

VILLAGE OF YELLOW SPRINGS, OHIO

ORDINANCE 2026-08

**ESTABLISHING A MORATORIUM
ON THE ISSUANCE OF ZONING PERMITS AND APPROVALS
FOR NEW DATA CENTER USES IN VILLAGE OF YELLOW SPRINGS AND
DECLARING AN EMERGENCY**

WHEREAS, Village of Yellow Springs (“Village”) has adopted a zoning code to promote and protect the public health, safety and general welfare by, in part, regulating the use of land areas and the construction, restoration and/or alteration of buildings and uses; and

WHEREAS, the Village has the authority to impose reasonable zoning regulations for the purpose of promoting the public health, safety, and morals within the Village; and

WHEREAS, for the purposes of this Resolution, “Data Center” shall be understood to refer to a facility or portion of a facility housing networked computer systems and telecommunications equipment used for remote storage, processing, and distribution of data; and

WHEREAS, for the purposes of this Resolution, “Auxiliary Data Center” shall be understood to refer to a Data Center which is ancillary to another primary use of the subject property and satisfies all of the following conditions: (i) is not housed in a standalone structure separate from a permitted primary structure on the property, (ii) occupies no more than ten percent (10%) of the primary structure’s footprint, (iii) is used to serve the enterprise functions of an occupant of the property, and (iv) is not used to lease data storage and processing services to non-occupants of the property; and

WHEREAS, Data Centers raise unique concerns for surrounding properties and the overall community related to the reliability of the local power grid, rising electricity prices, availability of water and other utilities necessary for Data Center operation, as well as noise, aesthetics, and security and safety concerns; and

WHEREAS, the Village of Yellow Springs finds it necessary to enact a twelve (12) month moratorium on the issuance of zoning permits and other approvals for Data Centers to allow the Village time to research and evaluate the impacts of Data Centers on the community, and the potential need for text amendments to the Village of Yellow Springs Zoning Code to address Data Centers in the interests of the public health, safety, and general welfare,

NOW THEREFORE, BE IT ORDAINED by the Village of Yellow Springs, Greene County, Ohio:

SECTION 1. The issuance of any and all zoning permits and other approvals allowing the development, construction, or operation of any new Data Centers with an aggregate monthly demand or peak load greater than 2 megawatts is hereby suspended for a period of twelve (12) months from the effective date of this Ordinance, which suspension shall expire on May 18, 2027 (the “Moratorium”).

SECTION 2. To the extent there are any existing Data Centers in the Village of Yellow Springs as of the effective date of this Ordinance, the issuance of any and all zoning permits and other approvals allowing the expansion or enlargement of such existing facilities which would create an aggregate monthly demand or peak load greater than 2 megawatts is hereby suspended for the period of the Moratorium. If such expansion would not create an aggregate monthly demand or peak load greater than 2 megawatts then such zoning permits or approvals for expansion can be processed and are not impacted by this moratorium.

SECTION 3. The Moratorium shall not apply to Auxiliary Data Centers and applications or zoning permits related to the development, construction, or operation of a Data Center where such applications or permits were submitted or issued prior to the effective date of this Ordinance.

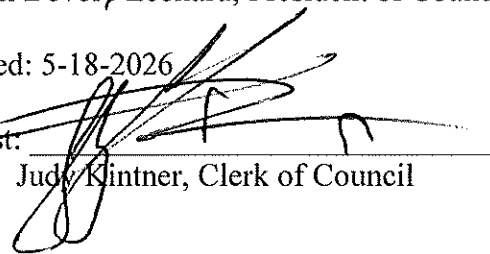
SECTION 4. During the Moratorium, the Village Manager, Planning and Zoning Department, Village Solicitor, and other appropriate Village staff are hereby directed to investigate and review the potential impacts of Data Centers on the Village of Yellow Springs community.

SECTION 5. This Ordinance is hereby declared to be an emergency measure under home rule power granted by the Village Charter and immediately necessary to preserve the public interest and for the health, safety and welfare of the Village of Yellow Springs.



Gavin DeVore Leonard, President of Council

Passed: 5-18-2026

Attest: 

Judy Kintner, Clerk of Council

ROLL CALL:

Gavin DeVore Leonard __Y__ Angie Hsu __Y__ Carmen Brown __Y__

Senay Semere __Y__ Stephanie Pearce __Y__