TOWN OF SARATOGA

OPERATIONS ORDINANCE

Wood County, Wisconsin

An Ordinance of the Town of Saratoga located in Wood County, Wisconsin to define specific requirements for Data Centers and Data Center Accessory uses.

The purpose of this Ordinance is to establish guidelines to assist a Data Center and it's Accessory uses in developing a properly sited, defined and regulated site to ensure the balance in economic development with community welfare.

Section 1. **DEFINITIONS**

Data Center (Facility) – A building or buildings which are occupied primarily by computers and/or telecommunications and related equipment where digital information is processed, transferred and/or stored, primarily to and from offsite locations. This use does not include computers or telecommunications related equipment that is secondary and customarily incidental to an otherwise permitted use on the property, such as servers associated with an office building. This use shall also include cryptocurrency mining, blockchain transaction processing, and server farms. A Data Center may include Data Center Accessory Uses.

Data Center Accessory Use – Ancillary uses or structures secondary and incidental to a Data Center use, including but not limited to: administrative, logistical, fiberoptic, storage, and security buildings or structures; sources of electrical power such as generators used to provide temporary power when the main source of power is interrupted; electrical substations; utility lines;; domestic and non-contact cooling water and wastewater treatment facilities; water holding facilities; pump stations; water towers; environmental controls (air conditioning or cooling towers, fire suppression, and related equipment); security features, provided such data center accessory uses/structures are located on the same tract or assemblage of adjacent parcels developed as a unified development with a Data Center. The use shall not include energy generation systems used or intended to be used to supply power to the Data enter during normal operations.

Section 2. SPECIFIC USE CRITERIA

The following requirements shall apply to all Data Centers. In the event that any of the following regulations are found to be in conflict with regulations found elsewhere in the Town of Saratoga Zoning Ordinance, the most restrictive regulations shall be applied, unless otherwise stated.

Any Data Center Project proposed for development in the Town of Saratoga shall meet all the following specific requirements outlined on this document and adhere to all other applicable Town of Saratoga Ordinances.

A. Building Placement and Orientation

(1) All principal and accessory structures associated with a Data center shall be arranged, designed, and constructed to be harmonious and compatible with the site and with surrounding Properties.
(2) Must submit a site Plan for review (see Zoning Ordinance section 13).
(3) Accommodate adequate parking (see Zoning Ordinance Section 22).

B. Maximum Height

(1) The maximum building height for both the principal building and the accessory building shall be 45 feet inclusive of roof-mounted equipment.

C. Setbacks

(1) All principal buildings, accessory structures, and Data Center Electric Utility Substations must be set back at least two hundred (200) feet from all property lines.
(2) Parking lots for Data Centers shall be set back at least one hundred (100) feet from all property lines.

D. Parking Requirements

A minimum of one (1) space per two (2) employees, plus one (1) space for every business vehicle normally kept on the premises (see Zoning Ordinance section 22).

E. Off Street Loading

Adequate loading spaces and areas shall be provided and so located that all vehicles loading, maneuvering, or unloading are completely off the public right-of-way, and have sufficient on-site maneuvering room to avoid vehicles backing on a roadway, when entering or exiting a property.

F. Control of Light and Noise

(1) The facility shall limit night lighting on-site to which is minimally necessary for security and safety. Every effort consistent with the legal requirements for safety shall be made to minimize illumination of the night sky and neighboring properties (see Zoning Ordinance section 21).
(2) The facility shall control off-site noise levels to maximum extent practicable to avoid adverse impacts neighboring landowners. The noise levels at the property boundaries shall not exceed 60dBA. A noise reduction barrier or device may be required at the discretion of the zoning officer when it is inconclusive that noise level tests do not conform to acceptable noise levels.

G. Negative Impacts

Any use or activity producing air, dust, smoke, glare, exhaust, heat, or humidity in any form shall be carried on in such manner that it is not perceptible (negatively impacting) at or beyond the property lines.

H. Safety

The equipment used in any Data Center operation shall be housed in a metered, electrically grounded, and pre-engineered metal-encased structure with a fire rating designed to resist an internal electrical fire for at least 30 minutes. The containment space shall contain baffles that automatically close in the event of fire, independent of a possible electrical system failure.

Any Data Center use proposing battery storage or any other device or group of devices capable of storing energy in order to supply electrical energy at a later time, whether the energy is stored for use on-site or off-site, shall demonstrate compliance with National Fire Protection Association (NFPA) Standard 855, Installation of Stationary Energy Storage Systems or similar standards and must include fire suppression systems designed specifically for battery storage.

