

RESOLUTION NO. 2026-98

A RESOLUTION IMPOSING A TEMPORARY MORATORIUM FOR A PERIOD OF ONE YEAR, ON THE GRANTING OR ISSUING OF ANY PERMITS AND THE CONSIDERATION, REVIEW OR APPROVAL OF ANY PLANS FOR DATA CENTERS WITHIN THE CORPORATE LIMITS OF THE CITY OF WILLOUGHBY, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power to enact planning and zoning laws that are for the health, safety, welfare, peace and comfort of the citizens of the municipality, including restricting areas used for business and trade; and

WHEREAS, data centers are industrial-scale facilities that consume significant energy, water and infrastructure capacity, creating water supply issues, significant utility demands that the City may be unable to support, potential adverse impacts to the environment and City residents, and potentially conflicting with the City's long-term planning goals; and

WHEREAS, this Council desires to issue a moratorium for a temporary period of time, not to exceed one year from the passage of this Resolution, while it undertakes a review and/or study of the Ordinances of the City of Willoughby, including planning and zoning regulations of the City's Codified Ordinances, and determines whether the City has the necessary processes, resources and infrastructure to address the growth and demands of data centers; and

WHEREAS, a moratorium will allow Council to Preserve the City of Willoughby's character, protect environmental resources, and ensure sustainable land use practices; and

WHEREAS, Council will be able to enact reasonable regulations to protect the health, safety, welfare, peace and comfort of the citizens of the City more effectively with the moratorium in place;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILLOUGHBY, COUNTY OF LAKE, AND THE STATE OF OHIO:

SECTION 1. That "Data Center" means, but is not necessarily limited to, a facility used for storage, management, and dissemination of digital data, which houses computer, telecommunications, and/or network equipment, systems, servers, appliances, and other associated components related to digital data operations, and/or facility designed or modified to house networked computers and data and transaction processing equipment and related infrastructure support equipment, including but not limited to power and cooling equipment to provide data and transaction processing services, outsource information, technology services, and computer equipment colocation services, as well as server farms, cloud computing hubs and colocation centers.

SECTION 2. That Council of the City of Willoughby hereby imposes a temporary moratorium of one (1) year on the granting or issuing of any permits, as well as the receipt and processing of applications for permits, under the City of Willoughby Codified Ordinances for proposed Data

Centers within the jurisdictional boundaries of the City. The moratorium includes, but is not limited to, the consideration or granting of zoning permits, building permits, Planning Commission approvals, site plan approval, certificates of occupancy for any building or structure, and/or consideration or approval of any use or change in use that would enable development of a Data Center within the City.

SECTION 3. That Council hereby desires a moratorium in order to allow Council, and any of its committees, City departments, and Planning Commission to review applicable Ohio statutes and undertake a review and/or study of the City's Codified Ordinances, and perform further due diligence on Data Centers to determine how Data Centers might impact the City's infrastructure, utilities, environment, residents, and the long-term planning goals as well as protect the public health, safety and welfare.

SECTION 4. Council may extend the Moratorium for a period of not more than six (6) months if Council finds such continuance is required to allow sufficient time for the Administration to complete its study and recommend what action, if any, the City should take to safeguard the public health, safety and welfare through the provision of adequate planning, zoning, land use, or other regulatory controls that are specifically applicable to activities covered in this Resolution. Council may also lift the Moratorium prior to its expiration, at its discretion.

SECTION 5. That this Moratorium suspends and tolls the Willoughby Codified Ordinances, and any time periods prescribed by law, within which any City department, official or official body of the City, is required to take action upon an application and/or site plan review and approval process, or request for any use permit, building permit, and/or zoning approval for Data Centers, during the time period during which this moratorium is in effect.

SECTION 6. If any section, phrase, sentence, or portion of this resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 7. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such actions were conducted in meetings open to the public, in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby.

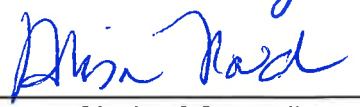
SECTION 8. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the inhabitants of the community; and for the further reason to impose a temporary Moratorium on the consideration, approval or authorization of any applications for the reasons set forth herein; and provided that it receives the affirmative vote of two-thirds of the members elected to Council, it shall be in full force and take effect immediately upon its adoption by Council and approval by the Mayor; otherwise, it shall be in full force and take effect from and after the earliest period allowed by law.

Adopted: July 14, 2026 
President of Council

Attest: 
Clerk of Council

Date: 07.15.26 Approved: 
Mayor

Submitted to the Mayor for his approval on this 15th day of July, 2026.


Clerk of Council