are available at the property boundary in sufficient capacity and quality to serve the applicant's needs;

(c) The applicant is capable of accessing the reclaimed water source through distribution or supply lines;

(d) Use of reclaimed water is environmentally, economically, and technically feasible; and

(e) Use of reclaimed water would not conflict with the requirements contained in the applicant's surface water discharge permit, if applicable.

(4)(a) In addition to the requirements of s. 373.229, all permit applications made under this part requesting an allocation of at least an average daily flow of 100,000 gallons of water per day by a large-scale data center must contain:

1. All sources and amounts of water and losses of water used for cooling, industrial and treatment processes, personal or sanitary needs of employees, and landscape irrigation; and


CODING: Words ~~stricken~~ are deletions; words underlined are additions.

2. A water conservation plan that, at a minimum, incorporates recycling cooling water before discharge or disposal, implementation of a leak detection and repair program, use of water efficient fixtures, and implementation of an employee awareness and education program concerning water conservation.

(b) Notwithstanding s. 373.229(4), the governing board or the department may not approve a permit application made under this part by a large-scale data center without a hearing.

Section 6. Subsection (2) of section 373.239, Florida Statutes, is amended to read:

373.239 Modification and renewal of permit terms.—

(2) If the proposed modification involves water use of 100,000 gallons or more per day or is proposed by a large-scale data center as defined in s. 373.203, the application shall be treated under the provisions of s. 373.229 in the same manner as the initial permit application. Otherwise, the governing board or the department may at its discretion approve the proposed modification without a hearing, provided the permittee establishes that:

(a) A change in conditions has resulted in the water allowed under the permit becoming inadequate for the permittee's need, or

(b) The proposed modification would result in a more efficient utilization of water than is possible under the existing permit.

Section 7. The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall contract for an independent, interdisciplinary study of policy considerations related to the construction and operation of large-scale data centers, including, but not limited to, state, regional, or local economic development and tax revenue impacts; use of land, water, and other natural resources; energy use and related cost and rate impacts; and public health and safety related impacts. OPPAGA may contract with one or more nonpartisan academic or nonprofit research organizations with policy and scientific expertise in relevant fields of study. The study must identify any issues unique to the construction and operation of large-scale data centers in this state. The study must also include recommendations on facility siting and mitigation measures that should be considered to reduce any potential negative impacts. OPPAGA shall submit the study to the Governor, the President of the Senate, and the Speaker of the House of Representatives by July 1, 2027.

Section 8. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2026.

Approved by the Governor May 7, 2026.

Filed in Office Secretary of State May 7, 2026.

**MANATEE COUNTY GOVERNMENT**

**STATE OF FLORIDA**

**COUNTY OF MANATEE**

Before the undersigned authority personally appeared **Quantana Acevedo,** who on oath says that she is a **County Employee of Manatee County Government, Manatee County, Florida**; that the attached copy of advertisement, being a public notice in the matters of **Notice of Public Hearing for Ordinance 26-42 with Business Impact Estimate** for the **Manatee County Board of County Commissioners Regular Meeting on October 6, 2026**, in Manatee County Florida, was published on the publicly accessible website of Manatee County Government, Manatee County, Florida, of www.mymanatee.org on **September 21, 2026** and corrected on **September 29, 2026**.

Affiant further says that the website complies with all legal requirements for publication in Chapter 50, Florida Statutes.

By: QAcevedo
Quantana Acevedo
Planning and Zoning Tech III

Sworn to and subscribed before me this 29th day of September 2026, by Quantana Acevedo, who is personally known to me or who has produced (type of identification) as identification.

ABIGAIL RUTH-ELLEN BONDS
Notary Public-State of Florida
Commission # HH 815493
My Commission Expires
July 26, 2030

Abigail Bonds
(Signature of Notary Public)
Abigail Bonds
(Print Name of Notary Public)
Notary Public
(Title)

My Commission Expires: July 26, 2030
Commission Number: HH 815493

# NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN**, pursuant to Section 125.66(2)(a), Florida Statutes, that the Board of County Commissioners of Manatee County, Florida, will conduct a public hearing on **October 6, 2026, beginning at 9:00 a.m.**, or as soon thereafter as possible, in the Commission Chambers, located on the first floor of the Manatee County Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, to consider the following Ordinance:

## ORDINANCE NO. 26-42

**AN ORDINANCE OF MANATEE COUNTY, FLORIDA ESTABLISHING A TEMPORARY MORATORIUM ON THE SUBMISSION AND ACCEPTANCE OF APPLICATIONS FOR BUILDING PERMITS, SITE PLANS, DEVELOPMENT ORDERS, DEVELOPMENT AGREEMENTS, SPECIAL PERMIT USES, REZONINGS, AND COMPREHENSIVE PLAN AMENDMENTS RELATED TO DATA CENTERS, LARGE-SCALE DATA CENTERS AND OTHER LARGE LOAD CUSTOMERS WITHIN UNINCORPORATED MANATEE COUNTY; PROVIDING FOR AUTHORITY; LEGISLATIVE FINDINGS OF FACT; TEMPORARY MORATORIUM IMPOSED; DURATION OF TEMPORARY MORATORIUM; PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE.**

**For More Information:** Copies of the proposed amendment will be available for review and copying at cost approximately ten (10) days prior to the public hearing. Information may also be obtained by calling 748-4501 extension 6878, between 8:00 AM - 5:00 PM; email to: planning.agenda@mymanatee.org.

**Americans with Disabilities:** The Board of County Commissioners does not discriminate upon the basis of any individual's disability. Manatee County is committed to providing full access to facilities, programs, and services to all, as well as supporting the employment of qualified individuals with disabilities in its workforce in accordance with federal and state laws and regulations, including the Americans with Disabilities Acts of 1990 (ADA) and as amended ("ADAA"), and 503 and 504 of the Rehabilitation Act of 1973. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act (ADA), or assistance with accessing any of these documents, should contact Carmine DeMilio, ADA Compliance Coordinator, at (941)792-4501 ext. 6016 or carmine.demilio@mymanatee.org, as least 3 business days prior to the scheduled meeting. If you are deaf/hard of hearing and require the services of an interpreter, please contact the Florida Relay Service at 711.

According to Section 286.0105, Florida Statutes, any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the above referenced meeting or public hearing will need a record of the proceedings, and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Date Published: September 21, 2026 and corrected on September 29, 2026

Development Services
Public Hearing
9000 Town Center Parkway, Lakewood Ranch, FL 34202
Phone number: (941) 748-4501

# BUSINESS IMPACT ESTIMATE

In accordance with Section 125.66(3)(a), Florida Statutes, a Business Impact Estimate (BIE) is required to be prepared before enacting certain ordinances and posted on Manatee County's website no later than the date the notice of intent to consider the proposed ordinance is published (which, per Section 125.66, Florida Statutes, is 10 days before the public hearing).

