

RECORD OF ORDINANCES

Ordinance No. 2026-29

Passed May 06, 2026

SPONSOR: PLANNING & ZONING COMMITTEE

AN ORDINANCE ENACTING A ONE YEAR MORATORIUM ON THE RECEIPT, PROCESSING, ISSUANCE, AND APPROVAL OF ANY APPLICATION FOR A ZONING CERTIFICATE FOR NAICS 518-DATA PROCESSING, HOSTING AND RELATED SERVICES (DATA CENTERS) UNDER THE VILLAGE'S PLANNING AND ZONING CODE; AND DECLARING AN EMERGENCY.

WHEREAS, the Village has determined it is in the best interest of the Village and its residents to adopt an ordinance enacting a one (1) year moratorium on the receipt, processing, issuance, and approval of any application for a zoning certificate for NAICS 518-data processing, hosting and related services (Data Centers); and

WHEREAS, the Village anticipates that applications for data centers and related services may be submitted to the Village in the near future given the nature of land usage along the Gilchrist Road and Mogadore Industrial Parkway corridors, as well as other commercial areas of the Village; and

WHEREAS, due to concerns relating to data centers, the Village recognizes that the Planning and Zoning Code needs to be reviewed and updated to ensure proper development can occur within the Village and that the Village has the necessary processes, resources and infrastructure in place to address such growth and demand for data centers; and

WHEREAS, the Village anticipates that the General Assembly of the State of Ohio may adopt legislation in the near future to regulate such data centers, which could conflict with, or prevent other issues with, the Village's Planning and Zoning Code; and

WHEREAS, the Village intends for the moratorium to be in effect for an initial period of one (1) year to complete the review and update of the Planning and Zoning Code, to ensure the Village is fully prepared to address applications for data centers and related services, and to enable the General Assembly of the State of Ohio the ability to legislate in such area; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to approve a one (1) year moratorium, as described above.

NOW, THEREFORE BE IT ORDAINED, by the Council of the Village of Mogadore, Counties of Summit and Portage, State of Ohio, that:

SECTION 1: This Council believes it is in the best interest of the Village to institute a one (1) year moratorium on the receipt, processing, issuance, and approval of any application for a zoning certificate for NAICS 518-data processing, hosting and related services (Data Centers). This moratorium is necessary to ensure such future developments align with the intent of the Village and

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its residents, to ensure proper development can occur within the Village and that the Village has the necessary processes, resources and infrastructure in place to address such growth and demand for data centers and that such interests are a legitimate public interest necessary to protect the public health, safety and general welfare.

SECTION 2: This Council reserves the right to rescind this moratorium at any point prior to the conclusion of the one (1) year period.

SECTION 3: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in this formal action were in meetings open to the public, in compliance with all legal requirements.

SECTION 4: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose that this measure become effective immediately before the Village receives any application for a NAICS 518-data processing, hosting and related services (Data Centers), within the Village, and, provided this Ordinance receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

Michael Raddish 5-6-26
President of Council Date

Eric A. 5-6-26
Mayor Date

Attest:

[Signature]
Clerk-Treasurer