

NOTICE OF PUBLIC HEARING
PROPOSED MORATORIUM ORDINANCE
CITY OF HARLINGEN, TEXAS

NOTICE IS HEREBY GIVEN that the City Commission of the City of Harlingen, Texas, will hold a PUBLIC HEARING at the date, time, and location set forth below to consider the adoption of a proposed ordinance imposing a temporary moratorium on the acceptance, processing, and approval of applications for High-Intensity Data Processing Facilities within the City of Harlingen and its extraterritorial jurisdiction, pursuant to Texas Local Government Code §§ 212.131–212.137, as amended by H.B. 2559, 89th Texas Legislature, Regular Session (eff. Sept. 1, 2025).

FIRST PUBLIC HEARING:

Date: May 20, 2026

Time: 5:30 p.m.

Location: City of Harlingen Townhall, City Hall, 118 E. Tyler Ave., Harlingen, Texas 78550

SECOND PUBLIC HEARING:

(to be held not less than 28 days after First Public Hearing)

Date: June 17, 2026

Time: 5:30 p.m.

Location: City of Harlingen Townhall, City Hall, 118 E. Tyler Ave., Harlingen, Texas 78550

SUBJECT MATTER OF PROPOSED MORATORIUM:

The proposed ordinance would impose a temporary moratorium, not to exceed an initial period of ninety (90) days, suspending the City’s acceptance, processing, review, and approval of any application, permit, authorization, zoning request, site plan, subdivision plat, Planned Unit Development application, building permit, development agreement, utility service agreement, annexation application, or other municipal approval that would allow the siting, construction, expansion, or operation of a High-Intensity Data Processing Facility within the City of Harlingen or in connection with any proposed voluntary annexation into the City. The 90 day initial moratorium may be extended up to an additional 90 days upon a public hearing on the proposed extension and the adoption of additional written findings pursuant to Texas Local Government Code § 212.1352.

“High-Intensity Data Processing Facility” is defined in the proposed ordinance as a facility or portion of a facility primarily devoted to the housing of computer systems, servers, networking equipment, power distribution equipment, or related mechanical and electrical systems used for data storage, processing, or transmission, and characterized by high electrical load demand, specialized cooling systems, and minimal on-site staffing.

GEOGRAPHIC AREA AFFECTED: The proposed moratorium applies citywide within the corporate limits of the City of Harlingen and within the City’s extraterritorial jurisdiction.

PROPERTY AFFECTED: The proposed moratorium applies to all property, whether commercial, industrial, or otherwise, within the affected area on which a High-Intensity Data Processing Facility is proposed to be developed or operated.

PURPOSE AND FINDINGS: The City Commission proposes to impose this temporary moratorium based on findings that: (1) existing zoning and development regulations are inadequate to address the land-use, infrastructure, water supply, wastewater, and electrical demand impacts associated with High-Intensity Data Processing Facilities; (2) no less restrictive regulatory alternative is currently available to prevent development that could be detrimental to the public health, safety, and welfare; and (3) a temporary moratorium is necessary to allow the City to complete a focused planning and regulatory review and adopt appropriate land-use regulations governing such facilities.

WAIVER PROCEDURES: In accordance with Texas Local Government Code § 212.137, the proposed moratorium will include procedures by which a permit applicant may apply for a waiver from the moratorium by: (1) claiming a right obtained under a development agreement; or (2) providing the public facilities that are the subject of the moratorium at the landowner’s cost.

WRITTEN FINDINGS: A copy of the proposed moratorium which includes written legislative findings supporting the proposed moratorium are available for public inspection at the Office of the City Secretary, City Hall, 118 E. Tyler Ave., Harlingen, Texas 78550, during regular business hours.

PUBLIC PARTICIPATION: All interested persons are invited to attend the public hearings and be heard. Written comments may be submitted to the City Secretary at the address above or by email to mherrera@harlingentx.gov prior to the hearing.

NOTICE TO INTERESTED PARTIES: Any person who has filed written notice by certified or registered mail with the City Secretary of the City of Harlingen requesting notice of moratorium proceedings is entitled to receive notice of this hearing by certified mail pursuant to Texas Local Government Code § 212.134(b).

For additional information, contact:

City Secretary, City of Harlingen
118 E. Tyler Ave., Harlingen, Texas 78550
Telephone: (956) 216-5001

Published pursuant to Texas Local Government Code § 212.134(b), as amended by H.B. 2559, 89th Texas Legislature (eff. Sept. 1, 2025).

/s/ Mayra Herrera, City Secretary
City of Harlingen, Texas