## Proposed Ordinance Title

**ORDINANCE NO. 26-42**

**AN ORDINANCE OF MANATEE COUNTY, FLORIDA ESTABLISHING A TEMPORARY MORATORIUM ON THE SUBMISSION AND ACCEPTANCE OF APPLICATIONS FOR BUILDING PERMITS, SITE PLANS, DEVELOPMENT ORDERS, DEVELOPMENT AGREEMENTS, SPECIAL PERMIT USES, REZONINGS, AND COMPREHENSIVE PLAN AMENDMENTS RELATED TO DATA CENTERS, LARGE-SCALE DATA CENTERS AND OTHER LARGE LOAD CUSTOMERS WITHIN UNINCORPORATED MANATEE COUNTY; PROVIDING FOR AUTHORITY; LEGISLATIVE FINDINGS OF FACT; TEMPORARY MORATORIUM IMPOSED; DURATION OF TEMPORARY MORATORIUM; PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE.**

The following types of ordinances are exempt from the BIE requirement under Section 125.66(3)(c), Florida Statutes. As such, if one or more boxes are checked below, Manatee County believes that a BIE is not required by state law for the proposed ordinance referenced above. Manatee County reserves the right to revise this BIE following an initial posting. Notwithstanding, Manatee County is preparing this BIE to prevent an inadvertent procedural issue from impacting the enactment of this proposed Ordinance. Manatee County reserves the right to revise this BIE following its initial posting and to discontinue providing this information for proposed ordinances believed to be exempt under state law.

☐ The proposed ordinance is required for compliance with Federal or State law or regulation.

☐ The proposed ordinance relates to the issuance or refinancing of debt.

VACANT District 1 | AMANDA BALLARD District 2 | TAL SIDDIQUE District 3 | MIKE RAHN District 4 | DR. BOB MCCANN District 5 | JASON BEARDEN At Large | GEORGE W. KRUSE At Large

☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget.

☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the local government.

☐ The proposed ordinance is an emergency ordinance.

☐ The ordinance relates to procurement.

☒ The proposed ordinance is enacted to implement the following:

a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits

b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts

c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or

d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

Consistent with the posting requirement set forth in Section 125.66(3)(a), Florida Statutes, the County hereby publishes the following BIE information for this proposed ordinance on its website for public viewing and consideration on this 21st day of September 2026 and corrected on 29th day of September 2026:

## 1. Summary of Proposed Ordinance, Including a Statement of the Public Purpose to be Served by the Proposed Ordinance, Such as Serving the Public Health, Safety, Morals, and Welfare of the County:

*At the Regular Meeting of the Board of County Commissioners on July 28, 2026, a motion was made and carried 6-0, regarding a temporary moratorium for data centers and other large-load customers or facilities with substantial electrical, water, wastewater, or other utility demands.* The temporary moratorium is in the interest of the public health, safety, and welfare since it allows the Development Services Department the time to research, study, and prepare the appropriate amendments to the Manatee County Comprehensive Plan, Land Development Code and other applicable ordinances and regulations of the County, to sufficiently address the treatment of data centers.

## 2. Estimate of Direct Economic Impact of Proposed Ordinance on Private, For-Profit Businesses in the County, Including the Following (if any):

a. An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted:

*No direct compliance costs will be incurred if the ordinance is enacted.*

b. Any new charge or fee on businesses subject to the proposed ordinance or for which businesses will be financially responsible:

*There are no current businesses subject to the proposed ordinance that will be financially responsible.*

c. An estimate of the County's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs:

*No regulatory costs or revenues will be imposed on current businesses to cover such costs.*

## 3. A Good Faith Estimate of the Number of Businesses Likely to be Impacted by the Ordinance:

*At this time, no current businesses will be impacted by the ordinance.*

## 4. Additional Information the Board Determines May be Useful:

# Public Comment

Manatee County Government

**Submitted On:**
Oct 5, 2026, 10:02AM EDT

| | |
|---|---|
| **Full Name** | **First Name:** Tamara<br>**Last Name:** Harte |
| **Email** | tamara4manatee@gmail.com |
| **Which meeting is this public comment for? (Please select date of meeting)** | October 06, 2026 |
| **Topic/Agenda Item** | Moratorium on Data Centers |
| **Comment** | Please support the moratorium on Data Centers.<br>I see where the agenda items was moved to 10/8 or later but please stand firm on this moratorium.<br>Thank you<br>Concerned Manatee Resident<br>Tamara Harte |

**From:** Hans Carl Clausen <hclausen@me.com>
**Sent:** Saturday, October 3, 2026 3:39 PM
**To:** TimF@manateechamber.com; JackiD@manateechamber.com; JocelynG@manateechamber.com; CareyM@manateechamber.com; info@manateechamber.com; Amanda Ballard <amanda.ballard@mymanatee.org>; Mike Rahn <mike.rahn@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Jason Bearden <jason.bearden@mymanatee.org>; rob.perry@bradentonfl.gov; katerina.gerakios-siren@bradentonfl.gov; christopher.munyon@bradentonfl.gov; karen.kyser@bradentonfl.gov; Planning@cityofbradenton.com; Robin.Singer@cityofbradenton.com; karen@realizebradenton.com; accounting@realizebradenton.com; engagement@realizebradenton.com; bobmcfarlin@bradenton.com; jajones1@bradenton.com; news@thebradentontimes.com; publisher@thebradentontimes.com; dennis.maley@thebradentontimes.com; James Satcher <james.satcher@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Kevin VanOstenbridge <kevin.vanostenbridge@mymanatee.org>; mistyservia@gmail.com; Carol Whitmore <carol.whitmore@mymanatee.org>; George Kruse <george.kruse@mymanatee.org>; manateelibraryfoundation@gmail.com; mcpls@mymanatee.org; robin.singer@cityofbradenton.com; bradentonconcernedcitizens@gmail.com; deeoleson@icloud.com; deeoleson@gmail.com; planning@bradentonfl.gov; palmroberts@gmail.com; bshinn@cricpa.com; bbenac@hotmail.com; amclerk@cityofannamaria.com; ammayor@cityofannamaria.com; amcommsebring@cityofannamaria.com; amcommshort@cityofannamaria.com; amcommcrane@cityofannamaria.com; amcommsalem@cityofannamaria.com; amcommkingan@cityofannamaria.com; cityclerk@cityofbradenton.com; gene.brown@cityofbradenton.com; jayne.kocher@bradentonfl.gov; marianne.barnebey@bradentonfl.gov; josh.cramer@bradentonfl.gov; lisa.moore@bradentonfl.gov; pam.coachman@bradentonfl.gov; tsanclemente@cityofbradentonbeach.com; mayor@cityofbradentonbeach.com; mmaro@cityofbradentonbeach.com; jvosburgh@cityofbradentonbeach.com; rcole@cityofbradentonbeach.com; cityclerk@holmesbeachfl.org; hbmayor@holmesbeachfl.org; pmorton@holmesbeachfl.org; ddiggins@holmesbeachfl.org; csoustek@holmesbeachfl.org; tschaefer@holmesbeachfl.org; gkerchner@holmesbeachfl.org; tshinkle@longboatkey.org; dwilliams@longboatkey.org; dmurphy@longboatkey.org; hclausen@mac.com; dilip@wfu.edu
**Subject:** Safe Workable Data Center ?

CAUTION:This email originated from an external source.
Be suspicious of Attachments, Links and Request for Login Information and utilize the REPORT MESSAGE Button in Outlook if you feel this is a Phishing email.

If this is true, perhaps Manatee County should look into this?

Hans Clausen
hclausen@me.com
(941) 955-5555

Daily Phew · Follow
a day ago ·

Chinese engineers have switched on the world's first underwater data center powered by offshore wind, off the coast of Shanghai in the Lin-hang Special Area.

The facility has 192 server racks across four levels, uses seawater for cooling instead of freshwater, and its copper-pipe heat exchange system reportedly cuts electricity use by 22.8%. Offshore wind is expected to supply 95% of its power.

It now runs at 2.3 MW, with planned capacity of 24 MW. **See less**




76K 7.6K comments 28K shares

.

