

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

ORDINANCE

An Ordinance Amending "Code of the City of Lowell, Massachusetts", with respect to Chapter 290, Thereof Entitled, "Zoning" by adding and amending various sections.

WHEREAS, with the proliferation of Data Center expansion in Massachusetts, cities and towns have taken moratoriums under advisement, in order to review their zoning and land use, and to formulate regulations governing the impacts of these facilities, which require adoption by ordinance of the governing body of a city or town; and

WHEREAS, the City of Lowell's zoning and land use and development regulations are found in the Lowell Zoning Code, which currently makes no specific provision for Data Centers within the City, either by right or special use permit.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOWELL, as follows:

"Code of the City of Lowell, Massachusetts", hereinafter called the "Code", adopted by the City Council on December 23, 2008, as amended, is hereby further amended with respect to Chapter 290, entitled "Zoning," adopted December 7, 2004, as amended, as follows:

1. Amend Article II Definitions by inserting a new paragraph as follows:

DATA CENTERS: a building or series of buildings, with the intended primary use being commercial, that houses and supports the high-performance servers, storage systems, networking equipment, and related computing infrastructure and equipment necessary for storing, processing, and distributing data and applications.

2. Amend Article VII Special Regulations by inserting a new Section 7.11 as follows:

7.11 360-DAY MORATORIUM ON "DATA CENTERS"

1. The purpose of this temporary moratorium is to provide the City an opportunity to better understand the impacts, if any, that the construction, expansion, and operation of Data Centers will have on City infrastructure and, more generally, the overall quality of life for the residents of Lowell. As a result, the City shall conduct an analysis and/or comprehensive study to determine the impact of said construction on police, fire, and emergency public safety, the school district, water, sewer, roadway infrastructures and the safety of the general public. This list of potential impacts is not exhaustive and may include additional impacts, as identified.
2. There is hereby imposed, effective immediately, a 360-day moratorium on any new construction and development within the City of Lowell, MASSACHUSETTS, of "Data

Centers”, as defined above. Said moratorium prohibits acceptance by the City of Lowell of any new applications and permits for zoning permissions and decisions for the intended purpose of the development and operation of a Data Center. Should the Lowell Zoning Code be amended prior to the expiration of the 360-day period to regulate Data Centers, the moratorium shall terminate on the effective date of amendment. The moratorium period may be extended, one (1) time, by a 2/3 vote of the City Council, not to exceed 180 days.

3. During the term of this moratorium, City staff shall review current Zoning Codes and Regulations, seek recommendations and input from industry experts and professionals with specific knowledge of Data Centers and any impacts these facilities have on the community, and to propose revisions to the Lowell Zoning Code, when deemed appropriate, to be placed before the Lowell City Council for consideration.
4. The Department of Planning and Development shall consult with other City departments to ensure any recommendations address the impact on power, water, sewer availability and capacity limitations, noise, as well as any potential legal implications. Said recommendations shall also consider the impact on traffic and any other adverse impact on adjacent infrastructure.
5. Emphasis should also be given to enforcement of regulations following construction and development, including operational limitations reasonably intended to ameliorate public concerns of legitimate land uses.
6. The Lowell Department of Planning and Development shall develop a timeline, within the 360-day period, to allow for recommendation and adoption of amendments to the Lowell Zoning Code in accordance with the procedures set forth in M.G.L. c. 40A. If during this study, staff find and conclude any provisions of the Lowell Zoning Code require revision(s), recommendation(s) shall be made accordingly to the Lowell City Council.

3. Amend Article XII: 12.9 Table of Industrial Uses, by inserting a new section “w” as follows:

<u>12. 9. INDUSTRIAL USES</u>	Suburban	Traditional Neighborhood	Urban	Special Purpose	Industrial
w. Data Centers	N	N	N	N	N

4. This Ordinance shall take effect upon its passage in accordance with Section 1.7 of the "Lowell Zoning Ordinance" and the provisions of Chapter 43 and 40A of the General Laws of Massachusetts.

APPROVED AS TO FORM:

Corey Williams
City Solicitor



Thomas A. Golden, Jr.
City Manager

Shawn Machado
Assistant City Manager

February 3, 2026

Mayor Erik R. Gitschier
And
Members of the Lowell City Council

RE: 360-Day Moratorium on “Data Centers”

Dear Mayor Gitschier and Members of the City Council:

Enclosed with this letter please find a proposed ordinance to amend Chapter 290 of the Code of Ordinances City of Lowell by adding language to place a 360-day moratorium on any new construction or development of “Data Centers” within the City.

With the proliferation of Data Center expansion in Massachusetts, many cities and towns have taken moratoriums under advisement, in order to review their zoning and land use, and to formulate regulations governing the impacts of these facilities. The purpose of this temporary moratorium is to provide the City an opportunity to better understand the impacts on infrastructure and overall quality of life for residents that the construction, expansion, and operation of Data Centers will have on City.

This ordinance amendment comes before you by way of a request by the City Council on January 13, 2026, with a further request for amendment on January 27, 2026. With guidance from the Department of Planning and Development, the Law Department has prepared a vote to authorize the passage of this proposed ordinance amendment.

Please do not hesitate to let me know if there are any questions.

Sincerely,

Thomas A. Golden, Jr.
City Manager