

ORD #26-22

TOWN OF CUMBERLAND

AN ORDINANCE AMENDING THE ZONING ORDINANCE RELATING TO DATA CENTERS

The Town of Cumberland ordains:

Section 1. Article §4-6, “Prohibited uses” of the Zoning Ordinance is hereby amended to add the following:

(bb): Data Centers

Section 2. Appendix A, Use Regulations Definitions, attached as “Attachment B” to Appendix B Cumberland Zoning Ordinance of the Cumberland Code of Ordinances is hereby amended to add the following:

(bb) Data Centers -- A building, structure, facility, or portion thereof, or a group of buildings, structures, or facilities located on a single site or on contiguous sites, used for the storage, processing, transmission, or management of digital data or applications using computer servers, data storage equipment, network equipment, and associated mechanical, electrical, cooling, and backup-power systems.

A Data Center may include, but is not limited to, colocation facilities, cloud computing facilities, artificial intelligence computing facilities, enterprise computing facilities, edge computing facilities, and similar computing operations, whether operated for a single user or multiple users.

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 Official, is the housing and operation of computer servers and related infrastructure, regardless of floor area allocation.

A Data Center shall not be considered “Machinery and machine parts” or “Precision instruments and scientific equipment” under the Manufacturing, Processing and Production section of Table 1, Use Table, attachment 1 in Appendix B of the Zoning Ordinance.

Legislative Explanation

This Ordinance amends the Zoning Ordinance by adding data centers as a prohibited use in all zoning districts, as well as providing a definition for them in the Use Regulations Definitions.



Department of Planning and Community Development
45 Broad Street, Cumberland, R.I. 02864
401-728-2400 ext. 140

MEMORANDUM

TO: Honorable Town Council
FROM: Amelia Morton, Director of Planning and Community Development
DATE: September 10, 2026
RE: O-26-22: An ordinance amending the Zoning Ordinance relating to Data Centers

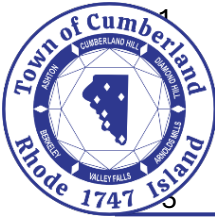
At the request of Councilwoman Sweet, the Planning Department was tasked with amending the Zoning Ordinance to define and restrict the usage of data centers in Town. Utilizing a combination of definitions that were presented by other municipalities that have restricted the use, the Planning Department created the proposed definition (§2.1). This was specifically formulated to ensure that small server rooms were not subject to these restrictions.

Upon the creation of a definition, the Planning Department proposes adding the defined use to the prohibited uses section (§4.6) within the Zoning Ordinance, making it impossible to build a data center in town.

The proposed ordinance was presented to the Planning Board at their August 27th meeting, where the recommendation received a unanimous 7-0 vote, due to the absence of two of the members.

Recommendation:

The Planning Board provides a favorable recommendation to the Town Council to approve Ordinance 26-22, as they find it to be consistent with the goals of the Comprehensive Plan.



Department of Planning and Community Development
45 Broad Street, Cumberland, R.I. 02864
401-728-2400 ext. 140

MEMORANDUM

TO: Cumberland Town Council
FROM: Planning Department Staff
DATE: August 5, 2026
RE: Ordinance #26-22
Amending the Zoning Ordinance relating to Data Centers

RECOMMENDATION TO THE TOWN COUNCIL

The Planning Department, at the request of councilor Jodi Sweet, proposes to amend the Cumberland Zoning Ordinance by adding “Data Center” as a new prohibited use in all zoning districts and providing a definition of “Data Center” to be added to the Use Regulations Definitions.

The Planning Department finds that the proposed zoning ordinance amendment meets the goals and purposes of the Comprehensive Plan as follows:

- Important natural resource areas, including wetlands, wildlife habitats, groundwater aquifers and salt marshes, will be protected (Natural Resources Goals; Page 71)
- Our natural resource systems, sensitive water resources, and natural habitats will be preserved and protected for future generations (Natural Resources Goals; Page 71)
- Promote sustainability in energy production and use (Public Facilities and Services Goals; Page 115)
- Sustain our municipality’s high quality of life and preserve its unique attributes (Land Use Goals; Page 171)

With the exponential growth of Artificial Intelligence (AI) as a tool over the past decade at both enterprise and individual levels, Data Centers have emerged as a type of infrastructure that many tech companies in the U.S. require to operate competitively. While there is growing support federally for the development of these facilities due to the perceived economic benefits, there are serious environmental and public health concerns related to the operation and maintenance of Data Centers that have negative impacts on the communities that host them.

