

REQUESTED BY:
GREATHOUSE / THUMM

LAW DEPARTMENT
DRAFT NO. 0840

TITLE

AN ORDINANCE ESTABLISHING A ONE-YEAR MORATORIUM ON THE CONSTRUCTION, PLACEMENT, EXPANSION, OR APPROVAL OF DATA CENTERS LARGER THAN 1,000 SQUARE FEET WITHIN THE CITY OF WARREN, OHIO; DIRECTING THE MAYOR TO ESTABLISH A SELECT DATA CENTER REVIEW COMMITTEE; AND DECLARING AN EMERGENCY.

ORDINANCE NO. 13625/2026

WHEREAS, the City Council of the City of Warren recognizes that data centers may present substantial and unusual demands upon municipal electric, water, wastewater, stormwater, transportation and other infrastructure, and may create land-use, noise, environmental, public-safety and community-planning considerations; and

WHEREAS the City's existing zoning and development regulations were not specifically designed to address the unique characteristics and infrastructure demands of large-scale data centers; and WHEREAS neighboring communities, including the Cities of Niles, Hubbard and Cortland, have recently enacted temporary moratoria to provide municipal officials time to study data centers and determine appropriate local regulations; and

WHEREAS the City Council finds that a temporary moratorium is necessary to preserve the status quo while the City evaluates appropriate zoning, development, utility, infrastructure, and community-impact standards for data centers; NOW, THEREFORE,

BE IT ORDAINED by the Council of the City of Warren, Ohio:

SECTION 1: That for a period of one (1) year commencing on the effective date of this Ordinance, no application for, and no permit, zoning approval, site-plan approval, building approval, utility approval, or other municipal approval authorizing the construction, placement, expansion or establishment of a data center larger than 1,000 square feet shall be accepted, processed, issued, approved, or granted within the corporate limits of the City of Warren. For purposes of this Ordinance, "data center" means a building or facility principally used to house computer servers, data-processing equipment, telecommunications equipment, or similar digital infrastructure, together with associated mechanical, electrical, and cooling systems, for the storage, processing or distribution of electronic data.

Section 2: That this moratorium shall not prohibit the continued operation or ordinary maintenance of a lawfully existing data center, nor shall it apply to repairs that do not expand an existing data center. No new application or approval for a data center subject to Section 1 shall be vested or deemed approved solely because an application was submitted before the effective date of this Ordinance, unless otherwise required by applicable law.

Section 3: That the Mayor is hereby directed to empanel a Select Data Center Review Committee, chaired by the Mayor, to study and make recommendations concerning the regulation and potential development of data centers within the City. The Committee shall include: (A) representatives of the City's Administration, Zoning, Engineering and Utilities Departments; (B) two (2) members of City Council, appointed by the Council President; (C) one (1) member of the general public, appointed by the Mayor; and (D) one neutral data-center expert, selected by the Mayor based upon professional credentials and experience sufficient to provide informed, impartial technical guidance. The Mayor may designate appropriate City staff to support the Committee and may invite additional subject-matter experts to provide non-voting assistance.

Section 4: That the Committee shall present its written recommendations to City Council no later than nine (9) months after the effective date of this Ordinance. The recommendations shall address, at a minimum, zoning and land-use compatibility; electric and water consumption and capacity; wastewater and stormwater impacts; noise, lighting and environmental considerations; traffic and emergency services; construction and site-development standards; utility cost allocation and rate impacts; economic and employment benefits; and appropriate application, permitting and community-benefit requirements. Following receipt of the Committee's recommendations, City Council shall provide an opportunity for public review and comment before considering permanent legislation.

Section 5: That unless extended, repealed, or replaced by subsequent legislation, the moratorium established by this Ordinance shall automatically expire one (1) year after its effective date.

Section 6: That, if any section, sentence, clause, phrase, or portion of this Ordinance is held to be invalid by a court of competent jurisdiction, the remainder of the Ordinance shall continue in full force and effect to the extent the remainder can be given effect without the invalid portion.

Section 7: That this City Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of the City Council, and that all deliberations of the City Council and its committees, if any, which resulted in formal action, were taken in meetings open to the public, and in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code of Ohio.

Section 8: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of the City of Warren, Ohio. A further reason for the emergency measure is to prevent the approval or commencement of data-center development before the City has had adequate time to evaluate its infrastructure, zoning and community impacts. It shall take effect and be in force immediately upon its passage by the affirmative vote of two-thirds of all members elected to Council and approval by the Mayor, or otherwise at the earliest time permitted by law.

Passed in Council this 9TH day of September, 2026.

SIGNED: _____

PRESIDENT OF-COUNCIL

ATTEST: _____

CLERK

FILED WITH THE MAYOR: _____

DATE APPROVED: _____

Mike D. Lee
MAYOR, CITY OF WARREN, OH