

Data Center Moratorium

Purpose:

This ordinance is intended to address the proliferation of Data Center expansion in Massachusetts and to provide an opportunity for the City to consider reviewing the Zoning code which does not currently contain provisions for Data Centers either by right or by special use permit.

Because the scale, energy demands, and development patterns associated with modern data centers are rapidly evolving, this ordinance will implement a moratorium that is intended to fully allow Greenfield to consider public health, safety, and welfare; to ensure compatibility with surrounding land uses; and to allow for review of site-specific impacts of proposed Data Centers related to energy demand, water use, noise, emissions, site design, and municipal infrastructure. It will enable the City to consider whether such a facility is desired, and if so, provide time for the formation of governing regulations for such facilities before one is ever built.

1. Amend Article II Definitions by inserting a new paragraph as follows:

DATA CENTERS: A facility, or portion thereof, primarily designed or used to house computer servers and related information technology infrastructure for the storage, processing, management, or transmission of electronic data regardless of the number of tenants, building square footage, phased construction, or current utilization levels.

A Data Center may include, but is not limited to, server racks, data storage systems, cooling systems, power conditioning equipment, substations, uninterruptible power supplies, backup generators, telecommunications equipment, security systems, and associated mechanical and electrical infrastructure. It may also include distributed, modular, or networked computing facilities that collectively function as a single data processing or storage operation.

For purposes of this bylaw, a Data Center shall not be considered an Office, Warehouse, Manufacturing, or Research use.

Data centers include, but are not limited to, the following types:

- *Hyperscale Data Center* – A very large-scale facility typically operated by a single entity for cloud computing, large-scale data processing, or enterprise services, characterized by substantial electricity demand, extensive mechanical cooling systems, and limited on-site staffing.
- *Enterprise or Colocation (Colo) Data Center* – A facility in which multiple customers lease space, equipment areas, or “racks” within a shared infrastructure environment operated by a specialized provider, with common power, cooling, telecommunications, and backup systems.
- *Edge or Micro Data Center* – A smaller-scale facility designed to serve localized or network edge functions, typically occupying significantly less

floor area and operating with minimal on-site personnel.

- *Fractional or Distributed Data Center* – a distributed computing model that places distributed computing nodes across multiple residential, commercial, or industrial properties.

These categories are descriptive only and shall not limit the Building Inspector's authority to classify a facility as a Data Center based on its functional characteristics and energy demand.

Without limiting the other definitional criteria contained herein, a use shall be classified as a Data Center where either:

- (a) more than twenty-five percent (25%) of the gross floor area is devoted to server racks, stationary computing equipment, or associated mechanical or electrical infrastructure; or
- (b) the primary purpose of the facility, as determined by the Building Inspector based on the functional characteristics of the use, is the housing and operation of computer servers and related infrastructure, regardless of floor area allocation.

2. Amend Article VII Special Regulations by inserting a new Section 7.20 as follows:

7.20 365-DAY MORATORIUM ON "DATA CENTERS"

2A. The purpose of this temporary moratorium is to provide the City an opportunity to better understand the impacts, if any, that the construction, expansion, and operation of Data Centers will have on City infrastructure and, more generally, the overall quality of life for residents.

2B. There is hereby imposed, effective immediately, a 365-day moratorium on any new construction and development within the City of Greenfield, Massachusetts, of "Data Centers", as defined above. Said moratorium prohibits acceptance by the City of Greenfield of any new applications and permits for zoning permissions and decisions for the intended purpose of the development and operation of a Data Center. Should the Greenfield Zoning Code regarding data centers be amended prior to the expiration of the 365-day period, the moratorium shall terminate on the effective date of amendment.

The moratorium period may be extended, one (1) time, by a 2/3 vote of the City Council, not to exceed 180-days.

2C. During the term of this moratorium, the Department of Planning and Development is encouraged to review current Zoning Codes and Regulations, develop a body of research on any impacts these facilities have on the community, public safety, city infrastructure, and on adjacent infrastructure; and also consider the impact, if any, to the area wildlife and natural resources. This list of potential impacts is not exhaustive and may include additional impacts, as identified.

Then, when deemed appropriate, it shall propose revisions (if any) to the Greenfield Zoning Code, to be placed before the Greenfield City Council for consideration.

2D. The Department of Planning and Development may consult with other City departments to ensure any recommendations (if any) address the impact on power, water, sewer availability and capacity limitations, noise, as well as any potential legal implications.

2E. If recommendations are made, emphasis should also be given to enforcement of regulations following construction and development, including operational limitations reasonably intended to ameliorate public concerns of legitimate land uses.

2F. If, after the expiration of the 365-day period, no revisions or recommendations are forwarded to the Greenfield City Council, then the Council may vote to extend the moratorium by no more than 180-days. During this time, the Council must propose its own revisions to the Greenfield Zoning Code.

3. Amend the Appendix: Table of Uses, section 7 “Industrial Uses”, by inserting a new section as follows:

Industrial Uses	RC	RB	RA	SR	H	CC	LC	GC	O	GI	PI
Data Centers	N	N	N	N	N	N	N	N	N	N	N

4. Severability – If any provision of this section is held invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

5. Should any provision of this moratorium conflict with or fail to address a matter within the purview of M.G.L. c. 40A, it is understood that M.G.L. c. 40A shall prevail.

6. This Ordinance shall take effect upon its passage in accordance with the Code of the City of Greenfield and the provisions of Chapter 43 and 40A of the General Laws of Massachusetts.