

**TOWNSHIP OF WHITE RIVER
MUSKEGON COUNTY, MICHIGAN**

ORDINANCE NO. 67-2026

At a regular meeting of the Township Board for White River Township held at the Township Hall on April 14, 2026, at 7:00 PM. Township Board Member Julie Goericke made a motion to adopt this Ordinance, which was seconded by Township Board Member Deb Harris:

AN ORDINANCE TO AMEND THE WHITE RIVER TOWNSHIP ZONING ORDINANCE; TO AMEND SECTION 2.05 TO ADD A NEW DEFINITION FOR “DATA CENTERS”; TO AMEND SECTION 11.03 TO INCLUDE “DATA CENTERS” WITHIN THE I-2 CHEMICAL MANUFACTURING AND INDUSTRIAL ZONING DISTRICT AS A SPECIAL LAND USE; AND TO AMEND SECTION 16.06 TO ADD A NEW SUBSECTION MM “DATA CENTERS”

WHITE RIVER TOWNSHIP, MUSKEGON COUNTY, MICHIGAN, ORDAINS:

Article 1. Amendment of Section 2.05. Section 2.05 of Chapter 2 “Definitions and Interpretation Rules” of the White River Township Zoning Ordinance is amended to add the following definition in alphabetical order:

DATA CENTER

A structure or facility that houses information technology infrastructure and equipment for building, running, and delivering applications, and the storage of digital data. This includes Artificial Intelligence (“AI”) Data Centers and facilities dedicated to operating data processing equipment or commercial cryptocurrency mining and transactions. 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 also include, but is not always 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 sometimes known as a point-of-presence facility or a data processing center.

Article 2. Amendment of Section 11.03. Section 11.03 of Chapter 11 “Chemical Manufacturing and Industrial District” of the White River Township Zoning Ordinance is amended to add the following special land use:

K. Data Centers

Article 3. Addition of Subsection MM. Section 16.06 of Chapter 16 “Special Land Uses” of the White River Township Zoning Ordinance is amended to add and include the following:

MM. Data Centers

1. General Provisions.
 - a. Data Centers are allowed in the Township only as a special land use in the I-2 Chemical Manufacturing and Industrial Zoning District
 - b. Data Centers shall not be located in any portion of the Critical Dune Overlay District, Waterfront Residential District, or the Renewable Energy Overlay District.
2. Application Requirements. In addition to the site plan submittal requirements of Chapter 15 and the special land use requirements of Chapter 16 of this Ordinance, an applicant for special land use approval of a Data Center must provide the Township with all of the following:
 - a. Documentation establishing the ownership of each subject parcel; and any lease agreements, easements, or purchase agreements for the subject parcels.
 - b. An operations plan setting forth the parameters of the operation, the name and contact information of the operator, the applicant’s inspection protocol, emergency procedures, and general safety documentation.
 - c. Current photographs of the subject property taken within the prior ninety (90) days.
 - d. A site plan that includes all proposed structures and the location of all equipment, as well as all setbacks, the location of property lines, signage, fences, greenbelts and screening, drain tiles, easements, floodplains, bodies of water, proposed access routes, and road right-of-ways. The site plan must be drawn to scale and must indicate how the Data Center will be connected to the power grid. (include specification of all equipment and specification of maximum building size and maximum number of buildings)
 - e. A written plan for maintaining the Data Center buildings, facilities and site in good condition and repair at all times, which is subject to the Township’s review and approval.
 - f. A decommissioning and land reclamation plan describing the actions to be taken following the abandonment or discontinuation of the Data Center, including evidence of proposed commitments with property owners to ensure proper final reclamation, repairs to roads, and other steps necessary to fully remove the Data Center (and its buildings and facilities) and restore the subject parcel(s), which is subject to the Township’s review and approval.

