

ORDINANCE NO. 797

**A TEMPORARY ZONING ORDINANCE REGULATING
DATA CENTERS IN ALL PENNINGTON COUNTY ZONING DISTRICTS**

PURPOSE: The Pennington County Board of Commissioners has determined there is a present need to study data centers, and the impact those data centers may have in all Pennington County Zoning Districts to properly plan for, and implement, zoning regulations in protection of the County's public health, safety and welfare.

WHEREAS, SDCL § 11-2-10 authorizes the Board of County Commissioners, in the interest of public health, safety and general welfare, to adopt temporary zoning controls for a reasonable period of time in order to study, identify and consider necessary land use regulations; and,

NOW, THEREFORE, BE IT ORDAINED that the Pennington County Board of Commissioners hereby authorize a six (6) month moratorium on the issuance of any permits and/or approval of land uses for proposed data centers in all Pennington County Zoning Districts, of which are not yet regulated under the Pennington County Zoning Ordinance. This moratorium shall expire on _____, 2025 unless otherwise extended by law; and,

IT IS FURTHER ORDAINED, by the Pennington County Board of Commissioners, the provision and adoption of this ordinance shall take effect upon completed publication SDCL §§ 11-2-10 and 7-18A-8.

Approved this _____ day of April, 2025.

Pennington County Board of Commissioners

Ron Weifenbach, Chair

ATTEST:

Pennington County Auditor/Deputy

Public Reading:
Publication:
Effective: