

Attachment A

Resolution No. LTZC 1-2026

Section 1419 – DATA CENTERS

REDLINE LEGEND: Struck-through text is proposed for deletion. Red text is proposed new language.

The purpose of this article is to provide regulations for the safe and effective construction and operation of Data Centers and Data Center Campuses in Liberty Township, subject to restrictions which will preserve the public health and safety. No person shall cause, allow or maintain the use of a Data Center or Data Center Campus without first having obtained a conditional zoning permit from Zoning Inspector after approval by the Board of Zoning Appeals in accordance with section 1702.

1. A Data Center may be conditionally permitted in I-2 zoning districts.
2. A Data Center shall not be constructed until all applicable zoning and building permits have been approved and issued.

A. Conditional Use Approval Criteria

The Board shall find:

1. The proposed use will not overburden public utilities, including electrical, water, or wastewater systems.
2. The use is compatible with surrounding land uses, particularly residential areas.
3. The site design minimizes noise, visual, and operational impacts.
4. Adequate provisions are made for emergency access and fire protection.
5. The proposed development shall be equipped with a certified/engineered fire suppression system per Ohio Revised Code.
6. The proposed development shall include a comprehensive incident response plan that includes containing and disposal of all runoff.
7. The proposed development will not create adverse cumulative impacts when considered with existing or approved data centers in the vicinity.
8. Applicants for a conditional use permit must give written notice to all properties within 1250 feet at least 10 days prior to the Board of Zoning Appeals meeting scheduled to consider the application.
 - a. Applicant must provide proof of mailing said notice to the Board of Zoning Appeals

B. Site Plan Review Required.

A site plan shall be submitted to the Board of Zoning Appeals at the time of application and shall include:

1. Site Plan

- a. Property lines, parcel boundaries, acreage, and physical dimensions of the site.
- b. Location and dimensions of all existing and proposed buildings, structures, and equipment, including the Data Center building, generators, cooling equipment, transformers, substations, switchgear, utility yards, fuel storage tanks, water storage tanks, battery energy storage systems, and other major mechanical or electrical equipment.
- c. All required setbacks, including setbacks from property lines, road rights-of-way, residential uses or dwellings, and other Data Centers, as applicable.
- d. Location of all existing residential dwellings and residentially used properties within [1,500 feet or other distance established by the Township] of the Data Center property.
- e. Location of all existing and proposed above ground and underground utility lines, substations, utility easements, pipelines, water lines, sanitary sewers, storm sewers, and other utility infrastructure serving the site.
- f. Existing and proposed points of vehicular access, internal drives, parking areas, loading areas, gates, and emergency access routes, including sufficient information to demonstrate emergency vehicle circulation and turning movements.

- g. Existing and proposed site grading, drainage patterns, stormwater detention or retention facilities, storm sewer systems, discharge points, drainage easements, and emergency overflow routes.
- h. The location of all noise-generating equipment, including generators, cooling equipment, transformers, mechanical equipment, and other significant stationary noise sources.
- i. The location, type, capacity, and configuration of all emergency and backup generators and associated fuel storage facilities.
- j. The location and general design of cooling equipment and identification of the proposed cooling system, including any water storage, piping, cooling towers, chillers, dry coolers, or related equipment.
- k. The location of fire lanes, hydrants, fire department connections, emergency access points, fire suppression equipment, and other site features necessary for emergency response.
- l. A landscaping and screening plan showing existing vegetation to remain, proposed landscaping, berms, walls, fencing, screening of mechanical and electrical equipment, and screening along property lines.
- m. An exterior lighting and photometric plan identifying the location and height of all exterior light fixtures and demonstrating compliance with applicable property-line illumination standards.
- n. Building elevations showing maximum building height, exterior materials, colors, architectural treatments, screening of rooftop or ground-mounted equipment, and the appearance of all building façades facing public roads or residential properties.
- o. Existing and proposed floodplains, wetlands, watercourses, drainageways, and other significant natural features located on the site.
- p. Proposed construction phases and the location and extent of any reasonably anticipated future expansion. The plan shall identify the ultimate buildout of the site when development is proposed in phases.
- q. Adjacent parcels under common ownership or control and any shared utility infrastructure, access, substations, or other facilities associated with an existing or proposed Data Center development.
- r. Manufacturer's specifications for major mechanical, electrical, cooling, generator, and other equipment relevant to determining compliance with this Section, including make, model, rated capacity, dimensions, and other pertinent specifications.
- s. A scaled drawing containing a north arrow, date of preparation, drawing scale, and the name and contact information of the person or firm preparing the plan.

2. Additional Application Materials

In addition to the Site Plan, the Board of Zoning Appeals may require the following information when necessary to determine compliance with this Section:

- a. Electrical demand and utility capacity study, including documentation from the serving electric utility.
- b. Water demand and wastewater analysis, including anticipated maximum gallons per day and verification of available utility capacity.
- c. Noise study prepared by a qualified professional identifying existing ambient conditions, projected operational noise, significant noise sources, and anticipated sound levels at property lines and nearby residential dwellings.
- d. Stormwater management report and drainage calculations prepared by a professional engineer.
- e. Traffic impact analysis when determined necessary based upon the scale, location, or anticipated construction or operational traffic of the facility.
- f. Emergency response and fire protection plan prepared in coordination with the applicable fire and emergency service providers.
- g. Construction management plan identifying anticipated construction duration, construction access, truck routes, hours of construction, staging areas, and measures to minimize impacts upon surrounding properties.

- h. Any additional technical study or documentation reasonably necessary for the Township to determine compliance with the requirements of this Section.

C. Lot and Yard Requirements.

- ~~1. A Data Center Campus shall not be located any closer than one (1) mile, nearest lot line to nearest lot line, to any other Data Center Campus.~~
- ~~2. A Data Center shall have a 1250 foot setback when adjacent to a residential use or zoning.~~
- ~~3. Maximum building height: Maximum building height shall be in accordance with the schedule of regulations.~~
- ~~4. Maximum Lot Coverage: 60%~~
1. No Data Center building shall be located within one hundred (100) feet of any property line or public road right-of-way.
2. No Data Center building shall be located within three hundred (300) feet of a property line containing an existing residential use.
3. No Data Center building shall be located within five hundred (500) feet of an existing residential dwelling. As measured from building to building.
4. No generator, cooling equipment, transformer yard, substation, switching station, or other major noise-producing mechanical or electrical equipment shall be located within five hundred (500) feet of a property line containing an existing residential use.
5. Maximum Building Height. Maximum building height shall be in accordance with the Schedule of Regulations.
6. Maximum Lot Coverage: 60%.
7. Maximum Lot Size: 25 Acres – Including all lots, parcels, phases, and contiguous land under common control that are part of the same development.

D. Performance Standards

1. Cooling System Requirements

a. Permitted Cooling Systems

All data centers shall be air cooled (dry cooling).

b. Prohibited Cooling Systems

The following cooling methods are expressly prohibited:

1. Evaporative cooling systems, including cooling towers, evaporative condensers, and adiabatic cooling systems that consume water through evaporation;
2. Once-through cooling systems that withdraw water and discharge it without recirculation.
3. Closed-loop liquid cooling systems, where water or coolant is continuously recirculated within a sealed system and is not consumed through evaporation.

2. Water Source Restrictions

a. Prohibition on Groundwater Extraction

No regulated use shall utilize groundwater wells, private wells, or other subsurface water sources for operational or cooling purposes.

b. Permitted Water and Sewer Sources

Water and sewer shall be supplied exclusively by:

1. A municipal water and sewer system; or
2. An approved public utility provider.

c. Verification Required

The applicant shall provide written verification from the water utility provider demonstrating adequate system capacity to serve the proposed use without negatively impacting existing users.

3. Water Usage Limits

Maximum Daily Water Consumption

No regulated use shall exceed 100,000 gallons per day (GPD) of total water usage.

4. Noise

Data Centers shall be designed and located in order to prevent the sound produced by the equipment to emit no greater than 40 dBA of sound at the edge of any property line of all adjoining properties.

The Board may require a pre-construction acoustical study and post-construction verification. Emergency generator operation during an actual utility outage is exempt from this limit; routine generator testing remains subject to subsection 7.

5. Lighting

Outdoor lighting shall be fully shielded and directed downward. The level of lighting shall not exceed 0.5-foot candles at any property line.

6. Vibration and Emissions

No vibration, odor, or heat perceptible beyond the property line.

7. Emergency Generators

May operate for testing and maintenance between 8 a.m. – 6 p.m. weekdays only, except during power outages.

8. Maximum Electrical Capacity

a. Capacity Limit

No data center shall be constructed or expanded to exceed a Total Facility Load of 10 megawatts (MW) at any single site.

For purposes of this section, "Total Facility Load" means the maximum aggregate nameplate electrical capacity of data-center equipment and associated facility systems located on parcels under common ownership or control and developed as one integrated project, including all phases.

b. Measurement Standard

Electrical capacity shall be calculated based on the maximum designed load as indicated in:

- Utility interconnection agreements;
- Electrical engineering plans; and/or
- Nameplate capacity of installed equipment.

c. Phased Development

Developments constructed in phases shall be considered a single site if:

- Located on contiguous parcels; or
- Sharing electrical infrastructure, substations, or utility interconnections.

The combined load of all phases shall not exceed the 10 MW limit.

E. Design Standards

1. All mechanical and electrical equipment shall be screened from view by architectural enclosures or landscaping.
2. Building façades facing public streets shall include architectural treatments, materials, or fenestration consistent with non-industrial structures in the same district.
3. Security fencing shall not exceed 8 feet in height and shall be located behind required front-yard setbacks in accordance with schedule of regulations.