**From:** DAVE POTTER <humblehermit3d@yahoo.com>
**Sent:** Friday, August 7, 2026 11:18 PM
**To:** Tal Siddique <tal@mymanatee.org>; drbobmccanne@mymanatee.org; George Kruse <george.kruse@mymanatee.org>; Jason Bearden <jason.bearden@mymanatee.org>; Mike Rahn <mike.rahn@mymanatee.org>; Amanda Ballard <amanda.ballard@mymanatee.org>
**Subject:** NEW DATA CENTERS ARE OBSOLETE...

You don't often get email from humblehermit3d@yahoo.com. Learn why this is important

**CAUTION:This email originated from an external source.
Be suspicious of Attachments, Links and Request for Login Information and utilize the REPORT MESSAGE Button in Outlook if you feel this is a Phishing email.**

**NEW DATA CENTERS ARE OBSOLETE...**

**OUTER SPACE IS COLD...FREE CHILLERS...**

**MUSK OUTER SPACE DATA CENTERS DON'T NEED WATER...**

**NO GROUND WATER OR GROUND ELECTRICITY NEEDED...**

**https://www.businessinsider.com/elon-musk-ai-data-centers-spacex-will-send-into-space-2026-6**

**OUTER SPACE DATA CENTERS DON'T NEED WATER... PHOTOS ON SITE...**

**PLEASE SEND OR FORWARD TO EVERYONE...LAND DATA CENTERS NOT NEEDED AS THEY ARE ALREADY OBSOLETE...SOME FUNDED**

**BY THE RUSSIAN MOB...**

**Elon Musk shared a fresh look at the AI data centers SpaceX wants to send into orbit**

**By Tom Carter**

**SpaceX SpaceX is going all in on AI data centers in space — and the company kicked off its IPO week with a sneak peek.**

**In an interview with a SpaceX employee uploaded onto X on Monday, Elon Musk revealed the most detailed look yet at the AI satellite the company is planning to launch into space in droves.**

**According to the specs shared by SpaceX, the AI data center will be 20 meters tall and have a wingspan of 70 meters, making it the largest satellite the rocket firm has launched to date.**

**A rendering of SpaceX's orbital data center.  SpaceX via the link...**
**https://www.businessinsider.com/elon-musk-ai-data-centers-spacex-will-send-into-space-2026-6**

**Musk described it as "a draft version of version one" of SpaceX's orbital data center, and the satellite consists of a rack of AI chips supported by huge solar panels and liquid radiators.**

**The billionaire said the design was "much simpler" than the company's Starlink satellite, which SpaceX has been launching into space since 2019, and would rely mostly on technology developed for SpaceX's satellite internet service.**

**"We don't think this is a super hard problem, compared to things we already do," said Musk.**

**The massive solar panels will be built at a new factory in Bastrop, Texas, where SpaceX already makes Starlink components. Musk said the "Gigasat" factory, which spans more than 11 million square feet, is under construction and will be operating at "some reasonable volume" by the end of next year.**

**Musk has long been an advocate of using orbital data centers to train and run powerful AI models, arguing that AI satellites can take advantage of plentiful solar energy and avoid the public backlash that has embroiled many new data center projects.**

**SpaceX has indicated it plans to launch as many as one million AI data centers, and the massive expansion of orbital compute is a major part of the company's pitch to investors as it gears up to go public at a $1.75 trillion valuation this week.**

**SpaceX Gigasat**

**SpaceX's "Gigasat" will produce the solar panels that power its AI satellites. SpaceX**

**In investor filings, SpaceX has justified that valuation by arguing it has a total addressable market worth $28.5 trillion, of which AI accounts for $26.5 trillion.**

**In a separate interview on Monday, SpaceX CFO Bret Johnson said SpaceX's AI data centers would use Nvidia GPUs.**

**The orbital platforms will also eventually use specialized radiation-hardened chips built by Terafab, the massive semiconductor fab that SpaceX is building with Tesla and Intel.**

**Musk said on Monday that the Terafab facility would likely be around 10 million square feet, roughly 10 times the size of Tesla's largest factory in Austin.**

**In the 1990s, he founded his first startup, Zip2, with his brother, Kimbal, and began a decades-long career in tech. A group of Silicon Valley investors funded the project.**

**Musk further entrenched himself in the Silicon Valley network with his second venture, online banking company X.com. The company merged with a startup of Peter Thiel's to form PayPal. When PayPal sold to eBay in 2002, Musk made $165 million; he's considered a member of the "PayPal Mafia" and has a complicated relationship with Thiel. Also in 2002, Musk obtained his American citizenship.**

**SpaceX**

**SpaceX is a national and global leader in space exploration, and Musk's ultimate goal is to bring humans to Mars. Throughout the last 20 years, the company has broken record after record, including the largest number of launches of a single rocket in one year.**

**In June 2026, SpaceX made its long-awaited initial public offering, debuting on the Nasdaq. The IPO created an estimated 4,400 new millionaires as former employees cashed in.**

**Beyond its rockets, SpaceX has built a wide satellite network and its global internet traffic more than tripled in 2024. The Starlink satellite internet system operates in Earth's lower orbit, with a constellation of up to 42,000 planned.**

**Elon Musk points out something to Donald Trump**

**Musk spoke with Trump ahead of a SpaceX launch in November 2024 in Brownsville, Texas**

**Starlink has become a key part of SpaceX's business, but has ensnared Musk in geopolitical conflict. Musk has said Starlink has been crucial for Ukraine in its war with Russia, though some Ukrainian military intelligence officials have said that Russia is using the satellites — an allegation Musk has denied.**

**In February 2026, SpaceX acquired xAI as Musk moved to consolidate his vast empire amid the global generative AI race. The merger also positioned xAI to achieve one of Musk's newest lofty ambitions: space data centers.**

**Musk previously said that he wanted SpaceX to send five of its flagship Starship rockets to Mars in 2026, followed by crewed missions a few years later. The billionaire adjusted the Mars plans in February 2026, saying that SpaceX's focus would be placed on developing "self-growing city on the Moon."**

**"SpaceX will also strive to build a Mars city and begin doing so in about 5 to 7 years, but the overriding priority is securing the future of civilization and the Moon is faster," Musk wrote on X.**

**Mars remains a passion for Musk, who during the 2024 presidential campaign wore his signature "Occupy Mars" shirt during a rally alongside Trump.**

**SpaceX's more than two-decade-long history hasn't always been smooth sailing. Musk founded the company in 2002, investing $100 million he made from the sale of PayPal.**

**The company nearly failed. After three unsuccessful launches between 2006 and 2008, funding was running out. Then, on September 28, 2008, SpaceX became the first private company to achieve a successful orbital launch. That same year, SpaceX received a $1.5 billion NASA contract.**

**SpaceX launches now happen on a regular basis. The company publishes a SpaceX launch schedule on its website. Launches typically take place at Cape Canaveral Space Force Base or the Kennedy Space Center in Florida.**

**The SpaceX Falcon 9, a partially reusable two-stage rocket, is often used for launches. The Falcon 9 family of rockets is a key asset for NASA in servicing the International Space Station since the retirement of the Space Shuttle program in 2011.**

**source:**

https://www.businessinsider.com/elon-musk-ai-data-centers-spacex-will-send-into-space-2026-6

**From:** judy suman <sumanjudy@yahoo.com>
**Sent:** Tuesday, August 4, 2026 2:28 PM
**To:** Jason Bearden <jason.bearden@mymanatee.org>
**Subject:** Data center

> You don't often get email from sumanjudy@yahoo.com. Learn why this is important

**CAUTION:This email originated from an external source.**
**Be suspicious of Attachments, Links and Request for Login Information and utilize the REPORT MESSAGE Button in Outlook if you feel this is a Phishing email.**

Just make the data center get their own electrical station  grd or let them in but they have manufacture their own .

