

**RESOLUTION NO. 2026 – 116**  
**IMPOSING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, PROCESSING, AND**  
**APPROVAL OF APPLICATIONS FOR THE DEVELOPMENT, CONSTRUCTION, EXPANSION, OR**  
**OPERATION OF DATA CENTERS WITHIN THE CORPORATE LIMITS OF THE CITY OF CULLMAN**

WHEREAS, the City of Cullman, Alabama, is committed to protecting the public health, safety, morals, and general welfare of its residents, preserving the City's unique character as a community with German heritage founded in 1873, and promoting orderly and sustainable growth consistent with its comprehensive plan; and

WHEREAS, data centers are large-scale industrial-style facilities primarily dedicated to the storage, processing, and transmission of digital data, typically involving extensive server equipment, significant electrical power demands, water usage for cooling, backup generators, noise from cooling systems, increased traffic, and demands on municipal infrastructure such as electricity, water, and wastewater systems; and

WHEREAS, the City Council finds that the rapid emergence and potential proliferation of such facilities require careful study of their compatibility with the City's existing zoning districts, infrastructure capacity, environmental resources, residential quality of life, and long-term economic development goals; and

WHEREAS, pursuant to the authority granted to municipalities under Title 11 of the Code of Alabama 1975 (including Sections 11-52-70 et seq. and related provisions governing zoning and land use regulation), the City has the power to regulate land uses and impose temporary moratoria to allow time for comprehensive planning, zoning amendments, and impact studies; and

WHEREAS, neighboring Alabama municipalities, including the City of Birmingham (which has implemented a six-month moratorium) and the City of Leeds (which has implemented a one-year moratorium), have recently taken similar actions to study data center impacts; and

WHEREAS, the City Council desires to impose a temporary moratorium to pause new data center-related applications while the Planning Commission, City staff, and consultants conduct necessary reviews, public engagement, and potential updates to the Zoning Ordinance and other relevant regulations; and

WHEREAS, this moratorium is intended to be temporary, uniform in application, and not directed at any specific project or property in a manner constituting spot zoning.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cullman, Alabama, as follows:

Section 1. Temporary Moratorium Imposed. Effective immediately upon adoption of this Resolution, a temporary moratorium is hereby imposed on the acceptance, processing, and approval of any applications, permits, rezoning requests, site plans, building permits, or other approvals related to the development, construction, expansion, enlargement, or operation of Data Centers (as defined below) within the corporate limits of the City of Cullman.

Definition of "Data Center": Any facility, building, structure, or portion thereof used primarily for the storage, management, processing, and transmission of digital data, including but not limited to server farms, computer data centers, hyperscale data centers, colocation facilities, or similar uses involving large-scale computer systems, networking equipment, backup power generators, and associated cooling infrastructure. This includes accessory uses integral to the primary function.

Section 2. Duration. This moratorium shall remain in effect for a period of one (1) year from the date of adoption, unless sooner terminated or extended by subsequent action of the City Council. The City Council may extend the moratorium for additional periods if necessary to complete studies and regulatory updates.

Section 3. Exemptions. This moratorium shall not apply to:

- a) Data centers or related facilities that have received complete approvals and permits prior to the effective date of this Resolution.
- b) Routine maintenance or repairs to lawfully existing facilities.

- c) Internal modifications that do not increase capacity or footprint in a manner that would constitute expansion under City codes.
- d) Uses clearly not meeting the definition of a Data Center (e.g., small-scale server rooms accessory to an office or institutional use).

Section 4. Purpose and Studies. During the moratorium, the Planning Commission and City staff (in consultation with the City Attorney and any retained experts) shall:

- a) Conduct a comprehensive review of the impacts of data centers on infrastructure, environment, noise, traffic, water resources, and community character.
- b) Evaluate and recommend amendments to the Zoning Ordinance and other regulations.
- c) Engage stakeholders and hold public hearings as appropriate.
- d) Report findings and recommendations to the City Council.

Section 5. Enforcement. Any violation of this moratorium shall be subject to the penalties and remedies available under the City's Zoning Ordinance and other applicable laws, including injunctions and abatement as a public nuisance. Each day a violation continues shall constitute a separate offense.

Section 6. Severability. If any provision of this Resolution is held invalid, the remainder shall not be affected.

Section 7. Effective Date. This Resolution shall take effect immediately upon its adoption.

ADOPTED BY THE COUNCIL this the 22nd day of June, 2026.

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President of the City Council

ATTEST:

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City Clerk

APPROVED BY THE MAYOR this the 22nd day of June, 2026.

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Mayor

### COUNCIL AGENDA REQUEST

Date: 06/15/2026

Department: Building Name: Pam Leslie

Phone: 256-775-7104 Email: pleslie@cullmanal.gov

Type of request (select all that apply):

- Alcohol License
- Budget Amendment
- Contract Approval
- Public Comment
- Special Event
- Other
- Annexation
- Change Order
- Petition
- Resolution
- Tax Abatement
- Bid Award
- Codification Change
- Proclamations
- Rezoning
- Variance

Reason for Request:

To approve a temporary moratorium on data centers

Supporting Documentation:

Attach supporting documentation.

Signature:    
Signed by: EB9544CEE53B4BE...

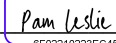
Approval Sequence:

1. Administration – City Clerk’s Office

Verifies form is completed and proper documentation is attached.

Approved to Move Forward  Rejected  Return to Requestor

Comments:

Signature:  Date: June 17, 2026 | 10:45 AM CDT  
Signed by: 8F02210223EC457...

2. Council Committee Chairperson - Jason Willoughby

Ensures necessity of the request.

Approved to Move Forward  Rejected  Return to Admin

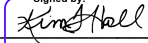
Comments:

Signature:  Date: June 17, 2026 | 4:10 PM CDT  
Signed by: 39E651DFA5B245D...

3. Council President

Approved for Council Agenda  Rejected  Return to Committee

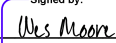
Comments:

Signature:  Date: June 17, 2026 | 7:46 PM CDT  
Signed by: 373F5C72C0C944B...

4. Administration – City Clerk’s Office

Added to Council Agenda Date of Meeting: 06/22/2026

Comments:

Signature:  Date: 06/18/2026  
Signed by: 8F02210223EC457...