I. Power

Prior to approval of the certificate of occupancy, the applicant shall provide written verification from the applicable service provider stating the following:

(1) Adequate capacity is available on the applicable supply lines and substation to ensure that the capacity available to serve the other needs of the service area is consistent with the normal projected load growth envisioned by the provider,
(2) Utility supply equipment and related electrical infrastructure are sufficiently sized and can safely accommodate the proposed use,

(3) Any system designed for cooling and operation of the facility (electricity, water, or other means) will be adequate and will not negatively impact the surrounding region,
(4) The use will not cause electrical interference or fluctuations in line voltage on and off the operating premises, and
(5) Prior to approval of the occupancy, the applicant shall provide the municipality with written verification that the electrical work has passed a third-party final inspection.

J. Landscape Buffer

A landscape buffer is required between Data Centers and Data Center Accessory uses and any adjoining residential district or public roadway. The landscape buffer shall comply with the following requirements:

(1) The landscape buffer shall be at least (25) feet in width and may be part of the minimum setback distance.
(2) Buffer plantings shall consist of native species planted as follows:
    a. One (1) large evergreen tree per 25 linear feet of buffer. The size of large evergreen trees shall be a minimum of (8) feet in height at the time of planting.
    b. One (1) deciduous canopy (shade) tree per 75 linear feet of buffer. Size of canopy (shade) trees shall be a minimum of 2 ½ inch caliper at the time of planting.
    c. One (1) ornamental/flowering tree per 50 linear feet of buffer. The size of ornamental/flowering trees shall be a minimum of eight (8) feet in height for multi-stemmed varieties, or 2 ½ inch caliper at the time of planting for a single stemmed variety.
    d. Five (5) shrubs per 25 linear feet of buffer. Size of shrubs shall be fully branched and minimum of three feet in height at the time planting. Shrubs shall be a combination of evergreen and deciduous species, with a minimum of 50% being evergreen.

K. Screening and Fencing

Fencing of the property is permitted, fences shall not exceed 6 feet in height above ground and shall be of a high-quality design and materials.

L. Aesthetics

Any Data Center and Data Center Accessory Use building will adhere to the Design requirements as specified in the Zoning Code section 13.5.

M. Environmental and Community Impact Analysis

Prior to the commencement of the Conditional Use hearing, the applicant shall provide an environmental and community impact analysis. The environmental and community impact analysis shall include:

(1) A narrative description of the nature of the on-site activities and operations, including the market area served by the facility, the hours of operation of the facility, the total number of employees on each shift, the times, frequencies, and types of vehicle trips generated, the types of materials stored and the duration period of storage of materials.
(2) A site plan of the property indicating the location of proposed improvements, flood plains, wetlands, waters of the state and cultural and historic resources on the property and within 1000 feet of the boundaries of the property. (see Zoning Ordinance for complete list of Site Plan review requirements – section 13).
(3) Evidence that the disposal of materials will be accomplished in a manner that complies with state, federal, and municipal regulations.
(4) An evaluation of the potential impacts of the proposed use, both positive and negative, upon:
    a. Emergency services and fire protection,
    b. Water supply,
    c. Sewage disposal,
    d. Solid waste disposal,
    e. School facilities and school district budget, and
    f. Municipal revenues and expenses.
(5) Any environmental impacts that are likely to be generated (e.g., odor, noise, smoke, dust, litter, glare, heat islands, vibration, electrical disturbance, wastewater, stormwater, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish evidence that the impacts generated by the proposed use fall within acceptable levels, as regulated by applicable laws and ordinances.

N. Environmental Impact Assessment

An Environmental Impact Assessment shall be performed. The assessment shall be prepared by a professional engineer, ecologist, environmental planner, or other qualified individual. An assessment shall include a description of the proposed use, including location, relationship to other projects or proposals, with adequate data and detail for the Town of Saratoga to assess the environmental impact. The assessment shall also include a comprehensive description of the existing

environment and probable future effects of the proposal. The description shall focus on the elements of the environment most likely to be affected as well as potential regional effects and ecological interrelationships. At a minimum, the assessment shall include an analysis of the items listed below regarding the impact of the proposed use and the mitigation of any such impacts. The assessment shall also include a detailed examination of public resources most likely impacted by the development plan and include the following focus areas:

