Special Meeting Agenda
Charter Township of Haring Planning Commission
Friday, November 6, 2026, 6:00 PM
515 Bell Avenue, Cadillac MI 49601

1) Call to Order
2) Roll Call: Hill – Mackie – Baldwin – Sharp – Swiger
3) Pledge of Allegiance
4) Public Comment #1
5) Approval of the Agenda
6) Approval of October 13, 2026 Meeting Minutes
7) Scheduled Public Hearings:
   a) Consider adoption of a Zoning Ordinance Text Amendment to regulate Data Centers and Digital Mining facilities.
      i) Open Public Hearing and present proposed amendment
      ii) Acknowledgement of comments received prior to public hearing
      iii) Receive public comment in favor of request
      iv) Receive public comment in opposition to request
      v) Close Public Hearing for Commissioner Discussion
      vi) Consider recommendation to approve or deny proposed Amendment
8) Report of the Township Board Representative
9) Report of the Zoning Board of Appeals Representative
10) Report of Planning Consultant or Zoning Administrator
11) New Business:
12) Old Business
13) Correspondence Received
14) Public Comment #2/Planning Commission Member Comments
15) Adjournment

Regular Meeting Minutes
Charter Township of Haring Planning Commission
Tuesday, October 13, 2026, 6:00 PM
515 Bell Avenue, Cadillac MI 49601

1) **Call to Order:** Swiger called the meeting to order at 6:00 pm.
2) **Roll Call:** Hill, Mackie, Baldwin, and Swiger. Sharp was absent. Staff present: Green and Supervisor Scarbrough.
3) **Pledge of Allegiance-**
4) **Public Comment #1:** *[none]*
5) **Approval of the Agenda:** Motion was made by Baldwin, with support by Mackie, to approve the Agenda as presented. The motion carried with all in favor.
6) **Approval of September 15, 2026 Meeting Minutes:** Motion was made by Mackie, with support by Baldwin, to approve the September 15, 2026 Minutes as presented. The motion carried with all in favor.
7) **Scheduled Public Hearings:**
   a) **Dan & Bobbi Jo Beyersdorf – Request for a Special Use Permit to expand their existing campground on Parcel No. 2209-23-4201. Parcel Address: 10621 E 34 Road, Cadillac MI 49601.**
      i) **Present Application for Proposed Site Plan/Special Use Permit:** Swiger opened the public hearing at 6:04 pm. Green gave explained the request and pointed out that the applicant was approved for a Special Use Permit in 2020 to expand the campground in the same location but never went forward with construction. Green also pointed out that the current request is similar in size and layout to what was approved.
      ii) **Site Plan Review – Review of Site Plan Checklist:** All required items were found to be complete and in compliance with the Zoning Ordinance.
      iii) **Acknowledge Any Written Comments Received:** No written comments were received prior to the public hearing.
      iv) **Receive Public Comments:** Sarah Ross, P.E., spoke on behalf of the owners and confirmed that the request was mostly similar with the 2020 request with the only change being the relocation of the pond toward the front of the campground as was approved earlier this year.
      v) **Close Public Hearing for Planning Commission Discussion – Review of Special Use Permit Checklist:** Swiger closed the public hearing at 6:10 pm. Green pointed out that the 2020 request was approved with a condition that the Fire Department review and determine that the bridge providing vehicular access be rated for their emergency vehicles.
      vi) **Consider Motion for Approval, Conditional Approval, or Denial of Special Use Permit:** Motion was made by Mackie, with support by Hill, to approve the Special Use Permit subject to Fire Department review and approval of the access bridge over the Clam River for emergency vehicles. The motion carried by a 4-0 roll call vote.
8) **Report of the Township Board Representative:** Baldwin gave an update on actions taken by the

Township Board at their October 12, 2026 Meeting.

9) **Report of the Zoning Board of Appeals Representative:** Green had nothing new to report.

10) **Report of Planning Consultant or Zoning Administrator:** Green provided his September 2026 Monthly Report.