Yahoo Mail: Search, Organize, Conquer

# Public Comment

Manatee County Government

**Submitted On:**
Jul 28, 2026, 08:23AM EDT

| | |
|---|---|
| **Full Name** | **First Name:** Robin<br>**Last Name:** Toler |
| **Email** | rbntoler@gmail.com |
| **Which meeting is this public comment for? (Please select date of meeting)** | July 28, 2026 |
| **Topic/Agenda Item** | Data Centers |
| **Comment** | Please vote NO on data centers for Manatee County. We don’t have enough water to water our lawns let alone supply water to cool a data center. I’m also concerned about the effects of a data center to the communities health. |

**From:** Mary Lou Thompson <marylou4707@gmail.com>
**Sent:** Monday, July 27, 2026 9:49 PM
**To:** Jason Bearden <jason.bearden@mymanatee.org>
**Subject:**

We are not against data centers.!

**From:** John Watson <jkwatson66@gmail.com>
**Sent:** Monday, July 27, 2026 9:04 PM
**To:** Jason Bearden <jason.bearden@mymanatee.org>
**Subject:** Data Center Vote

I understand there is a vote on a proposal to ban data centers in Manatee county.  I do not support that proposal.

Supporting AI data centers in Manatee County is an investment in the future. These facilities create high-paying jobs, expand the local tax base, strengthen digital infrastructure, and attract technology companies that drive innovation and economic growth. With responsible planning and environmental stewardship, AI data centers can help position Manatee County as a leader in the next generation of technology while benefiting residents and local businesses.

Instead of trying to ban data centers, maybe you all should prioritize upgrading and modernizing the counties wastewater treatment infrastructure to prevent sewage overflows into the Manatee River during heavy rains. Protecting our waterways is essential for public health, the environment, tourism, and our quality of life. Investing in reliable wastewater solutions today will save taxpayers money in the long run while preserving one of our community's most valuable natural resources.

I think that would be a better use of your time.

/r
John Watson

**From:** Gary Wandeĺ <wandelgary1@gmail.com>
**Sent:** Monday, July 27, 2026 10:38 PM
**To:** Jason Bearden <jason.bearden@mymanatee.org>
**Subject:**

Vote Yes on Ballard purposal to ban data centers

**From:** Ed Neuf <ed@jenmarinsuranceservices.com>
**Sent:** Monday, July 27, 2026 9:03 PM
**To:** Jason Bearden <jason.bearden@mymanatee.org>
**Subject:** Vote NO ON BAN OF DATA CENTERS!

Ed Neuf
JENMAR Insurance Services Inc.
"Knowledge is the key"
ed@jenmarinsuranceservices.com
www.jenmarinsuranceservices.com
941-713-4119

# Public Comment

Manatee County Government

**Submitted On:**
Jul 28, 2026, 08:30AM EDT

| | |
|---|---|
| **Full Name** | **First Name:** Monica<br>**Last Name:** Sell |
| **Email** | msolorio13@gmail.com |
| **Which meeting is this public comment for? (Please select date of meeting)** | |
| **Topic/Agenda Item** | Data Center Manatee District One |
| **Comment** | Dear Commissioners:<br><br>Our current infrastructure has no ability to keep up with all the developments that continue to pop up in the county. We do not want or need a data center in this District or any other. They're destructive to our local landscape, our natural resources. They are an eyesore, and once they become opposite elite, they are than empty and cannot be used for a revamped for future use as they are too expensive to modify as the data centers develop further in technology. A lot more research has to be done on these data centers and their effects on the local ecological system, especially on the usage of water. As a longtime resident, I do Not want these data centers in our communities. Thank you. |

# Public Comment

Manatee County Government

**Submitted On:**
Jul 28, 2026, 08:57AM EDT

| | |
|---|---|
| **Full Name** | **First Name:** Tamara<br>**Last Name:** Harte |
| **Email** | tamara4Manatee@gmail.com |
| **Which meeting is this public comment for? (Please select date of meeting)** | July 28, 2026 |
| **Topic/Agenda Item** | Moratorium on Data Centers |
| **Comment** | Please vote YES to a moratorium on Data Centers |

# Public Comment

Manatee County Government

**Submitted On:**
Jul 28, 2026, 09:24AM EDT

| | |
|---|---|
| **Full Name** | **First Name:** Daniel<br>**Last Name:** Harte |
| **Email** | DanielWHarte@gmail.com |
| **Which meeting is this public comment for? (Please select date of meeting)** | July 28, 2026 |
| **Topic/Agenda Item** | Moratorium on Data Centers |
| **Comment** | Please vote YES on a Moratorium on Data Centers in Manatee County. Thank you |

From: Jean Gordon <coachjpgordon@icloud.com>
Sent: Tuesday, July 28, 2026 9:40 AM
To: Jason Bearden <jason.bearden@mymanatee.org>
Subject: Data Center

Please vote yes on the Data Center Ban.

**From:** Curtis Wynn <cwynn11@gmail.com>
**Sent:** Tuesday, July 28, 2026 9:47 AM
**To:** Jason Bearden <jason.bearden@mymanatee.org>
**Subject:** Data Centers

Commissioner Bearden,

I wanted to write and tell you I think that Pres Trump, at his recent AI/ Data Center meeting, demonstrated that with sharp negotiating that a Data Center can be a plus for an area.

Manatee County is looking at a decrease in tax revenue if the property tax referendum passes and Pres Trump demonstrated that negotiations can somewhat off set that shortfall.

I would urge you to demand any Data Center is infrastructure neutral. Roads, electric and water are all expenses born by the data center. Water especially will be treated to all EPA and state and county codes and monitored closely by county staff.

Data Centers should be in industrial or agricultural areas with a buffer from residential areas.

Instead of saying no to data Centers, start gathering information on what each data center in the ground has offered up to the taxing authorities to get their business up and running.

This approach will be good for Manatee County.

Curtis Wynn 3113 57th Ave Cir E, Bradenton, FL 34203

# Public Comment

Manatee County Government

**Submitted On:**
Jul 28, 2026, 09:56AM EDT

| | |
|---|---|
| **Full Name** | **First Name:** Ruth Ann<br>**Last Name:** Cassell |
| **Email** | ruthann2015fl@gmail.com |
| **Which meeting is this public comment for? (Please select date of meeting)** | July 28, 2026 |
| **Topic/Agenda Item** | Yes to stopping Data center in Manatee county |
| **Comment** | Stop Data centers in the Manatee county |

# Public Comment

Manatee County Government

**Submitted On:**
Jul 28, 2026, 10:01AM EDT

| | |
|---|---|
| **Full Name** | **First Name:** Isabella<br>**Last Name:** Moeller |
| **Email** | imoeller@fwwatch.org |
| **Which meeting is this public comment for? (Please select date of meeting)** | June 28, 2026 |
| **Topic/Agenda Item** | Agenda Item, numbers 60, 61 & 66 |
| **Comment** | Manatee County residents are already grappling with rising electricity costs. In the past five years, the average customer has seen their bill rise between 40-80% as Florida Power & Light and Tampa Electric have been approved record-breaking rate increases by the Public Service Commission. On top of rising costs across the board and the more extreme heat our communities are facing every summer, further increases to our electric bills threatened by the expansion of AI data centers pose an even greater risk to our community members that are already struggling to make ends meet. The impacts of large-scale data centers on our environment, water, land, and health of our community have not been sufficiently studied nor determined to provide any quantifiable benefits to Manatee County and other counties in the state. We must take the appropriate cautions now in the form of a moratorium on data centers to ensure the needs of our community are properly considered and residents aren't further fronting the costs for greedy corporations that are looking to profit off our backs. Manatee County Commissioners, please act in the best interests of your constituents and pass a moratorium on large-scale data centers. |

