

LOWELL CHARTER TOWNSHIP
KENT COUNTY, MICHIGAN
(Ordinance No. 01-2026

At a regular meeting of the Township Board for Lowell Charter Township held at the _____ on _____, 2026, the following Ordinance was offered for adoption by Township Board Member _____ and was seconded by Township Board Member _____:

**AN ORDINANCE TO IMPOSE A TEMPORARY MORATORIUM
REGARDING NEW OR EXPANDED DATA CENTERS.**

THE CHARTER TOWNSHIP OF LOWELL (“TOWNSHIP”) ORDAINS:

Section 1. Findings, Intent and Purposes.

A. It has recently come to the attention of the Township Board that the Township should study and review whether data centers require additional local regulation within the Township, and whether absent such additional local regulation, data centers may interfere with other land uses, and may have substantial impacts (and potentially negative impacts) on the environment, water availability, public health, electric supplies, safety, and general public welfare.

B. The Township has a legitimate public purpose in assessing the regulation of the establishment, construction and use of data centers within the Township. That is especially true given the relatively recent advent of modern and potentially very large new artificial intelligence data centers.

C. The Township Board desires to assess ways to implement an appropriate regulatory approach for addressing the potential impacts of data centers while ensuring the

productive and healthy development of data centers within the Township, which may include designated areas where data centers may be located within the Township.

D. The Township Board wishes to consider and assess amendments to its current regulations and ordinances (as well as possibly a new ordinance or ordinances) regarding data centers that are consistent with all applicable state and federal laws.

E. The time to consider, assess and enact new or amended local regulations of data centers will likely take at least six months or longer.

F. The Township desires to ensure that data centers do not interfere with other land uses, or have substantial negative impacts on the environment, water supplies, electricity availability and rates, public health, safety, and welfare.

G. It is a fairly routine and an appropriate method to enact a reasonable and temporary moratorium to consider enactment of any new ordinance or ordinance amendment.

H. The Township Board finds that it is necessary and reasonable to establish a temporary moratorium on the establishment and use of data centers within the Township for six (6) months or until the Township has enacted a regulatory ordinance or amended zoning regulations setting forth or altering the regulations for the establishment, construction, use and decommissioning of data centers within the Township.

Section 2. Definition of Data Center.

For purposes of this Ordinance, a data center is an industrial or similar facility that processes, transfers, stores, and/or communicates digital information. A data center may comprise a corporate or enterprise, co-location, retail, wholesale, telecommunication, hyper-scale facility, or a combination thereof. A data center facility may include, but is not limited to, data halls, offices, security centers, sound walls, screening, security fencing, signage, water, and wastewater utility

systems, transmission lines, switchgears, transformers, inverters, generators, and other redundancy equipment, mechanical yards, air-cooled, liquid-cooled, or evaporative-cooling chiller systems, electrical distribution equipment, batteries, uninterruptible power supply (UPS) systems, power distributions systems (PDS), substations, and other similar equipment or accessory structures. A data center is also known as a point-of-presence facility or a data processing center.

Section 3. Moratorium.

A moratorium (as specified in this Ordinance) is hereby enacted for Lowell Charter Township.

Section 4. Temporarily Prohibited Data Center Uses, Structures, Buildings and Activities.

While the moratorium of this Ordinance is in effect, no data center (or expansion thereof) shall be approved or commenced, constructed, installed or expanded within Lowell Charter Township.

Section 5. No Licenses, Permits or Approvals.

While the moratorium in this Ordinance is in effect, neither the Township or any Township official, employee, board, body or commission shall process any application nor issue or grant any zoning approval, zoning permit, rezoning license, building permit or other Township license or approval for the commencement, installation, expansion or use of any data center.

Section 6. Essential Action.

This moratorium is essential and necessary while the Lowell Charter Township Planning Commission and the Lowell Charter Township Board diligently work on proposed amendments to the current Lowell Charter Township Zoning Ordinance (and perhaps enacting other ordinances) regarding data centers.

Section 7. Length of Time in effect.

This moratorium shall be in effect until _____, 2026.

Section 8. Exemptions.

The moratorium in this Ordinance shall not apply with regard to any structure, use or building which (a) received all required zoning, building code and other approvals from the Township (including site plan approval) prior to the time that this Ordinance became effective, (b) such zoning and other approvals were all still in effect and valid as of the date that this Ordinance went into effect and (c) the structure, use or building was under substantial construction or began its final use.

Section 9. Effective Date.

This Ordinance is hereby declared to be an emergency ordinance and shall take effect upon the day after the notice of adoption appears in the newspaper.

The vote to approve this Ordinance was as follows:

YEAS: _____

NAYS: _____

ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED.

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance adopted by the Township Board for Lowell Charter Township at the time, date and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

By: _____
Monica Burt
Lowell Charter Township Clerk