(1) Air pollution impacts emissions from vehicle operations, including from truck engines during idle time. The applicant shall specify best management practices for preventing and reducing the concentration of air-polluting emissions at the site. The owner or operator shall have anti-idling signs prominently posted in areas where 15 or more trucks may park or congregate.
(2) The potential for public nuisance to residents resulting from operations and truck traffic, including noise, glare, light, and visual obstacles, exists.
(3) A stormwater management plan will be required.
(4) Consistency with the municipal and county comprehensive plan. The applicant shall submit an assessment report of the impact of the proposed use on the goals of the respective plans. Where the proposed use conflicts with the comprehensive plan, the assessment report shall identify mitigation measures that may be undertaken to offset any degradation, diminution, or depletion of public natural resources.
(5) Additional considerations. The following shall also be addressed:
    a. Alternative analysis. A description of alternatives to the impacts.
    b. Adverse impacts. A statement of any adverse impacts that cannot be avoided.
    c. Impact minimization. Environmental protection measures, procedures, and schedules to minimize damage to critical impact areas during and after construction including design considerations.
    d. Mitigation steps. A listing of steps/structural controls proposed to minimize damage to the site before and after construction.
(6) Critical Impact areas. In addition to the above, plans should include any area, condition, or feature that is environmentally sensitive or that, if disturbed during construction, would have an adverse impact on the environment.

a. Critical impact areas include, but are not limited to, floodplains, riparian buffers, streams, wetlands, slopes greater that 15%, highly acid of highly erodible soils, hydric soils, hydrologic soil groups areas of high-water table, and mature stands of native vegetation and aquifer recharge and discharge areas.
b. A statement of impact upon critical areas and of adverse impact that cannot be avoided.
c. Environmental protection measures, procedures, and schedules to minimize damage to critical impact areas during and after construction.

O. Emergency Management

(1) The applicant shall submit an Emergency Response Plan (ERP) prepared by a qualified professional, the ERP shall:
    a. Be reviewed and accepted by the local fire department(s) and emergency management services as part of the Conditional Use process;
    b. Include detailed procedures for fire suppression, containment, ventilation, and evacuation.
    c. Include an evaluation of access roads to ensure suitable access for emergency equipment within the site;
    d. Ensure that all emergency personal receive adequate training specific to the installed system;
    e. Include provisions for annual fire safety inspections demonstrating compliance with fire safety standards to be performed by a qualified professional on behalf of the Data Center.
(2) No Data Center shall be approved unless the applicant demonstrates that procedures for fire suppression, containment, ventilation, and evacuation are sufficiently protective of public health, safety and welfare as determined by state and local emergency management.

P. WATER AND SEWER

1) If the use is to rely upon nonpublic sources of water, the applicant shall provide a water feasibility study. The purpose of the study is to determine if there is an adequate supply of water for the proposed use and to estimate the impact of the use on existing wells, groundwater, and surface waters in the vicinity.

No Data Center shall be approved unless the water feasibility study demonstrates that the anticipated water supply yield is adequate for the project and that the proposed water withdrawals and discharges will not endanger or adversely affect the quantity or quality of groundwater supplies or surface waters in the vicinity. The water feasibility study shall include the following information at a minimum:

a. The projected water demands of the Data Center,
b. The sources of the water to be used,
c. A description of how water will be used, including the amount or proportion of water to be used for each purpose (e.g. cooling, humidity control, fire suppression, and domestic usage);
d. The long-term safe yield of the water source;
e. A description of the amount or portion of water withdrawn that will be recycled or discharged and by what means;
f. A geologic map of the area with a radius of at least one mile from the site;
g. The location of all existing and proposed wells within 1,000 feet of the property boundary, with a notation of the capacity of all high-yield wells;
h. The location of all surface waters, including perennial and intermittent streams, rivers, lakes, reservoirs, ponds, wetlands, springs, natural seeps, and estuaries, within 1,000 feet of the property boundary;
i. A determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, surface waters, and the groundwater table;
j. A statement of the qualifications and the signature(s) of the person(s) preparing the study.

2) The applicant shall demonstrate that adequate means of wastewater disposal, including domestic wastewater and wastewater used for cooling or industrial purposes, have been provided and approved by the Wisconsin Department of Natural Resources (DNR) and Department of Justice (DOJ) as applicable.

Section 3. SEVERABILITY

If any sentence, clause, section, or part of this Ordinance or the Zoning Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is the intent of the Town of Saratoga that this Ordinance and the Zoning Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section, or part thereof not been included herein.

Section 4. FEES

All applicable costs incurred by the Town of Saratoga, pertaining to this project, shall be paid by the applicant. Applicable application fees may be found on the Town of Saratoga fee schedule.

Section 5. VIOLATIONS AND PENALTIES

Any violation of requirements or non-compliance of any town ordinances shall be subject to penalties.

Section 6. EFFECTIVE DATE

This Ordinance shall take effect upon acceptance of the Saratoga Town Board.

DATE: _____January 21, 2026_____

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CHAIRMAN – Lorelei Fuehrer

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Karl Greeneway

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Chase Brockman

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Josh McDonald

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Bryan Peterson

Ordinance No. 1-21-2026