A 2024 article by the [Pew Research Center](#) found that more than 4% of energy consumption in the U.S. that year was attributed to Data Centers, which they stated was the equivalent of the electricity demand for the entire nation of Pakistan. More recently, according to a 2026 article by the [World Resources Institute](#), “a single modern AI data center can use as much power as 100,000 homes; many of the larger ones now being built are expected to consume up to 20 times that amount.” This dramatic spike in energy demand could lead to exorbitant rate increases for Cumberland residents.

Data Centers have also been shown to pose health risks to the surrounding community. In the previously mentioned article, the World Resources Institute states that there is a noticeable increase in air and noise pollution surrounding Data Centers due to fossil fuel facilities constructed to power them, a claim that has been substantiated in a report written by [Harvard public health researchers](#).

Additionally, Data Centers put a strain on natural resources because of the amount of water required for cooling the equipment. A study commissioned by the [U.S. Department of Energy](#) in 2024 estimated that Data Centers consumed nearly 17 billion gallons of water that year, and that they're projected to consume between 16 and 33 billion gallons per year by 2028. This consumption of water has serious effects on the communities who host these facilities.

As an example, according to a 2025 [New York Times](#) (NYT) article a Meta-owned Data Center constructed in 2018 in Newton County, Georgia uses approximately 500,000 gallons of water per day, which is about 10% of the county's entire water production. The article goes on to say that Newton County could face a water deficit by 2030, and water rates are on track to increase 33% by 2027 (typical increases in prior years were ~2%). When consulted about Cumberland's daily water consumption, Romeo Mendes, the Director of Public Works, stated that the Town uses an average of 2.8 million gallons of water per day. A single Data Center, such as the one mentioned in the NYT, would require a 17.9% increase in water service demand and could threaten water access for Cumberland residents.

While the State General Assembly is responding to this emergence by introducing bills that limit Data Centers' operational demands on water and electricity, the Planning Department, in conjunction with Town Council Member Jodi Sweet, feel strongly that Cumberland should take immediate, proactive action to amend our Zoning Ordinance to define Data Centers and regulate their development via our use table.

TOWN OF CUMBERLAND

NOTICE OF PUBLIC HEARING

ZONING ORDINANCE AMENDMENT

NOTICE is hereby given that the Town Council of the Town of Cumberland, Rhode Island under the provisions of Title 45, Chapter 24 of the General Laws of the State of Rhode Island, as amended, will consider for adoption

#26-22 – An ordinance amending the Zoning Ordinance relating to Data Centers

NATURE OF PROPOSED AMENDMENT:

This Ordinance amends the Zoning Ordinance by adding data centers as a prohibited use in all zoning districts, as well as providing a definition for them in the Use Regulations Definitions.

AVAILABILITY OF INFORMATION:

Said Ordinance is available for public inspection on the Town of Cumberland website – <https://clerkshq.com/Cumberland-ri>. A copy can also be requested through the Town Clerk's Office.

DATE, TIME & PLACE OF THE HEARING:

Notice is further given that the said Ordinance will be considered at a **Public Hearing of said Town Council, on Wednesday, September 16, 2026, 2026, at 7:30 p.m.** at the Cumberland Town Hall, Everett "Moe" Bonner Council Chambers, 45 Broad Street, Cumberland. The public may remotely access the meeting on the Zoom platform using the following link.

<https://us02web.zoom.us/j/82018178360?pwd=Q3dvSnh2QkxKOERlK2NxeiNOMjNtZz09>

For participation using video and audio a computer with a webcam and microphone is required. Those without computer access may participate by telephone using the following number: 1-646-876-9923.

Webinar ID: 820 1817 8360; Passcode: 993291

APPROVAL, AMENDMENT, ALTERATION:

Notice is further given that the proposal shown herein above may be further altered or amended prior to the closing of the public hearing without further advertising, because of further study or the views expressed at the public hearing. Any alterations or amendments must be presented for comment during the hearing.

Individuals requesting interpreter services for the hearing impaired must notify the Town Clerk at (401) 728-2400, extension 138, 48 hours in advance of hearing date.

PER ORDER OF THE CUMBERLAND TOWN COUNCIL

Sandra M. Giovanelli, Town Clerk