- g. A plan for resolving complaints from the public or other area property owners concerning the construction and operation of Data Center, which is subject to the Township's review and approval.
- h. A plan for managing any hazardous waste, which is subject to the Township's review and approval.
- i. A fire protection plan, which identifies the fire and emergency rescue risks associated with the Data Center; describes the fire suppression system that will be implemented; describes what measures will be used to reduce the risk of fires reigniting (i.e., implementing a "fire watch"); identifies the water sources that will be available for the local fire department to protect adjacent properties; identifies a system for continuous monitoring, early detection sensors, and appropriate venting; and explains all other measures that will be implemented to prevent, detect, control, and suppress fires and explosions, which is subject to the Township's review and approval.
- j. A transportation plan for construction and operation phases, including any applicable agreements with the Muskegon County Road Commission and Michigan Department of Transportation, which is subject to the Township's review and approval.
- k. An agreement that the applicant will indemnify, reimburse and hold harmless the Township (and also the Township's officials, officers, employees and agents) for, from and against any costs or liability arising from the approval, installation, construction, maintenance, use, repair, or removal of the Data Center, which is subject to the Township's review and approval.
- l. Supporting documentation identifying how proposed operations and facility design are utilizing current best practices to reduce impact on the environment, local community, and improve sustainability which is subject to the Township's review and approval.
- m. Proof of environmental compliance, including compliance with Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act; (MCL 324.3101 et. seq.; Part 91, Soil Erosion and Sedimentation Control (MCL 324.9101 et. seq.) and any corresponding County ordinances; Part 301, Inland Lakes and Streams, (MCL 324.30101 et. seq.); Part 303, Wetlands (MCL 324.30301 et. seq.); Part 365, Endangered Species Protection (MCL 324.36501 et. seq.); and any other applicable laws and rules in force at the time the Township considers the application, which is subject to the Township's review and approval.
- n. Environmental Impacts. Prior to the commencement of the special land use hearing, the applicant shall provide an environmental and community impact analysis and report to the Township. The environmental and community impact analysis (which is subject to the Township's review and approval) shall include all of the following:

- (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, waterbodies and cultural and historic resources on the property and within five hundred (500) feet of the boundaries of the property.
 - (3) Evidence that the disposal of any materials will be accomplished in a manner that complies with state and federal regulations.
- o. Other Impacts. The applicant shall also provide an evaluation of the potential impacts of the proposed use which is subject to the Township's review and approval, both positive and negative, upon:
- (1) Emergency service, rescue and fire protection.
 - (2) Water supply.
 - (3) Sewage disposal.
 - (4) Solid waste disposal.
 - (5) School facilities and school district budget.
 - (6) Municipal revenues and expenses.
 - (7) Threatened and endangered species habitat.
 - (8) Electrical grid.
 - (9) Thermal and heat dissipation.
 - (10) Loss of wildlife habitat and greenspace.
- p. Water conservation. Information regarding the use of water recycling/closed loop cooling systems for operations, including most recent applications and best practices which is subject to the Township's review and approval.
- q. Power. The applicant shall provide written verification from the applicable energy service provider that states and verifies all of the following:
- (1) There is adequate capacity available on the applicable supply lines and substation for the Data Center use and to ensure that there is sufficient capacity available to serve the needs of other customers within the service

area, consistent with the normal projected load growth envisioned by the provisioner.

- (2) The utility supply equipment and related electrical infrastructure are sufficiently sized and can safely accommodate the proposed Data Center use during the power provider's peak consumption hours and at all other times.
- (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 area.
- (4) The use will not cause electrical interference or fluctuations in the line voltage on and off the operating premises.

r. Any additional information or documentation requested by the Planning Commission, Township Board, or other Township representative.

3. System and Location Requirements.

a. Equipment.

- (1) All equipment used for any Data Center must conform to the fire protection and suppression standards of current NFPA 75 as relating to Data Centers.
- (2) The Data Center and all of its on-site facilities shall only use the off-site power/electricity grid and supply system (with electricity supplied by a state regulated utility), and no electricity or energy generators shall be utilized on the property where the Data Center is located (or within two miles of the Data Center property for energy/electricity use on the Data Center property unless the off-site generators are owned and operated by a public utility regulated by the State of Michigan), unless otherwise specified below. A generator or generators may be used on the property where the Data Center is located (or within 2 miles thereof unless as otherwise specified above) only in the following situations:
 - (a) Ancillary generation.
 - i. The use of secondary generators on site that are not utilized to power the data generating operations of the Data Center, but only ancillary functions such as heat, water circulation, and lighting, if approved by the Township.
 - ii. The ancillary generator or generators are used only in emergency situations when the power/electricity is temporarily not being supplied to the Data Center property by a utility regulated by the State of Michigan due to storm, fire or other weather related, or other calamity. Such

generator(s) shall only use natural gas and fuel cells for electrical generation. Diesel fuel and other forms of backup power generation shall not be permitted.

