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CONSTRUCT A LARGE-SCALE DATA CENTER WITHIN THE COUNTY

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WOOD COUNTY ORDINANCE #709
REQUIRING NOTICE TO WOOD COUNTY OF THE INTENT TO CONSTRUCT A
LARGE-SCALE DATA CENTER WITHIN THE COUNTY

The County Board of Supervisors of the County of Wood does ordain as follows:

709.1 PURPOSE AND APPLICABILITY

Across the state, the planning and development of Large-Scale Data Centers within cities, villages, and towns often means counties are limited in their ability to proactively plan for the impact of the construction of a Large-Scale Data Center. It is in Wood County's best interest to require developers of Large-Scale Data Centers provide notice to the County so that the County and the developer may identify and mitigate potential adverse impacts on the County and its infrastructure associated with the construction of a Large-Scale Data Center. This Ordinance applies to all proposed Large-Scale Data Centers in Wood County, regardless of whether the Large-Scale Data Center is located in a city, village or town.

709.2 DEFINITIONS

- (1) **Contacting Party**- The owner, operator, or proposed developer of a Large-Scale Data Center, or an agent of the owner, operator or proposed developer.
- (2) **Large-Scale Data Center**- Any project with one or more buildings owned, leased, or operated by the same entity or by one or more affiliates of the entity, with the primary purpose of housing computing and networking equipment in order to centralize the processing, storage, management, retrieval, communication, or dissemination of data and information, that:
 - (a) Consists of one or more principal buildings that aggregate at least 25,000 square feet;
 - (b) Consists of a single contiguous tract of land, which may include one or more parcels, totaling 10 acres or more; and
 - (c) Consists of at least 5,000 servers.
- (3) **Municipality**- Any city, village, or town either fully or partially incorporated within Wood County, Wisconsin.

709.3 NOTICE FOR LARGE-SCALE DATA CENTERS

- (1) **Notice Required**- Within thirty days of the first Planning Contact between a Municipality that is either fully or partially incorporated within Wood County and the owner, operator, or proposed developer of a Large-Scale Data Center, the Contacting Party shall provide notice of the preliminary Large-Scale Data Center to the Wood County Planning and Zoning Director, the Wood County Administrative Coordinator, and Wood County Corporation Counsel. Any of the following shall be considered "Planning Contact" for purposes of this Section:

- (a) Email, telephone call, electronic submission, or in-person inquiry with a municipal clerk or administrator;
- (b) Email, telephone call, electronic submission, or in-person inquiry with a municipal zoning administrator;
- (c) Request for a pre-application or conceptual development meeting;
- (d) Email, telephone call, electronic submission, or in-person inquiry with the municipal planning department or planning commission;
- (e) Email, telephone call, electronic submission, or in-person inquiry with an elected official;
- (f) Email, telephone call, electronic submission, or in-person inquiry with an economic development organization such as a chamber of commerce or regional planning commission;
- (g) Submission of a zoning or land-use inquiry;
- (h) Request for a conditional-use or special exception application;
- (i) Submission of a conditional-use or special exception application;
- (j) Submission of a conceptual site plan;
- (k) Submission of a development proposal;
- (l) Submission of a letter of intent;
- (m) Submission of a request for annexation;
- (n) Email, telephone call, electronic submission, or in-person inquiry to any of the above through an agent (including an attorney), property landowner, or the landowner's agent or representative; and
- (o) Any other communications with the municipality concerning the potential development of a Large-Scale Data Center.

- (2) **Information Required-** As part of the required Notice provided, the Contacting Party shall provide the Wood County Planning and Zoning Director, the Wood County Administrative Coordinator, and Wood County Corporation Counsel with the following information, to the extent applicable:

- (a) Project location, design, and operational characteristics;
- (b) Agricultural preservation and land use compatibility;
- (c) Impacts to roads, drainage systems, emergency services, and public infrastructure;
- (d) Environmental, stormwater, and natural resource impacts;
- (e) Compatibility with surrounding development and existing land uses;
- (f) Proposed mitigation measures addressing identified local concerns; and
- (g) Any other information reasonably necessary for the County to understand the proposed Large-Scale Data Center's potential impacts on County highways, highway structures, emergency services, or other matters within Wood County's jurisdiction.

709.4 COUNTY COORDINATION AND REVIEW

- (1) The Wood County Planning and Zoning Director, the Wood County Administrative Coordinator, or Wood County Corporation Counsel shall promptly review the notice submitted by the Contacting Party and may submit the notice and accompanying information to the County Subcommittee with oversight into the area of potential impact

within the County's jurisdiction or to the County Board for review.

- (2) After review of the notice, the County may seek to negotiate an agreement with the Contacting Party to mitigate the adverse effect the Large-Scale Data Center could have upon County highways, highway structures, or other County services.

709.5 SEVERABILITY, EFFECTIVE DATE, AND REPEALS

- (1) Severability- Should any portion of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected.
- (2) Repealer- Any ordinances or resolutions or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.
- (3) Effective Date- This Ordinance shall take effect upon passage.