**From:** Steve Pyle <steve_pyle21@yahoo.com>
**Sent:** Tuesday, July 28, 2026 10:06 AM
**To:** Jason Bearden <jason.bearden@mymanatee.org>
**Subject:** BAN on AI data centers

Please vote yes on banning AI data centers in Manatee County. Thank you.
Sent from Yahoo Mail for iPhone

# Public Comment

Manatee County Government

**Submitted On:**
Jul 28, 2026, 10:08AM EDT

| | |
|---|---|
| **Full Name** | **First Name:** Ashley<br>**Last Name:** Arthur |
| **Email** | ashleyarthur86@gmail.com |
| **Which meeting is this public comment for? (Please select date of meeting)** | July 28, 2026 |
| **Topic/Agenda Item** | Data centers |
| **Comment** | Absolutely no! I like my clean air and no cancer. There is no discernable positive impact of a data center. No long term jobs, only water loss to our precious auquifer, and surveillance of Americans, which sounds pretty un-American. No, no, no data centers in Manatee. |

**From:** Steve Pyle <steve_pyle21@yahoo.com>
**Sent:** Tuesday, July 28, 2026 10:06 AM
**To:** Jason Bearden <jason.bearden@mymanatee.org>
**Subject:** BAN on AI data centers

Please vote yes on banning AI data centers in Manatee County. Thank you.
Sent from Yahoo Mail for iPhone

**From:** S R <sylviereich@gmail.com>
**Sent:** Tuesday, July 28, 2026 10:11 AM
**To: Jason Bearden <jason.bearden@mymanatee.org>**
**Subject: Please vote yes on banning data centers**

Please vote Yes to ban data centers in Manatee County. Thank you for your help and service.

Sylvie Reichmann

**From:** Martha Jacobs <mjorders@verizon.net>
**Sent:** Tuesday, July 28, 2026 10:12 AM
**To:** Jason Bearden <jason.bearden@mymanatee.org>
**Subject:** Thoughts on 7/28/26 Agenda Item 65

Good morning,

I urge all of you to approve Dr. McCann's motion to secure the financial clarity needed for appropriate kennels at Bishop. I have reviewed meetings and documents myself and still cannot believe what a SNAFU has been made out of this. At the March 28, 2023 meeting it was determined $8million had been set aside and that ARP funds could be reallocated to further fund this project. In December 2023 Animal Arts, a nationally recognized shelter design company, provided a comprehensive 45-page report comparing a concrete block kennel building with prefab trailer kennels. Animal Arts specifically and emphatically did NOT RECOMMEND the use of prefab trailers for use in a municipal shelter. The Animal Arts report stressed "a short-term building is never a good idea, as it costs much more in the long run." That lesson is being learned only four months into having dogs on property. Virtually every single item from the meeting notes with staff at Palmetto were ignored if not made worse in these prefab trailers. [pgs. 40-42]. Yet here we are with kennels that are not as bad as the ones in Palmetto, they are actually worse! Perhaps there isn't a large rat population yet but everything else is far worse. Commissioner Kruse I will look you in the eye and say that Palmetto was a more humane environment for dogs, staff and volunteers. Go to the kennels now after a few days of normal summer rain. Then call me a liar if you'd like.

I have so many rhetorical questions. If, as discussed at the March 28, 2023 meeting, the foundation and plumbing are the most expensive part of the kennels, why then were the cheap temporary prefabs installed instead of a concrete block kennel building that would last for decades? If funding was an issue, why wasn't a safe, functional block kennel building prioritized as Phase 1 instead of an administration building? A temporary administration building would have been comparatively inexpensive. You are now tossing good tax dollars down the toilet trying to band-aid all of the failings caused by the cheap prefab trailers you were advised not to use. Wasn't this a key reason for leaving Palmetto? No more expensive band-aids? By the time you run out of band-aids the cheap prefabs will have fallen apart.

Other than Commissioners Siddique and McCann, every single one of the current commissioners along with Sarah Brown and Charlie Bishop were here in 2023. How in the world did you allow things to fall apart in such a tremendous way in such a short time? As a taxpayer, I have to wonder what other projects are being mismanaged. It's time to own up to this failure and plan a way forward.

Beginning at the January 6, 2026 meeting you were asked to pause and reevaluate but you refused.

I ask you now, please approve Dr. McCann’s motion to secure the necessary financial clarity and ensure the long-term sustainability of Manatee County’s animal welfare infrastructure before more tax money is wasted.

Thank you,
Martha Jacobs
Manatee County Resident

**From:** Chelie Plicinski <chelie.plicinski@gmail.com>
**Sent:** Tuesday, July 28, 2026 10:28 AM
**To:** Robert McCann <drbob.mccann@mymanatee.org>
**Cc:** Tal Siddique <tal@mymanatee.org>; George Kruse <george.kruse@mymanatee.org>; Jason Bearden <jason.bearden@mymanatee.org>; Mike Rahn <mike.rahn@mymanatee.org>; Amanda Ballard <amanda.ballard@mymanatee.org>
**Subject:** Support the Data Center Moratorium – Protect Manatee County Residents

Dear Commissioners,

As a resident of Manatee County, I am writing to strongly urge you to vote **YES** on the proposed moratorium to pause all data center applications.

Our county's comprehensive plan and land development codes do not currently account for these industrial facilities. Allowing them to move forward without strict, localized regulations poses a massive threat to our community.

I am deeply concerned about the following impacts:

- **Infrastructure Strain:** Data centers demand millions of gallons of water daily for cooling and consume massive amounts of electricity, which threatens our local grid and utility rates.
- **Residential Disruption:** These facilities emit continuous, low-frequency noise and do not belong near highly residential or agricultural zones.
- **Low Economic Return:** Despite taking up hundreds of acres of land, data centers generate very few permanent jobs for local residents once constructed.

Please protect our community, natural resources, and infrastructure by voting to halt these applications until the county can thoroughly study the long-term impacts.

Thank you for your time and your service to Manatee County.

Kindly,
Chelie Plicinski

# Public Comment

Manatee County Government

**Submitted On:**
Jul 28, 2026, 10:35AM EDT

| | |
|---|---|
| **Full Name** | **First Name:** Robert<br>**Last Name:** Cusick |
| **Email** | robertcusick@cs.com |
| **Which meeting is this public comment for? (Please select date of meeting)** | July 28, 2026 |
| **Topic/Agenda Item** | Data Centers |
| **Comment** | Please take a hard NO for water and electricity hungry data centers. The damage they cause more than offsets any potential benefit |

From: Joanne Adams <jadams0828@msn.com>
Sent: Tuesday, July 28, 2026 11:03 AM
To: Jason Bearden <jason.bearden@mymanatee.org>
Subject: Data centers

Please ban all data centers in Manatee County!

Joanne Adams
Sent from my iPad

**From:** Melissa Hickey <mghickey61@gmail.com>
**Sent:** Tuesday, July 28, 2026 11:03 AM
**To:** George Kruse <george.kruse@mymanatee.org>; Amanda Ballard <amanda.ballard@mymanatee.org>; Robert McCann <drbob.mccann@mymanatee.org>; Jason Bearden <Jason.bearden@mymanatee.org>; Tal Siddique <tal@mymanatee.org>; Mike Rahn <mike.rahn@mymanatee.org>
**Subject:** Protecting Our Community's Natural Resources

Dear Commissioners,

I am writing as a concerned resident to express my growing concern, along with my husband,  about the pace of development in our county and its impact on our natural environment, wildlife, and overall quality of life.