- iii. The determination of whether there is an emergency such that otherwise prohibited generators can be utilized on site shall be made by the Township Zoning Administrator. In no event shall noise from any generator or generators exceed 45 dBA Lmax at the property lines of the Data Center property. In no event shall turbines or jet engines on the Data Center property be used to generate electricity or power for or on the Data Center property or on or from a property within two miles thereof. While a generator or generators are being utilized on the Data Center property as allowed above, extra electricity or power generated therefrom can be sold or transferred back into the electric power grid for use off site by a state regulated utility, but only if such application is approved by the Zoning Administrator for the particular situation involved.
- iv. Testing of generation equipment shall only occur between 9:00 a.m. and 5:00 p.m. Monday through Friday.

(b) Primary generation.

- i. It is understood that advancements in electricity generation technology are occurring and that new generation technologies may have a reduced impact on the Township and surrounding land uses. At the Planning Commission's discretion, primary on-site electricity generation for a Data Center, which is otherwise prohibited, may be considered under the following circumstances:
 - 1. The applicant has proposed utilizing new electricity generating technology and provided the Planning Commission with sufficient information and evidence that the electricity generation will have little or no impact on the Township and surrounding land uses, and will not create a hazard to human health.
 - 2. Such new electricity generating technology shall not create noise that exceeds 45 dBA Lmax at the property lines of the Data Center property.

3. Such new electricity generating technology shall not create smoke or vibration at the property lines of the Data Center property.
 4. Such new electricity generating technology shall not utilize turbines or jet engines on the Data Center property or on or from a property within two miles thereof.
 - b. Structures. All principal and accessory structures used for Data Centers shall be arranged, designed, and constructed to be harmonious and compatible with the site and with the surrounding properties. Total building footprint of principal and accessory buildings and structures shall not exceed 200,000 square feet. If prefabricated, pre-engineered, or modular structures are installed, the following standards are required:
 - (1) All structures shall have concrete foundations.
 - (2) All exterior facades shall have muted earth tone colors that will blend the facility into the natural setting and existing environment, and shall not be defective, decayed or corroded.
 - (3) If intermodal shipping containers are utilized, such installation shall comply with current National Electrical Code standards.
 - c. Setbacks.
 - (1) All principal buildings, accessory structures, and Data Center Electric Utility Substations must be set back at least six-hundred (600) feet from all property lines. Required setback areas shall be left in their natural state insomuch as feasible.
 - (2) Parking lots for Data Centers shall be set back at least three-hundred (300) feet from public road rights-of-way and all property lines.
 - d. Outdoor storage. Outdoor storage of materials, equipment, and supplies is prohibited.
4. Screening/Buffering. All Data Center operations shall provide buffer yards and screening along all property boundary lines, except for areas of ingress and egress into the site.
 - a. Service Areas. Loading bays, refuse collection areas, and service entrances shall be screened from view from existing or planned public roads and residential zoning districts. Screening may include year-round landscaping or a screen wall of an appropriate height to mitigate visual impacts as determined by a line-of-sight study submitted by the applicant.

b. Mechanical/Electrical Equipment Screening.

(1) Ground-Mounted

- (a) Ground-mounted equipment adjacent to and serving the Data Center principal building(s) shall be completely screened behind an opaque wall or fence. When the equipment is located between buildings, a combination of walls and gates may be used at the openings between buildings.
- (b) When in or adjacent to an industrial use or zoning district, ground-mounted equipment screening is only required from any existing or planned public road.
- (c) Ground-mounted equipment is prohibited in any required setback.

(2) Rooftop

- (a) All rooftop-mounted equipment shall be screened by a parapet wall, equipment penthouse, or visually solid screen on all four sides that is constructed of materials complementary to those used in the exterior construction of the Data Center Principal Building. This shall be accomplished by setting the penthouse or screened area back from the façade of the building such that the top of the penthouse or screen is below a 45-degree line drawn from the top of the parapet. Rooftop equipment to be screened includes, but is not limited to, the following: cooling, ventilation, and power supply machinery.
- (b) Rooftop equipment that is visible above the parapet wall shall be set back from the exterior or parapet wall a distance no less than the height of said equipment.
- (c) Rooftop equipment may exceed the applicable maximum district building height when completely screened pursuant to this ordinance; however, at no point shall rooftop equipment exceed forty (40) feet in height above the immediate surrounding grade.
- (d) Rooftop equipment may occupy up to a maximum of 50% of the roof area when screened per this ordinance and, when combined with the height of the Data Center building, does not exceed the maximum building height requirement.

c. Buffering.

