LICKING TOWNSHIP, LICKING COUNTY, OHIO
BOARD OF TOWNSHIP TRUSTEES

RESOLUTION NO. 11-02-26DCM

RESOLUTION ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, REVIEW, PROCESSING, AND/OR APPROVAL OF APPLICATIONS RELATED TO THE CONSTRUCTION, ESTABLISHMENT, MODIFICATION, OPERATION, OR EXPANSION OF ANY DATA CENTERS AND/OR DATA CENTER-RELATED DEVELOPMENTS WITHIN LICKING TOWNSHIP AND DIRECTING A REVIEW OF TOWNSHIP ZONING REGULATIONS AND OTHER REGULATORY MEASURES RELATED TO ANY DATA CENTERS AND/OR DATA CENTER-RELATED DEVELOPMENTS.

WHEREAS, Licking Township is authorized under Ohio Revised Code Chapter 505 and 519 to regulate land use, protect public health and safety, and preserve the character of the township through zoning and related resolutions; and

WHEREAS, Licking Township, Licking County, Ohio, has adopted a township zoning resolution pursuant to Ohio Revised Code Chapter 519; and

WHEREAS, Ohio Revised Code Section 519.02 authorizes a board of township trustees, in accordance with a comprehensive plan and in the interest of public health, safety, convenience, comfort, prosperity, and general welfare, to regulate the location and use of buildings, structures, and land within the unincorporated territory of the township; and

WHEREAS, the Board of Licking Township Trustees recognizes that data centers and related facilities may substantially impact and/or involve substantial electrical infrastructure, cooling systems, backup generators, water usage, stormwater management, noise, lighting, traffic, emergency-service requirements, and other land-use considerations and therefore require careful study and evaluation; and

WHEREAS, The Township's existing zoning resolutions do not currently contain specific standards or review procedures tailored to data center facilities, and the Board of Trustees finds it necessary to evaluate whether amendments or new regulations are required to protect the public interest; and

WHEREAS, the Board believes that additional study is appropriate to determine the potential impacts of data center development and whether the Township's existing zoning regulations adequately address the characteristics and potential impacts of data centers and related facilities; and

WHEREAS, a temporary pause on new and/or pending applications is necessary to allow the Township sufficient time to conduct research, consult with legal counsel, coordinate with

Licking County agencies, to review the existing zoning resolution and consider appropriate zoning text amendments or other regulatory measures; and

WHEREAS, the Board finds that a temporary moratorium is in the best interest of the residents of Licking Township to ensure orderly development and to prevent irreversible impacts while zoning and regulatory updates are under consideration; and

WHEREAS, the Board intends this temporary moratorium to preserve the status quo while the Township undertakes this review and does not intend by this resolution to make a permanent amendment to the Township Zoning Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Board of Township Trustees of Licking Township, Licking County, Ohio, as follows:

SECTION 1. TEMPORARY MORATORIUM

For a period of **12 months (365 Days)** from the effective date of this Resolution, or until the adoption of a subsequent resolution terminating the moratorium, whichever occurs first, Licking Township shall temporarily suspend the acceptance, processing, approval, or issuance of any zoning applications, site plans, permits, variances, conditional uses, planned unit development proposals, map changes, or other land use or development-related requests associated with any construction, establishment, modification, operation, or expansion of any data centers or data center-related developments within or otherwise involving the unincorporated territories of Licking Township.

The moratorium suspends and tolls the time periods prescribed by law within which the Township is required to act upon an application. No such application shall be deemed approved by the failure of the Township to review, approve, or deny an application during the time when this moratorium is in effect.

For purposes of this Resolution, a "data center" means a facility primarily designed, planned, or used to house, operate, or maintain computer servers, computer data-processing equipment, telecommunications equipment, networking equipment, digital storage infrastructure or similar electronic information-processing equipment, including any associated cooling, electrical, backup-power, security, and/or utility infrastructure, regardless of whether the facility is operated for commercial, governmental, or private purposes.