11) **New Business:** *[none]*

12) **Old Business:**

a) **Data Center Ordinance:** Green presented a Draft Data Center Ordinance that was prepared by the Township Attorney. Upon review by the Planning Commission and staff, the following revisions were requested:

i) On page 1 under Section 228(2)(a), strike the word "typically" to eliminate any possible loopholes and add limits on percentage of the total use for Accessory Data Centers; possibly limit to 15 or 20 percent of the total building area.

ii) Page 7, under Section 228(8)(c)(2) Setbacks from Non-Residential Properties, increase the setback from 250 to 500 feet consistent with that for Residential Properties.

iii) Page 8, under item (g) Storm Water Management, "Wexford County Drain Commissioner" should be replaced with "Township Engineer".

iv) Page 10, under item (n) Sewer and Water Utilities, limit the use to sites that are served by or can be served by municipal water and sewer.

v) Page 18, under item (4)(a) Minimum Lot Area, increase from 20 to 100 acres.

vi) Regarding changes to the District Regulations tables in Chapter 3, Small, Medium, and Hyperscale Data Centers should only be permitted by Special Use Permit in Industrial Districts and not permitted elsewhere.

vii) Any references to Section 228 should be changed to Section 229. Our Solar Energy standards are in Section 228.

Subsequent to the review, The Planning Commission agreed to schedule a Public Hearing to consider adoption of the Data Center Ordinance at a Special Meeting on Friday, November 6, 2026 at 6:00 pm.

13) **Correspondence Received:** *[none]*

14) **Public Comment #2/Planning Commission Member Comments:** *[none]*

15) **Adjournment:** Motion was made by Hill, with support by Baldwin, to adjourn the meeting at 6:45 pm. The motion carried with all in favor.

Respectfully Submitted by:

Michael Green, Zoning Administrator

Susan Baldwin, Secretary

CHARTER TOWNSHIP OF HARING

COUNTY OF WEXFORD, STATE OF MICHIGAN

At a _____meeting of the Township Board of the Charter Township of Haring, County of Wexford, Michigan, held at the Haring Charter Township Hall, 515 Bell Ave., Cadillac, Michigan, on the ___ day of _____, 2026, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

The following Ordinance was offered by _____ and seconded by _____.

ORDINANCE NO. ___

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CHARTER TOWNSHIP OF HARING

[Data Centers and Digital Mining]

THE CHARTER TOWNSHIP OF HARING ORDAINS:

Section 1. **Data Centers and Digital Mining**. Chapter 2 of the Zoning Ordinance of the Charter Township of Haring (the "Zoning Ordinance") is amended by the addition of a new Section 229 regarding data centers and digital mining, which shall read in its entirety as follows:

SECTION 229. DATA CENTERS AND DIGITAL MINING.

1. PURPOSE:

   The purpose of this section is to provide regulations for data centers and digital mining within the Township in a manner that creates opportunities for the economic development benefits of data centers while limiting the impacts on the property values of adjacent and nearby properties and the health, safety and general welfare of the Township and its residents.

2. DEFINITIONS:

   a) Accessory Data Center. A data center that is ancillary to the principal use of a lot or parcel, which is used solely to store or

otherwise support an individual business's data and information technology needs. A data center is not considered an accessory data center if it requires more than one hundred kilowatts (100kW) of power to operate, or if it uses 20% or more of the total building area, even if it otherwise meets this definition.

b) Closed-Loop Cooling System. A sealed system where coolant circulates continuously, absorbing heat from a source, and then transfers that heat to a heat exchanger for removal, without the coolant ever being exposed to the environment.

c) Colocation Data Center. A data center that is rented out by the owner to provide space to other businesses for their servers and other computing hardware. In addition to providing physical space, colocation facilities may offer additional services including maintenance, backup power systems, and multiple network connections. A colocation data center may be a small-scale or medium-scale data center but not a hyperscale data center.

d) Data Center. A use involving a building or other structure that is primarily occupied by computers and/or telecommunications equipment and related equipment, including supporting equipment, where information is processed, transferred or stored. A data center use shall not include a digital mining use. A data center which includes on-site solar or wind energy generation facilities used or intended to be used to supply power to the data center shall comply with the requirements of the zoning ordinance and any other ordinances regulating those uses.

e) Digital Currency. Currency in a digital format that involves the use of encryption techniques to regulate the generation of units of the digital currency and verify the transfer of funds operating independently from a central bank.

f) Digital Mining. The process whereby computers (also referred to as "nodes" or "mining rigs") validate blockchain transactions for a specific item of digital currency (commonly known as "bitcoin" or "cryptocurrency") for a financial benefit.

g) Digital Mining Use. A use involving a building or structure that is primarily occupied by computers used for digital currency mining purposes. Typical physical characteristics of a digital mining use include, but are not limited to, specialized computer hardware or data centers with a non-diverse electrical use for mining operations as well as equipment to cool the hardware and operating space.

h) Hyperscale Data Center. A data center that is typically located in a warehouse-sized facility that stores servers to handle very large processing workloads, and typically host 5,000 or more servers and requires one hundred megawatts (100 MW) or more of power to operate.

i) Medium-Scale Data Center. A data center that requires more than one megawatt (1 MW) and one hundred megawatts (100 MW) of power to operate.

j) Megawatts (MW). A unit of power that is used for the measurement of bulk electricity, and is equal to one million watts.

k) Residential Zoning District. For purposes of this Section, "residential zoning district" means the following zoning districts: R Residential, A Agricultural, RL Lake Resort, O/R Office/Residential.

l) Small-Scale Data Center. A data center that requires less than one megawatt (1 MW) of power to operate.