(1) Data Center sites shall be buffered subject to the following requirements:

- (a) Data Center sites abutting residential zoning districts or collector/arterial roads must include an enhanced buffer yard with required plantings located on an earthen berm with a grade

no steeper than 3:1. The minimum height of the berm shall be six (6) feet.

- (b) A minimum 50-foot buffer yard shall be provided along the entire length of any public street frontage of any property upon which the Data Center is located and along any property line which abuts or is within 1,000 feet of an existing residential property line or zone, school, daycare center, hospital, place of worship, designated park, or public open space.
 - (c) A minimum 30-foot buffer yard shall be provided along all other property lines.
- (2) Utilities should be located outside of buffer yards to the maximum extent feasible to maintain a cohesive buffer yard, protect landscaping, and preserve open space. Utilities should be co-located when feasible to minimize the number of utility crossings through the required buffer yard, particularly when such crossings cannot be avoided.
 - (3) Use of existing vegetation for landscaping and screening is strongly encouraged and may be substituted for new berms and plantings, if approved by the Planning Commission.
 - (4) Buffer yards along roadways shall be measured from the street right-of-way line.
 - (5) Where a lot line drainage or utility easement is required, the buffer yard shall be measured from the inside edge of the easement.
 - (6) Buffer yards shall not include environmental encumbrances such as, but not limited to, wetlands, wetland transition areas, riparian buffers, and flood hazard areas as may be required by government agencies.
 - (7) The buffer yard shall include a dense landscape buffer consisting of the following:
 - (a) One (1) large evergreen tree per twenty-five (25) linear feet of buffer. The size of large evergreen trees shall be a minimum of eight (8) feet in height at the time of planting. Narrow/upright evergreen species may also be used within buffers at a ratio of 3:1. No more than 25% of the total required large evergreen species can be substituted with narrow/upright species.
 - (b) One (1) canopy (shade) tree per 75 linear feet of buffer. The 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 single-stemmed varieties.
 - (d) Five (5) shrubs per 25 linear feet of buffer. Shrubs shall be fully branched and a minimum of three (3) feet in height at the time of planting. Shrubs shall be a combination of evergreen and deciduous species, with a minimum of 50% evergreen.
 - (8) The landscape buffer shall be located along the outer edge of the buffer yard.
 - (9) Plant material within buffer plantings shall meet the following requirements:
 - (a) Be resistant to exhaust.
 - (b) Not identified on the most current MDNR invasive species or watch lists.
 - (c) Be hardy within USDA hardiness Zones 5a & 5b.
 - (d) Shall be planted on the top and the exterior of any berm in order to provide effective screening.
 - (e) Shall be arranged in groupings to allow for ease of maintenance and to provide a natural appearance.
 - (f) Shall provide a diversity in plant species, such that no one species accounts for more than 25% of each plant type.
 - (g) The plantings shall be arranged to provide a complete visual screen of the property at least 12 feet in height, measured in addition to the height of any required berm, within three (3) years.
 - (10) The buffer yard may be located within the required building setback lines. No impervious surface is permitted within the buffer yard aside from access drives, sidewalks, and associated improvements.
 - (11) Native plants shall be used.
 - (12) Applicant shall maintain the buffering throughout the life of the project and replace plants where and when needed.
5. Security Fencing. Security fencing must be installed and maintained around all electrical equipment related to the Data Center. Such fencing must be a minimum of seven (7) feet

tall and must use materials, colors, textures, screening and landscaping that will blend the facility into the natural setting and existing environment.

6. Noise, Smoke and Vibration.

- a. The noise generated by the Data Center must not exceed 45 dBA Lmax, as measured at the property line of any Data Center parcel. Monitoring must be reviewed by a certified sound professional including buffering with equipment specifications. Sound modeling must also be reviewed at bi-annually and any defaults must be remedied within 30 days.

In the event that there is an audible noise due to the operation of a Data Center or digital mining use at adjacent property line(s), which contains a steady pure tone such as a whine, screech or hum, the maximum noise levels permitted for that Data Center or digital mining use shall be reduced by five (5) dB from the maximum noise levels referenced above.