I understand that growth is inevitable and that our county must accommodate new residents and businesses. However, I believe we have reached a point where development is occurring at a pace that is placing tremendous pressure on our ecosystems, wetlands, forests, and wildlife habitats. Once these natural areas are lost, they cannot be replaced.

As permanent Florida residents, we have witnessed dramatic changes in our community over the past five years upon leaving Pennsylvania to come to Florida. Areas that once provided habitat for native wildlife are disappearing, leading to increased encounters between animals and people, declining biodiversity, and the loss of the natural beauty that has made this particular county such a desirable place to live.
In addition to the environmental concerns, rapid development has contributed to increased traffic congestion, greater demands on infrastructure, flooding concerns due to the loss of natural drainage areas, and added strain on public services. These issues affect both current and future residents.

I respectfully ask the Board to continue evaluating development proposals with careful consideration for their long-term environmental impacts. I encourage you to prioritize:

- Preserving wetlands, woodlands, and wildlife corridors.
- Protecting environmentally sensitive lands before they are developed.
- Strengthening requirements for environmental impact studies.
- Encouraging responsible, sustainable development rather than unchecked expansion.
- Ensuring that infrastructure, roads, schools, and emergency services keep pace with growth.

Economic development is important, but it should not come at the expense of the natural resources that define our community and support future generations. I hope the Board will continue seeking a thoughtful balance between responsible growth and environmental stewardship.

Thank you for your service to our community and for taking the time to consider the concerns of residents like myself. I appreciate your commitment to making decisions that will benefit both our current citizens and those who will call this county home in the years ahead.

Respectfully,
Melissa and Deacon William Hickey
Tara Preserve, Bradenton, Florida

“All it takes is just a little change of perspective and you begin to see a whole new world.” —Bob Ross

# Public Comment

Manatee County Government

**Submitted On:**
Jul 28, 2026, 11:38AM EDT

| | |
|---|---|
| **Full Name** | **First Name:** Emily<br>**Last Name:** Teehan |
| **Email** | teehan27050@yahoo.com |
| **Which meeting is this public comment for? (Please select date of meeting)** | July 29, 2026 |
| **Topic/Agenda Item** | Data center |
| **Comment** | It is shocking that this is even considered after the mass over development that's already being fought against by this county's citizens. We do NOT want a data center and our natural resources can not support it especially after all of the development that's already ruining habitats. |

# Public Comment

Manatee County Government

**Submitted On:**
Jul 28, 2026, 12:04PM EDT

| | |
|---|---|
| **Full Name** | **First Name:** Jennifer<br>**Last Name:** Urban |
| **Email** | jennroseurban@gmail.com |
| **Which meeting is this public comment for? (Please select date of meeting)** | July 28, 2026 |
| **Topic/Agenda Item** | Data centers |
| **Comment** | To the Manatee County Board of County Commissioners,<br>I am writing to respectfully urge the Board to oppose the development of large-scale data centers in Manatee County.<br>While data centers are often promoted as economic development projects, the long-term costs to our community may outweigh the limited local benefits. Before approving any such development, I ask the Board to carefully consider the following concerns:<br>• Enormous electricity demand. Modern data centers consume massive amounts of electricity, placing additional strain on the electrical grid. This can increase the need for new transmission infrastructure and may contribute to higher electricity costs for residents and local businesses.<br>• Significant water consumption. Many data centers require substantial quantities of water for cooling systems. In Florida, where water resources are already under pressure from rapid growth, protecting our aquifers and water supply should remain a priority.<br>• Limited job creation. Although construction creates temporary employment, most data centers employ relatively few permanent workers once operational. They occupy large amounts of land while generating fewer long-term jobs than many other commercial developments.<br>• Noise pollution. Large cooling systems, industrial HVAC equipment, transformers, and backup generators can operate continuously, producing persistent noise that affects nearby neighborhoods.<br>• Backup generator emissions. Diesel-powered emergency generators are routinely tested and may operate during power outages, contributing to localized air pollution and noise.<br>• Loss of valuable land. Data centers require large parcels of land that could otherwise support businesses providing greater employment opportunities, housing, parks, agriculture, or other community-serving uses.<br>• Visual impacts. These facilities are often massive industrial-style buildings surrounded by security fencing, substations, and utility infrastructure that can permanently alter the character of surrounding communities.<br>• Environmental impacts. Construction can remove trees and wildlife |

habitat, increase stormwater runoff, and contribute to heat generation from extensive paved surfaces and equipment.
• Infrastructure costs. Roads, substations, transmission lines, and utility upgrades may be necessary to support these facilities. Residents should not bear the financial burden of infrastructure improvements that primarily benefit private corporations.
• Property values and quality of life. Nearby homeowners may experience concerns related to noise, industrial appearance, increased utility infrastructure, and changing neighborhood character, all of which can affect quality of life.
• Rapid technological change. As technology evolves, there is a risk that facilities could become outdated, leaving behind large industrial buildings that may be difficult to repurpose.
Manatee County is one of Florida's most desirable places to live because of its natural beauty, rural heritage, waterways, wildlife, and family-oriented communities. We should prioritize development that provides meaningful employment while preserving our natural resources and maintaining the quality of life that residents value.
I respectfully ask the Board of County Commissioners to reject proposals for large-scale data centers or, at a minimum, require comprehensive independent studies evaluating their impacts on electrical infrastructure, water resources, traffic, noise, emergency services, environmental quality, and surrounding property owners before any approvals are granted.
Please place the long-term interests of Manatee County residents ahead of short-term development incentives. Once these facilities are built, their impacts will be felt for decades.
Thank you for considering my comments.

# Public Comment

Manatee County Government

**Submitted On:**
Jul 28, 2026, 02:09PM EDT

| | |
|---|---|
| **Full Name** | **First Name:** Jane<br>**Last Name:** Tobal |
| **Email** | enja13@aol.com |
| **Which meeting is this public comment for? (Please select date of meeting)** | July 28, 2026 |
| **Topic/Agenda Item** | Section P - Commissioner Agenda Item, numbers 60, 61 & 66 |
| **Comment** | The Data centers destroy the water quality which in turn will be extremely hazardous to our wildlife as well to our citizens. Florida hosts over 500 species of birds, heavily featuring tropical wading birds, Caribbean vagrants, and year-round subtropical residents. ALL the wading birds will be at serious risk as well as the health of ALL our children. NO DATA CENTERS especially so close to the gulf! |

From: Cheryl Lovell <victory60h@aol.com>
Sent: Sunday, August 2, 2026 8:35 AM
To: Jason Bearden <jason.bearden@mymanatee.org>
Subject: Re: Vote YES on Ballard Data Ctr BAN

Thank you for voting Yes on temp ban on data centers.
Sent from my iPhone

> On Jul 27, 2026, at 9:42 PM, Cheryl Lovell <victory60h@aol.com> wrote:
>
> Jason Bearden,
> On Tuesday, 7/28/2026 commission meeting Please Vote YES on Ballard
> Data Center BAN.
> As a resident in Palmetto I do NOT want Data Centers in Manatee Cty or FL.
> Thank you for your attention to this matter.
> Cheryl Lovell. Victory60h@aol.com
>
> Sent from my iPad

**From:** Tammy Schrader <tammyschrader75@aol.com>
**Sent:** Friday, August 14, 2026 11:20 AM
**To:** Governor Ron DeSantis <governorron.desantis@eog.myflorida.com>
**Cc:** mayor@bradentonfl.gov; The Honorable Dr. Bob McCann Republican Man Cty Commissioner Bocc <drbobmccann@mymanatee.org>; Jason Bearden <jason.bearden@mymanatee.org>; Amanda Ballard <amanda.ballard@mymanatee.org>; Dana Summers <dana.summers@mymanatee.org>
**Subject:** More facts on data centers

Dear Governor DeSantis:

You must issue a cease and desist mandate throughout entire state!!!

Please watch:

https://www.facebook.com/share/r/1HMLdGcMUM/

You and you alone will either destroy us all or save us!!!

It's that critical!

Tammy Schrader
6707 9th Avenue West Bradenton, FL 34209
941-290-2951

# Public Comment

Manatee County Government

**Submitted On:**
Jul 27, 2026, 12:35PM EDT

| | |
|---|---|
| **Full Name** | **First Name:** Sari<br>**Last Name:** Lindroos-Valimaki |
| **Email** | sari4manatee@gmail.com |
| **Which meeting is this public comment for? (Please select date of meeting)** | July 28, 2026 |
| **Topic/Agenda Item** | Commissioner Siddique's Data Center Policy Memorandum |
| **Comment** | Public Comment – Commissioner Siddique's Data Center Policy Memo<br><br>I support Commissioner Siddique's recommendation to pause the intake of data-center and large-load applications while Manatee County develops proper protections.<br><br>The memo correctly recognizes that data centers are not adequately addressed in our current Comprehensive Plan or Land Development Code, should not be permitted by right under broad industrial or mixed-use categories, and should require full public hearings rather than administrative approval. It also raises important issues involving water, electrical demand, backup generation, fuel storage, emissions, noise, setbacks, tax incentives, and long-term site restoration.<br><br>I especially support directing the Planning Commission to study and prepare the necessary Comprehensive Plan and Land Development Code amendments. However, the pause or moratorium must expressly allow county-initiated protective amendments to continue. It should stop applicants from filing amendments intended to facilitate a data center, but it must not prevent the county from defining these facilities, establishing where they are prohibited, creating specific zoning requirements, or adopting stronger development standards.<br><br>I also ask the Board to ensure that the final regulations include clear definitions and measurable thresholds for "data centers," "large-scale data centers," and "large-load customers." The term "large-load customer" should not be left so broad that it unintentionally captures unrelated essential facilities, nor so vague that a proposed data center can avoid regulation.<br><br>The county should also establish a firm timeline for this work, including public workshops, Planning Commission review, proposed Comprehensive Plan language, and matching Land Development Code amendments. |

Finally, I want to recognize that residents raised this issue before Manatee County had an active application. Their request was for proactive planning before the county was placed in a reactive position.

I support the direction of Commissioner Siddique's memo. Now the Board must turn these recommendations into clear, enforceable protections while local authority still exists.

A pause should freeze applicants—not freeze Manatee County's ability to protect its residents, water, infrastructure, and rural lands.

**From:** Patty Thompson <shrealtync@gmail.com>
**Sent:** Tuesday, October 6, 2026 10:00 PM
**To:** Public Comments <public.comments@mymanatee.org>
**Cc:** Bobbi Roy <bobbi.roy@mymanatee.org>
**Subject:** Support Ordinance 26-42 and Extend the Data Center Moratorium to 18 Months

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Dear Chairman and Members of the Manatee County Board of County Commissioners,

I am writing to urge you to listen to the people of Manatee County and take a firm stand against data centers in our community.

I strongly oppose allowing data centers in Manatee County and urge you to adopt Ordinance 26-42, the proposed moratorium, and extend it from 12 months to 18 months.

The message from residents has been clear: we do not want data centers in Manatee County. There is no place. here for this type of development.

Our county is already facing serious water challenges, and residents are being asked to conserve this precious resource. It is not in the community's best interest to invite an industry that will place substantial demands on our water and electrical systems.

Data centers can also bring enormous buildings, constant noise, backup generators, heavy infrastructure demands, construction traffic, environmental concerns and negative

impacts on property values and quality of life. Once these facilities are built, the consequences cannot simply be undone.

The Board's first scheduled consideration of this matter could not proceed because the meeting was canceled when a quorum was not present. This issue is too important to be delayed or treated casually. The residents of Manatee County deserve a full and timely public discussion, and they deserve to know that their elected representatives are present and prepared to act on their concerns.

An 18-month moratorium would give the County time to fully evaluate the effects on our water supply, infrastructure, neighborhoods, environment, property values, and future. However, this review should not focus only on how to make data centers possible. It should determine whether they should be allowed here at all.

You were elected to represent the people of Manatee County and act in our best interests- not the interests of corporations, developers or a particular industry. We expect you to protect our water, neighborhoods, environment, property values and quality of life.

Growth should serve the community. The community should not be forced to change to serve an industry.

**Please adopt Ordinance 26-42, extend the moratorium to 18 months, and recognize that data centers are not appropriate for Manatee Country.**

The residents have spoken. We expect that our elected officials will listen to us and work for the best interest of the people and protect Manatee County's future.

Sincerely,

Patty Thompson

**From:** Dave Thompson <davet767757@gmail.com>
**Sent:** Wednesday, October 7, 2026 5:55 PM
**To:** public.comments@manatee.org; George Kruse <george.kruse@mymanatee.org>; jason.bearden@manatee.org; drbob.mccann@manatee.org; Mike Rahn <mike.rahn@mymanatee.org>; amanda.ballard@manatee.org
**Cc:** Bobbi Roy <bobbi.roy@mymanatee.org>
**Subject:** Strong Public Support for ordinance 26-42 - protecting Manatee County's Water, Infrastructure & Communities

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**Dear Manatee County Board of County Commissioners,**

**I am writing to strongly support Ordinance 26-42 and urge the Board to pass this moratorium. I believe it is necessary to protect the long-term interests of Manatee County residents while the County establishes appropriate regulations for data centers and other exceptionally large-load facilities.**

**The timing could not be more important. Manatee County and the surrounding region are experiencing serious drought conditions and Modified Phase III "Extreme" Water Shortage restrictions. Residents are being asked to conserve water, while our community must also consider whether our water resources and infrastructure can support facilities with potentially enormous water and electrical demands.**

**A temporary moratorium gives the County time to properly study water consumption, electrical demand, transmission and utility infrastructure, noise, environmental impacts, appropriate locations, setbacks, and compatibility with surrounding neighborhoods before additional development rights are granted.**

**I also strongly urge the County to ensure the ordinance covers not only facilities specifically called "data centers," but other structures or facilities that perform substantially similar functions or create comparable extraordinary water and electrical demands. A facility should not be able to avoid appropriate review simply by using a different name or classification.**

**The moratorium should also provide a meaningful pause and should not be undermined by development approvals immediately preceding it that could create an unintended pathway for these facilities to proceed without the review the County is now undertaking.**

**Our elected officials were entrusted by the residents of Manatee County to protect the community's long-term interests. I hope and expect that the Board is listening to the concerns of its residents and making these decisions based on the best interests of the community—not the interests of developers, corporations, or other special-interest groups.**

**Our water, infrastructure, neighborhoods, and quality of life deserve careful consideration before decisions with decades-long consequences are made.**

**I strongly support Ordinance 26-42 and respectfully ask the Board to pass it as a meaningful, effective moratorium that protects the people and resources of Manatee County.**