3. APPLICATION:

A site plan shall be submitted and reviewed prior to the approval of a data center or an expansion or change of use for a data center under the provisions of Section 206, except where special land use approval is required, in which case special land use approval under Chapter 5 shall be required. An application for a proposed data center or digital mining use shall include all of the information required for site plan review under Section 206, and the following additional information:

a) The site plan for the proposed use shall include the location of proposed buildings, structures and other improvements, floodplains, wetlands, any bodies of water, and the zoning districts for all adjacent properties and any existing dwellings within ½ mile of the proposed use.

b) A description of the proposed plan to obtain water required for the data center or digital mining use, including whether the water would be taken from groundwater or surface water, whether private or public utilities are proposed, and indicating the quantity of water required. The description shall specify if non-potable or recycled water is proposed to be used.

c) Evidence of preliminary contact with the proposed electrical service provider regarding whether there is capacity for the proposed use and whether the existing infrastructure and facilities can accommodate the proposed use.

d) A noise mitigation plan shall be submitted, including, at a minimum, a detailed acoustic study showing the amount of noise that would be produced by normal operations of the data center and strategies to minimize noise and achieve a neutral impact on adjacent and nearby properties.

e) The submittal shall contain a detailed narrative of the arrangements to be made for storm water discharge, water supply and sewage disposal service, including approximate capacity, source of water supply, discharge points for sewage disposal, and description of storm water management facilities.

f) A project development timeline, including information regarding how the applicant will inform adjacent property owners and members of the community regarding the status of the project.

g) A decommissioning plan, which shall include details regarding the planned method of safe removal and recycling or disposal of server infrastructure, any hazardous materials, batteries, electronic waste and related products.

h) An agreement by the applicant to allow for periodic inspections to ensure compliance with the applicable regulations.

4. ENVIRONMENTAL IMPACT ASSESSMENT:

The applicant shall also provide an environmental impact assessment with the application materials. This assessment shall describe the effect and impact that the proposed data center or digital mining use will or may have upon or with respect to the following matters:

a) The lands involved and the adjacent and nearby lands; streams, rivers, wetlands, and the quality and volume of surface and groundwater; wildlife and trees, and other significant vegetation; and the effect, if any, on surrounding property values.

b) A traffic impact study.

c) Additional costs to governmental units, police and fire protection, storm water drainage, water supply, and sewage disposal.

d) Evidence that the disposal of wastewater and other materials will be accomplished in a manner that complies with local, state and federal regulations.

e) Noise, vibration, dust and dirt, litter, smoke, odor, light, and glare.

f) A community impact analysis.

g) An analysis of the nature and effect of any private utility systems, including septic tanks and drain fields, storm water control and retention facilities, and water supply and distribution systems. This analysis shall include any impact on private utility systems located on adjacent or nearby properties up to ½ mile away from the proposed data center.

h) Such other matters as the Planning Commission may request to be included. If requested by the Planning Commission, the environmental impact assessment shall include statements or comments from the following public agencies or officials concerning those aspects of the proposed data center within their respective responsibilities and jurisdictions: Wexford County Health Department, Wexford County Road Commission, Wexford County Drain Commissioner, Michigan Department of Environment, Great Lakes, and Energy, local school district(s), local board(s) of education, Wexford County Sheriff's Department, the Township Fire Department, Consumers Energy, DTE, local internet providers, and the surrounding public water and sewer authorities and providers if applicable, along with other appropriate agencies.

5. REPORTS:

The Township shall have the right to require supplemental or amended reports related to matters including but not limited to impacts of the proposed development prior to any zoning approval.

6. STAFF REVIEW:

The Site Plan Review Officer shall prepare a report on the proposed site plan for the Planning Commission. The Township Planner and the Township Engineer may also prepare reports. The Township may also contract with other consultants to provide reports necessary to evaluate the proposed data center and its potential impacts.

7. FEES:

The applicant shall pay all fees and charges required, including the required escrow deposit set by the Township Board for site plan review and special land use approval, if applicable. In addition, the Township reserves the right to require the applicant to deposit an increased or additional escrow deposit if necessary for the Township to review the application and related materials.