- b. No vibration produced by the Data Center shall be detectible by persons beyond the property lines of the Data Center parcel involved.
 - c. No smoke, fumes or similar element attributable to the Data Center shall be visible or detectible by human senses beyond the boundary lines of the Data Center parcel.
7. Lighting. Lighting shall illuminate only areas approved for illumination by the Planning Commission. No detectable light from parking lot or building fixtures shall be present at any property boundary.
8. Water. The Data Center shall utilize a closed-loop, dry cooling, or other resource-conserving form of cooling system that results in near-zero wastewater discharge for heat exchange in all equipment. For the purposes of this Section, closed-loop shall mean a system where water or coolant is recirculated in a sealed system to remove heat without evaporation. The Planning Commission shall review and approve of any proposed cooling system and the owner and/or operator shall submit testing and review by independent or third-party documentation of the system annually for review by the Planning Commission. The Township shall be notified of any faults or failures in the system within twenty-four (24) hours and all repairs shall be completed within thirty (30) days. Should an exceptional discharge of water be necessary at any time, the owner/operator shall obtain all necessary discharge permits and approvals from local, state, or federal agencies. Such discharge approvals shall be provided to the Township prior to the discharge of any water.
9. Signage. The Data Center shall provide a 24-hour emergency contact sign visible at all access entrances. Signs shall include the company name if applicable, owner/representative name, telephone number, and corresponding local power company and telephone number.
10. Underground Transmission. All power transmission or other lines, wires, or conduits from the Data Center to any building or other structure must be located underground at a depth that complies with current National Electrical Code standards, except for power switchyards or the area within a substation.

11. Fire Protection.

- a. Before any construction of the Data Center begins, the Township's fire department (or the fire department with which the Township contracts for fire service) will review the fire protection plan submitted with the application. The fire chief will determine whether the fire protection plan adequately protects the Township's residents and property and whether there is sufficient water supply to comply with the fire protection plan and to respond to fire or explosion incidents. If the fire chief determines that the plan is adequate, then the fire chief will notify the Township or his or her designee of that determination. If the fire chief determines that the plan is inadequate, then the fire chief may propose modifications to the plan, which the applicant or operator of the Data Center must implement. The fire chief's decision may be appealed to the Township Board, and the Township Board will hear the appeal at an open meeting. The Township Board may affirm, reverse, or modify the fire chief's determination. The Township Board's decision is final, subject to any appellate rights available under applicable law.
- b. The applicant or operator may amend the fire protection plan from time-to-time in light of changing technology or other factors. Any proposed amendment must be submitted to the fire department for review and approval under subsection (a).
- c. The Data Center must comply with the fire protection plan as approved by the fire chief (or as approved by the Township Board in the event of an appeal).
- d. The Data Center must contain an internal fire suppression system that shall be reviewed and approved by the fire chief.
- e. The applicant must provide the Township Fire Department and all of its contractors with the appropriate information, equipment and training to address fires at the Data Center.

12. Insurance. The applicant or operator will maintain property/casualty insurance and general commercial liability insurance in an amount of at least \$5 million per occurrence to be updated annually with inflation (based on the federal CPI) and reviewed and adjusted by the Township for adequacy every 5 years. The Township shall be listed as an additional insured on the insurance policy at all times.

13. Permits. All required county, state, and federal permits must be obtained before the Data Center begins operating. A building permit is required for construction of a Data Center regardless of whether the applicant or operator is otherwise exempt under state law.

14. Decommissioning. If a Data Center is abandoned or otherwise nonoperational or dormant for a period of one year or longer, the property owner or the operator must notify the Township and, in the case of abandonment, must remove the system (as well as all buildings, structures and facilities) within six (6) months after the date of abandonment. Removal requires receipt of a demolition permit from the Building Official and full restoration of the site to the satisfaction of the Zoning Administrator. The site must be filled and covered with topsoil and restored to a state compatible with the surrounding vegetation.

The requirements of this subsection also apply to a Data Center that is never fully completed or operational if construction has been halted for a period of one (1) year.

