

ORDINANCE NO. 2026-12
INTRODUCED BY: Mayor Bodnar

**AN EMERGENCY ORDINANCE
ADOPTING A 12-MONTH TEMPORARY MORATORIUM
ON THE APPROVAL, ISSUANCE AND PROCESSING OF ANY APPLICATIONS
FOR AND/OR APPROVALS OF ANY REZONING, VARIANCES,
CONDITIONAL USE PERMITS, ZONING PERMITS, BUILDING PERMITS,
CERTIFICATES OF OCCUPANCY OR OTHER PERMITS OR LICENSES FOR ANY
BUILDING STRUCTURE, USE, OR CHANGE IN USE FOR ANY
DATA CENTERS IN MAYFIELD VILLAGE, OHIO**

WHEREAS, pursuant to the Village’s Charter, as well as the Ohio Constitution, this Council has the inherent power to enact planning, zoning and business regulations and laws that further the health, safety, welfare and peace of its citizens, including restricting or prohibiting the location and operation of certain business uses; and

WHEREAS, the Village currently regulates land uses in accordance with the Village’s Zoning Code; and

WHEREAS, along with national and statewide interest, there is a growing interest locally in the development, construction and operation of data centers; and

WHEREAS, attached hereto and incorporated herein as “Exhibit A” is a general definition of data centers developed by IBM that includes some common types of data centers (“Data Centers”). (IBM, a company founded in 1911, was a pioneer in electronic data processing dating back to the 1950’s and currently operates and maintains over 60 cloud data centers across 19 countries and 6 continents); and

WHEREAS, at this time, governments, non-profit agencies and think tanks are studying the impacts of Data Centers and should be releasing the results of those studies in the coming months; and

WHEREAS, the Village desires to have time to review those studies and analyze the potential financial, safety, environmental and land use impacts associated with the development, construction and operation of Data Centers in the Village; and

WHEREAS, upon the recommendation of the Village's Administration, this Council has determined it to be in the best interest of the community's health, safety and welfare to undertake a review of the applicable laws, ordinances, business regulations, building codes, available Data Center studies, and model ordinances from other communities to study and analyze the potential impact of the development, construction and operation of such Data Centers in the Village; and

WHEREAS, this Council believes that a temporary moratorium on the approval, issuance or processing of any applications for and/or the approval of any rezoning, conditional use permits, zoning permits, building permits, certificates of occupancy and any other permits or licenses for Data Centers will not deny property owners economically viable uses of their property, since Data Centers are not currently permitted in any Zoning District in the Village, but will afford Village officials and this Council the necessary time to study any potential financial, safety, environmental and land development impact the development, construction and operation of such Data Centers would have on the Village, its safety forces, and its resources and consider putting in place new or amended building, zoning and/or business regulations that may be found necessary.

NOW, THEREFORE, BE IT ORDAINED by the Council of Mayfield Village, Cuyahoga County, State of Ohio, that:

SECTION 1. For the reasons stated in the preamble above, the Village adopts, for a period of twelve (12) months from the effective date of this Ordinance, a temporary moratorium on the approval, issuance and processing of any applications for and/or the approval of any rezoning, conditional use permits, zoning permits, building permits, certificates of occupancy or other permits or licenses for any building structure, use, or change in use for Data Centers.

SECTION 2. The moratorium suspends and tolls any time periods, prescribed by law, within which any Village Board, Commission or Official is required to take action on an application for any related approvals and/or permits.

SECTION 3. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council and that deliberations of this Council and of its committees, resulting in such formal action, took place in meeting open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of health, safety and welfare of the residents of Mayfield Village, for the reason that it is necessary to impose an immediate temporary moratorium to study the financial, safety, environmental and land development impacts of the development, construction and operation of Data Centers in the Village, and to adopt updates to existing building, zoning and business regulations as may be necessary to address these impacts and protect the public interest. It shall, therefore, take effect immediately upon passage by the affirmative vote of not less

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than five (5) members elected to Council and approval by the Mayor, or otherwise, at the earliest time allowed by law.

STEPHEN SCHUTT
Council President

First Reading: _____, 2026

Second Reading: _____, 2026

Third Reading: _____, 2026

PASSED: _____, 2026

BRENDA T. BODNAR, Mayor

APPROVED AS TO FORM:

DIANE A. CALTA, ESQ.
Director of Law

ATTEST: _____
MARY E. BETSA, MMC
Clerk of Council

EXHIBIT “A”

IBM defines a data center to mean: “A data center is a physical room, building or facility that houses IT infrastructure for building, running and delivering applications and services. It also stores and manages the data associated with those applications and services.”

Data centers are often divided into different categories including:

AI data centers: Data centers which specifically support the computing requirements of artificial intelligence systems. AI data centers focus on data processing at rapid speeds to keep up with AI applications almost instantaneously

Cloud data centers: Cloud services providers host data and applications, frequently within hyperscale or mega data centers. Some of these providers include IBM Cloud and Amazon Web Services.

Colocation data centers: A provider will build the shell of the data center and companies will put their own equipment within the shell. The company is responsible for managing their own equipment.

Edge data centers: Much smaller facilities which operate locally. These facilities are located closer to end users and function to aid data intensive applications such as autonomous vehicles, smart cities, and telemedicine.

Enterprise data centers: Data centers built and operated by individual corporations.

Managed services data centers: Data centers which are managed by an external third party from which a company leases the equipment.