SECTION 2. APPLICATION OF MORATORIUM

During the moratorium period, the Township Zoning Inspector, Township Zoning Clerk, Board of Zoning Appeals, Township Zoning Commission, and /or Board of Township Trustees shall not accept applications and/or issue, approve, or authorize a new zoning approval, authorization, or permit that would permit construction, operation, or establishment of any data center or data

center-related development or any modification or expansion of a data center or data center-related development, except where the Township's legal counsel determines that an applicant possesses a vested or other legally protected right that prevents application of the moratorium.

Nothing in this Resolution shall be construed to terminate, impair, or otherwise interfere with an existing lawful use or with rights that have vested under applicable Ohio law.

SECTION 3. PURPOSE OF REVIEW

During the moratorium, the Township Zoning Commission is directed to conduct research on data center impacts, data center-related development impacts, review the Township Comprehensive Plan and Zoning Resolution and identify gaps, consult with legal counsel, the Licking County Planning Commission, and utility providers, hold public meetings or hearings as necessary, and consider whether zoning text amendments, and/or additional regulations concerning data centers and/or data center developments are appropriate.

The review may include, but is not limited to:

1. Minimum setbacks from residential properties and public roads;
2. Maximum building height, building size, and lot coverage;
3. Noise generated by cooling equipment, generators, transformers, and other equipment;
4. Hours of construction and construction-related noise;
5. Backup generators and fuel storage;
6. Electrical substations and other associated utility infrastructure;
7. Water consumption and availability;
8. Wastewater and stormwater management;
9. Emergency access and fire protection;
10. Traffic generated during construction and operation;
11. Landscaping, buffering, screening, and fencing;
12. Exterior lighting;
13. Visual impacts;
14. Environmental impacts;
15. Protection of neighboring agricultural and residential properties;
16. Requirements for decommissioning abandoned facilities;
17. Financial security or other measures associated with decommissioning, if legally authorized; and
18. Any other land-use consideration the Zoning Commission determines appropriate.

SECTION 4. ZONING COMMISSION RECOMMENDATION

The Township Zoning Commission is requested to provide the Board of Township Trustees with a written recommendation concerning whether the Township Zoning Resolution should be amended to establish specific regulations governing data centers and related facilities.

Any proposed permanent amendment to the Township Zoning Resolution shall be processed in accordance with the applicable requirements of Ohio Revised Code Chapter 519, including Section 519.12.

SECTION 5. EXISTING APPLICATIONS AND VESTED RIGHTS

This Resolution shall not be interpreted to retroactively invalidate a zoning certificate, variance, conditional-use permit, development approval, building permit, or other legally established right that was lawfully obtained before the effective date of this Resolution.

Any question concerning whether a particular application or property possesses a vested or otherwise legally protected right shall be reviewed in consultation with the Township's legal counsel.

SECTION 6. NO PERMANENT ZONING AMENDMENT

This Resolution is intended solely as a temporary moratorium and study measure.

Nothing in this Resolution shall constitute a permanent amendment, rezoning, or modification of the Licking Township Zoning Resolution.

SECTION 7. EFFECTIVE DATE AND EXPIRATION

This Resolution shall become effective upon adoption by the Board of Township Trustees.

Unless earlier terminated or superseded by action of the Board of Township Trustees, the moratorium established by this Resolution shall expire **12 months (365 Days) after its effective date**.

SECTION 8. SEVERABILITY

If any section, subsection, paragraph, sentence, phrase, provision, or portion of this Resolution is determined to be invalid or unenforceable by a court of competent jurisdiction, such determination shall not affect the validity or enforceability of the remaining provisions, which shall remain in full force and effect.

SECTION 9. CERTIFICATION

The Licking Township Fiscal Officer is directed to maintain this Resolution as part of the official records of the Township and to provide copies to the Township Zoning Commission, Zoning Inspector, and Board of Zoning Appeals.

ADOPTED this 2nd **day of** November **, 2026.**

BOARD OF LICKING TOWNSHIP TRUSTEES

Trustee John Cormican _____ Date: 11-02-2026

Trustee Dave Miller _____ Date: 11/02/2026

Trustee Gregory Smith _____ Date: 11-02-2026

ATTEST:

Fiscal Officer Andrea Lynch _____ Date: 11-02-2026