- a. Any buildings, structures, parking areas and grounds of a dormant or non-operating Data Center facility (or for what was formerly a Data Center facility) shall be kept in good maintenance, condition and repair at all times. Such duty also includes all landscaping, lawns, foliage and similar items and conditions on the property involved.
 - b. If a Data Center facility is dormant and the building(s) are not utilized extensively for another use allowed under the Zoning Ordinance for 3 years or longer of dormancy, then the Township can require that some or all of the buildings be removed (and all demolition materials be lawfully disposed of off-site) by the owner of the property.
15. Financial Security. To ensure the proper decommissioning of the Data Center upon abandonment or dormancy, the applicant must post financial security with the Township in the form of a security bond, irrevocable letter of credit or escrow payment in an amount equal to 125% of the total estimated cost of decommissioning, code enforcement, demolition and reclamation, which cost estimate must be approved by the Township. The operator and the Township will review the amount of the financial security every two (2) years to ensure that the amount remains adequate. This financial security must be posted within thirty (30) days after approval of the special land use application. The financial security must be approved by the Township as to type, wording, amount and the financial institution involved, and must be irrevocable for at least 30 years.
16. Extraordinary Incidents and Events. If the Data Center experiences a failure, fire, leakage of hazardous materials, personal injury, or other extraordinary or catastrophic event, then the applicant or operator must notify the Township within 24 hours. Applicable emergency services shall be notified immediately.
17. Annual Report. The applicant or operator must submit a report to the Township on or before January 1 of each year that includes all of the following:
- a. Current proof of insurance.
 - b. Verification of financial security.
 - c. A summary of all complaints, complaint resolutions, building safety issues, on-site injuries, and extraordinary incidents or events.
 - d. Sound testing, water loop testing, updated fire and safety plan and other relevant documentation.
 - e. Environmental testing, should the facility be located on or adjacent to any contaminated site or grounds.
18. Inspections. The Township may inspect the Data Center at any time by providing 24-hour advance notice to the applicant or operator.

19. Transferability. A special land use permit for a Data Center is transferable to a new owner. The new owner must register their name and business address with the Township and must comply with this Ordinance and all approvals and conditions imposed by the Township.
20. Nuisance Prohibited. The Data Center or digital mining use shall be designed, maintained, constructed and operated at all times in a manner that does not create a nuisance by reason of heat, glare, fumes, dust, noise, vibration or odor beyond the property on which the Data Center is located.
21. Modular Data Centers Prohibited. Pre-fabricated or “modular” Data Centers and shipping containers and similar prefab structures are prohibited. All Data Center uses shall be within site-built buildings.
22. Compliance with all Other Laws. The design, construction, maintenance, operation, use and decommissioning of a Data Center shall comply with all other applicable local, state or federal laws or regulations, including, but not limited to, laws or regulations regarding the environment, pollution, and mitigation of potential impacts on threatened or endangered species.
23. Remedies. If an applicant or operator fails to comply with this Ordinance or the special use approval, then the Township may pursue any remedy or enforcement procedure available, including, but not limited to, the required closure or removal of any Data Center pursuant to the Zoning Ordinance or as otherwise authorized by law. Additionally, the Township may pursue any legal or equitable action to abate a violation and the Township may recover any and all costs, including the Township’s actual attorney fees and costs.
24. Standards. In addition to the site plan standards of Section 15.06 of this Ordinance and the special land use standards found in Section 16.03 of this Ordinance, no Data Center special land use request shall be approved by the Planning Commission unless it also finds that the proposed Data Center will meet all of the following additional standards:
 - a. The use will not adversely affect area water supplies or aquifers.
 - b. The use will not adversely affect area electricity reliability or access.
 - c. The use will not adversely affect area property values.
 - d. The use will be reasonable.
 - e. The use will not adversely affect the health, safety, and general welfare of the community.

Article 4. Validity and Severability.

If any portion of this Ordinance is found invalid by a court of competent jurisdiction for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

Article 5. Repealer.

All other ordinances or ordinance provisions inconsistent or conflicting with the provisions of this Ordinance are hereby repealed but only to the extent necessary to give this Ordinance full force and effect.

Article 6. Effective Date.

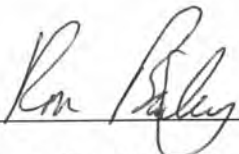
This Ordinance takes effect upon the expiration of 7 days after publication as provided by law.

ROLL CALL VOTE:

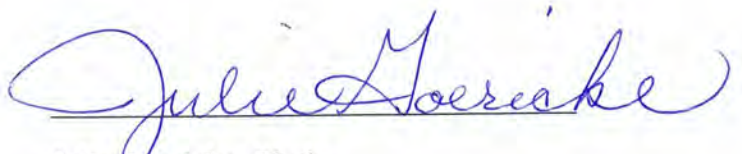
YES: Harris, Anderson, Kriesel, Goericke, and Bailey.

NO: None.

ABSENT/ABSTAIN: None.



Ron Bailey, Supervisor



Julie Goericke, Clerk