

Ordinance No: 26-05-029

Committee: Judiciary and Annexation

**AN ORDINANCE TO AMEND VAN WERT CODE OF ORDINANCES SECTION 150.03 TO ADD THE TERM “DATA CENTER” AS A DEFINED TERM AND TO MODIFY THE DEFINITION OF THE TERM “PUBLIC SERVICE FACILITY”, TO AMEND VAN WERT CODE OF ORDINANCES SECTION 150.15(h)(1) BY ADDING DATA CENTERS AS A PERMITTED USE IN THE I-2 GENERAL INDUSTRIAL ZONING CLASSIFICATION, AND DECLARING AN EMERGENCY.**

**WHEREAS**, City Council has determined that it is desirable and necessary to amend Section 150.03 of its Code of Ordinances to (a) add the term “Data Center” to the list of defined terms in that section and (b) modify the definition of the term “Public Service Facility”; and

**WHEREAS**, the City Council of Van Wert (“City Council”) also has determined that it is desirable and necessary to amend Section 150.15(H)(1) of its Code of Ordinances to include a “Data Center” as a permitted use in I-2 General Industrial Zoning in order to promote development; and

**WHEREAS**, the City’s Planning Commission, by its motion made and approved on March 26, 2026 pursuant to Code of Ordinances Section 150.76(A)(1), initiated the proposed amendments to Code of Ordinances Section 153.03 and Section 150.15(H)(2); and

**WHEREAS**, the City’s Planning Commission referred the proposed amendments to the Van Wert County Regional Planning Commission (the “RPC”) on March 31, 2026; and

**WHEREAS**, the RPC held a hearing on the proposed amendments on April 21, 2026, and thereafter transmitted its recommendation on the proposed amendment to the City’s Planning Commission; and

**WHEREAS**, the City’s Planning Commission held a public hearing on the proposed amendments to Code of Ordinances Section 150.03 and Section 150.15(H)(1) on April 27, 2026, and has transmitted its recommendation to City Council; and

**WHEREAS**, City Council held a public hearing on the proposed amendments on May 4, 2026; and

**WHEREAS**, this Ordinance is hereby declared to be an emergency measure, to be effective immediately upon passage, such emergency being necessary for the immediate preservation of the public peace, health, safety, or welfare, to wit: for the preservation and addition of employment opportunities in the City of Van Wert; to preserve and increase municipal real property and income tax revenues for the City; and to protect the value of previously made public infrastructure investments by the City in and near portions of the community where real property is or may later be zoned with the I-2, General Industrial zoning classification in the City.

Be it **ORDAINED** by the Council of the City of Van Wert, Van Wert County, Ohio, to wit:

**Section 1.** To approve the addition of a “Data Center” to the permitted uses for I-2 General Industrial Zoning as part of Van Wert Code of Ordinances Section 150.15 – “Permitted Uses” which is attached hereto and marked as Exhibit “A”.

**Section 2.** To approve the amendments of the definition of the term “Public Service Facility” in Van Wert Code of Ordinance Section 150.03 as provided in Exhibit “A” attached hereto.

**Section 3.** To approve the amendment of the list of permitted use in the I-2, General Industrial Zoning as part of Van Wert Code of Ordinances Section 150.15(H)(1) as provided in Exhibit “A” attached hereto.

**Section 4.** It is hereby found and determined that all formal actions of City Council concerning and relating to the adoption of this legislation were adopted in an open meeting of City Council, and that all deliberations of City Council and/or its committees that resulted in such a formal action were in meetings open to the public, in compliance with Section 121.11 of the Ohio Revised Code.

**Section 5.** This Ordinance is hereby declared to be an emergency measure, necessary for the immediate preservation of the public peace, health, safety and welfare, and as an emergency measure this ordinance shall take effect and be in force from and after its passage by City Council and approval by the Mayor.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Thad R. Eikenbary – President of Council

Attest: \_\_\_\_\_  
Stephanie R. Phillips, Clerk of Council

\_\_\_\_\_  
Kenneth J. Markward, Mayor

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Kenneth J. Markward, Mayor

**Exhibit “A”**

***The following term and definition are hereby added to Section 150.03 of the Van Wert Code of Ordinances:***

***“Data Center.*** A facility comprised of a building or group of buildings designed to incorporate a large number of computer servers used for the storage of, processing, and distribution of large amounts of data, and the accessory equipment and structures necessary to support the critical functions of the facility such as (but not limited to) generators, cooling towers, fuel storage, and electrical equipment.”

***The term “Public Service Facility” as provided in Section 150.03 of the Van Wert Code of Ordinances is amended and revised to read as follows:***

***“PUBLIC SERVICE FACILITY.*** This definition shall apply to any publicly or privately owned facility for the erection, construction, alteration, operation or maintenance of buildings; power plants or substations\*; water treatment plants or pumping stations; and sewage disposal or pumping plants and other similar public service structures by a public utility, by a railroad, or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communication, public water, and sewage disposal services. \*These facilities can only be operated in the I-2 zoning district.”

***The list of permitted uses in the I-2, General Industrial District as provided in Section 150.15(H(1) of the Van Wert Code of Ordinances is amended to read as follows:***

***“(H) I-2 General Industrial***

***(1) Permitted Uses:***

General manufacturing  
Manufacturing, sale and storage of building materials  
Transport and trucking terminals  
Wholesale business

City of Van Wert  
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Warehousing  
Food processing  
Public service facility  
Grain elevators and feed mills  
Sexually oriented businesses, subject to § 150.51  
Homeless shelter  
Emergency shelter  
Drop in center  
Permanent supportive housing  
Transitional housing  
Data Center".