**Please enter this comment into the official public record for Ordinance 26-42.**

**Respectfully,**

David Thompson

Sent from my iPhone

# County-Initiated Code Of Ordinances Amendment: Data Center Moratorium

## Ordinance 26-42
## PLN2609-0022

**Jay Stearman**
**Planner I**

**Board of County Commissioners**

**October 8, 2026**

Manatee County FLORIDA

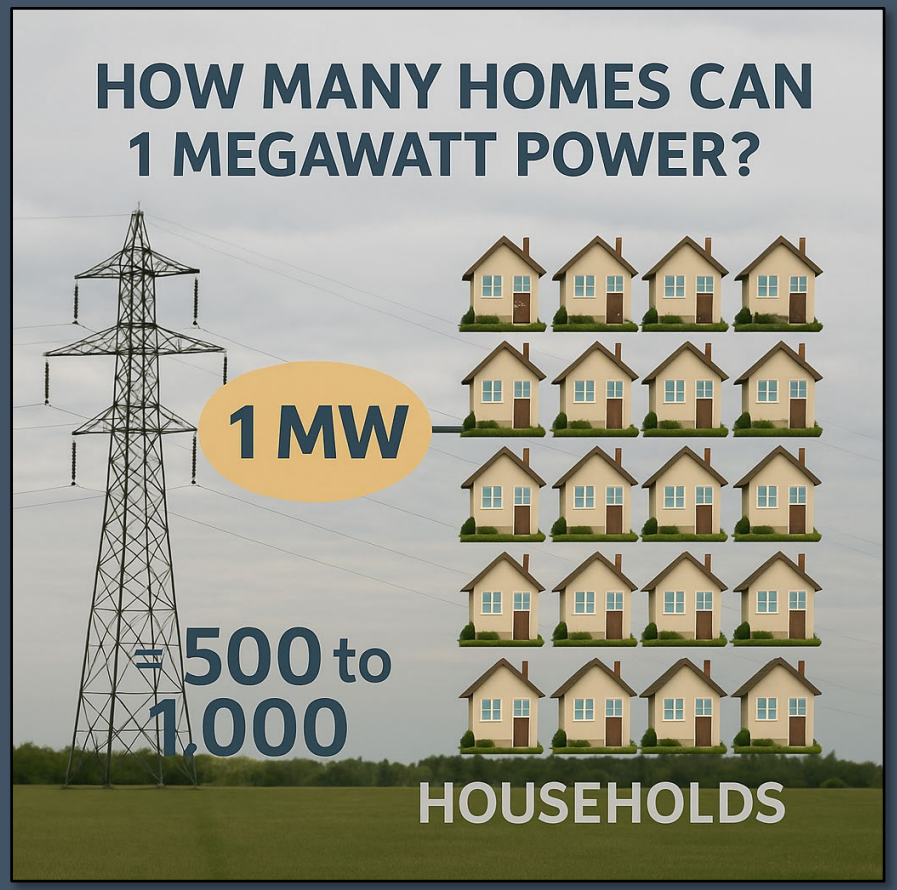
# History

- On July 28th, 2026, the BOCC made a motion for staff to create a draft ordinance establishing a temporary moratorium on the acceptance, processing, and review of applications and development orders related to Data Centers and other “large-load customers.”
- On July 1, 2026, Chapter 2026-65, Laws of Florida (Senate Bill 484) took effect which defines the terms “data center” and “large-load customers,” prohibits economic agencies from entering into NDAs for Data Centers in progress, requires minimum energy tariffs for large load customers, and adds conditions for providing water to large-scale data centers
  - The law also asserts local governments’ authority to “exercise the powers and responsibilities for comprehensive planning and land development regulation granted by law with respect to large load customers.”

Manatee County FLORIDA

# Background (SB 484)

- A “large-scale data center” or “large-load customer” means a single location of one or more data centers that has an anticipated monthly peak load of 50 MW or more, calculated as the highest average load over a 15-minute interval.
- Requires that energy providers impose an “energy tariff” on large-load customers which must “reasonably ensure that each large load customer bears its own full cost of service and that such cost is not shifted to the general body of ratepayers.”




Courtesy of Amble Sun Solar

Manatee County FLORIDA

# Background (SB 484)

- The governing board of a water management district or the department may not issue a permit to a large-scale data center applicant for an allocation of water if the proposed use of the water
  - Is harmful to the water resources of the area or
  - Is prohibited by the applicable local government zoning regulations and comprehensive plan.
- A permit shall be issued to a large-scale data center applicant for an allocation of water if the applicant establishes that the proposed water use:

  (a) is a reasonable-beneficial use as defined in 373.019, FS;

  (b) will not interfere with any presently existing legal use of water; and

  (c) is consistent with the public interest.

Manatee County FLORIDA

# Background – Data Centers

- While not an entirely new use, data center development has received a substantial increase in investment due to the growing provision of Artificial Intelligence (AI).
- Large-scale data centers are known to require substantial water and electrical resources to power and cool specialized computer servers.
  - in some cases, they require infrastructure demands comparable to small municipalities
- Data centers, as a use, generally do not support many long-term employment opportunities once operational.
- Large data center buildings are continuously operated and are prone to emitting low-frequency nuisance noise to surrounding properties.
- Several counties in FL either have adopted or are currently contemplating similar temporary moratoriums such as Sarasota County, DeSoto County, Pasco County, Lake County, Citrus County, Palm Beach County, and Hernando County.

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# Proposed Changes

- The proposed change is a proactive moratorium on the acceptance of all data center-related development orders in applications for the next 12 months so that staff can review and recommend adoption of appropriate regulations and updates to the Comprehensive Plan, Land Development Code, and Code of Ordinances as may be necessary.
- Applies to applications for building permits, site plans, development orders, development agreements, special permit uses, rezonings, and comprehensive plan amendments related to Data Center Facilities.

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# Positive Considerations

- The 12-month moratorium will allow time for staff to recommend appropriate code updates including
  - Defining uses
  - Compatibility considerations
  - Water and electricity consumption
  - Noise abatement
  - Environmental impacts
  - Design standards
  - Appropriate zoning districts and Future Land Use Categories.
  - Process requirements and fees

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# Consistency with the LDC

## Section 101. - Authority and Purpose

- Purpose
  - To “foster and preserve public health, safety, comfort and welfare in the unincorporated areas of the county.”
- Intent
  - To be effective in terms of “addressing the natural resource and public facility implications of proposed development.”
  - To be equitable in terms of “the consideration of the interests of the citizens of the county.”

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# Consistency with the Comprehensive Plan

- **Policy 2.1.4.2** - Mitigate the impact of light industrial uses on neighboring residential uses
- **Policy 2.2.2.2.5** - Watershed Overlay District Development Restriction/Conditions
- **Objective 2.4.1** - Level of Service and Concurrency
- **Objective 2.6.1** - Compatibility through Screening, Buffering, Setbacks, and Other Measures
- **Objective 2.6.3** - Industrial Compatibility and Performance Measures
- **Objective 2.9.4** - Community Image
- **Objective 2.14.1** - Protect neighborhoods from encroachment by incompatible uses/intensities
- **Objective 8.3.1** - Protect Conservation and open space lands from incompatible uses
- **Goal 9.5** - Ensure Adequate Supply, Treatment, and Delivery of Potable Water

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# Conclusion

- **Ordinance 26-42 may demonstrate consistency with the Comprehensive Plan and the Land Development Code.**

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# Planning Commission

- **Recommendation of Approval**
  - **6-0**

- **Concerns**
  - Applicability within Sea Port Manatee
  - Applicability to uses which are not data centers but are “large-load customers”

# Thank you!

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