F. Access and Circulation

1. Site access shall be from a major or minor thoroughfare.

2. Adequate on-site circulation for emergency vehicles shall be provided.

G. Utilities and Drainage

1. The applicant shall demonstrate adequate electrical capacity to serve the proposed use.
2. A Data Center shall be designed and constructed so that stormwater runoff, drainage, and grading do not materially increase flooding, erosion, or adverse drainage impacts upon adjoining or downstream properties.

The applicant shall submit a stormwater management and drainage plan prepared and sealed by a professional engineer. At a minimum, the drainage system shall meet the following standards:

- a. Storm sewer systems shall be designed using generally accepted engineering methods, including the Rational Method and Manning Formula where applicable.
- b. Storm sewer calculations shall include a ten-year (10-year) hydraulic grade line analysis.
- c. Culverts shall be designed for a ten-year (10-year) storm and evaluated for a twenty-five-year (25-year) storm.
- d. Stormwater detention or retention shall be required. The maximum allowable discharge rate shall not exceed the lesser of:
 - i. the runoff rate produced by the site's existing conditions during a five-year (5-year) storm, or
 - ii. the available capacity of the downstream drainage system or receiving outlet.
- e. The detention or retention facility shall be capable of storing runoff from the proposed development generated by a one-hundred-year (100-year) storm without overtopping the designed outlet-control structure.
- f. The drainage plan shall identify an emergency flood or overflow route showing the anticipated flow path of stormwater during a storm exceeding the design capacity or in the event of a drainage-system failure.
- g. A grading plan shall be provided demonstrating positive drainage throughout the site and identifying proposed elevations, drainage swales, storm sewers, detention facilities, discharge points, and emergency overflow routes.
- h. Development within an identified floodplain or flood hazard area shall comply with all applicable federal, state, county, and township floodplain-management requirements.
- i. For development disturbing one (1) acre or more, the applicant shall prepare and implement a Storm Water Pollution Prevention Plan (SWP3) meeting applicable Ohio EPA requirements and generally accepted erosion and sediment-control practices.
- j. The Township may require the drainage plan and supporting calculations to be reviewed by the Hancock County Engineer or an independent professional engineer retained by the Township. The reasonable cost of such review shall be paid by the applicant or property owner.

H. Screening and Landscaping

1. A minimum 50-foot landscape buffer shall be provided along any property line adjoining a residential use or district.
2. Landscaping shall include a mix of evergreen and deciduous plantings sufficient to provide year-round visual screening.

I. Prohibition on Circumvention

1. The Zoning Administrator requires submission of ownership, lease, and utility agreements to determine common control. No data center development shall be artificially divided into multiple parcels, entities, or applications for the purpose of avoiding the requirements of this section.
2. The zoning administrator may consider the following in determining common control:
 - Shared ownership or management;
 - Shared infrastructure;
 - Coordinated development plans;
 - Utility service arrangements.

J. Third-Party Technical Review.

1. The Township may, when it determines that specialized technical expertise is reasonably necessary to evaluate a proposed Data Center, retain one or more independent third-party consultants or experts to review the application, supporting studies, utility information, engineering documents, environmental information, noise studies, water-use information, emergency response plans, or other technical materials submitted by the applicant. The reasonable and necessary costs of such third-party review shall be paid by the applicant or property owner. The Township may require a deposit or other financial assurance sufficient to cover the anticipated review costs before the review is initiated, with any unused balance returned upon completion of the review. Failure to timely pay required third-party review costs may result in suspension of further review of the application until such costs are paid.

K. Decommissioning

1. If a Data Center ceases operation for a continuous period of twelve (12) months, the property owner shall remove abandoned equipment and structures associated with the use and restore the site to a safe and stable condition. The Township may require a decommissioning plan and financial assurance sufficient to cover the reasonable cost of removal and site restoration.

<add to ARTICLE II – CONSTRUCTION OF LANGUAGE AND DEFINITIONS, SECTION 201>

Definitions

Data Center:

A facility designed and used primarily for housing computer servers, data storage, networking, or related equipment for the purpose of storing, processing, or distributing electronic data. Data centers shall not be considered warehouses, storage facilities, or distribution centers for zoning purposes. Such facilities may include ancillary offices for employees, network operations, and limited support functions, but shall not include general office space, call centers, or telecommunications towers as the principal use.

Data Center Campus:

A group of data center buildings and associated infrastructure located on one or more adjacent parcels under common ownership or control and functioning as an integrated development.

Gallons Per Day (GPD):

The maximum quantity of water used by a facility during any twenty-four (24) hour period, measured in gallons. For purposes of this Resolution, GPD includes all water supplied to or used by any facility, including water used for cooling, humidification, domestic purposes, maintenance, and other facility operations.