8. GENERAL REGULATIONS:

The following general requirements apply to all data centers and digital mining uses within the Township.

a) Noise. The sound pressure level of the construction, use, operation, or decommissioning of a data center or a digital mining use shall not exceed the decibel levels stated below at any point on a lot line of the property on which the data center is located:

1) Daytime noise emanating from the construction, use, operation, or decommissioning of a data center or a digital mining use shall not exceed fifty-five (55) decibels (dBA).

2) Nighttime noise (from 10:00 p.m. to 7:00 a.m. daily) emanating from the construction, use, operation, or decommissioning of a data center or a digital mining use shall not exceed forty-eight (48) decibels (dBA).

3) The maximum noise levels provided above shall not apply to emergency alerts or emergency alarms.

4) 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 contained above.

b) Mechanical Equipment. To reduce the impact of additional noise on surrounding properties, any equipment necessary for cooling, ventilating or otherwise related to operations of the data center or digital mining use, including power generators or other power supply equipment, shall be located within an enclosed building or structure.

1) The Planning Commission may waive this requirement for specified equipment if it finds that it is not mechanically feasible to fully enclose such equipment. If it does so, the specified equipment that has been approved to be located outside of an enclosed building or structure shall be screened by a wall or similar barrier.

c) Setbacks. The minimum setbacks for data centers and/or digital mining uses shall be as provided below; provided, however, that the Planning Commission may decrease or modify such setback requirements in its discretion, if a decrease or modification would be consistent with the intent of this Section.

1) Setbacks from Residential Properties. Any building or structure that is used for a data center or digital mining use shall be located at least 500 feet from the lot line of any property located in a residential zoning district.

2) Setbacks from Non-Residential Properties. Any building or structure that is used for a data center or digital mining use shall be located at least 500 feet from the lot line of any property not located in a residential zoning district.

3) Setbacks for Equipment. Any equipment necessary for cooling, ventilating or otherwise related to operations of the data center or digital mining use, including power generators or other power supply equipment, shall be setback the same as the building setback above.

4) Setbacks for Accessory Data Centers. A small scale or accessory data center shall comply with the applicable building and any other setback requirements for the district in which the small scale or accessory data center is located.

d) Outdoor Storage. Outdoor storage of materials, equipment and supplies shall be as provided in the applicable zoning district regulations, unless modified by the Planning Commission as part of special land use approval.

e) Hazardous Materials. Due to the nature of a data center or digital mining use, hazardous waste and storage of hazardous materials is anticipated. If the proposed data center or digital mining use includes storage or disposal of hazardous materials or waste, the following is required:

1) The applicant shall describe the nature of the storage and processing of hazardous materials and waste as part of the application for site plan review. This shall include proposed safety measures and protocols to prevent the spread of hazardous materials outside of designated containment areas and procedures in the event that hazardous materials or waste are released and have the potential to damage persons, property or the environment. This information shall be submitted to provide the Township with notice that hazardous materials or waste are present on the site, to facilitate a coordinated response effort in the event that hazardous materials or waste is released and to inform public safety officials.

2) All storage and/or processing of hazardous materials and waste shall comply in all respects with state and federal law and regulations and the requirements of the Michigan Department of Environment, Great Lakes, and Energy ("EGLE") and any other applicable agency. Storage and/or processing of hazardous materials and waste shall not

commence until all necessary permits have been obtained and copies of such permits have been provided to the Township.

3) Storage and/or processing of hazardous materials and waste shall not occur within 500 feet of any lot line.

4) If storage and/or processing is proposed outside of a building or structure, those activities shall be screened from view of adjacent public or private rights-of-way and any property that is zoned in a residential district.

f) Air Quality and Water Quality. The equipment, including but not limited to any power generators, used in the operation of the data center or digital mining use shall minimize air pollutant emissions and water pollutant discharges and meet or exceed applicable state and federal laws regarding emissions and discharges. An owner or operator or applicant for a data center shall provide affirmative proof of EGLE approval or US EPA approval upon request of the Township.

g) Storm Water Management. Prior to construction, the applicant shall submit their storm water management plan to the Township Engineer for review and approval. In the development and use of the land, there shall be no serious adverse effect on the land or other lands by reason of erosion, sedimentation, pollution, or other adverse effect resulting from or arising out of storm water drainage. All requirements imposed by the Water Resource Commissioner shall be complied with.

h) Cooling Methods. To reduce the potential impact on nearby potable water resources, any data center or digital mining use that proposes to use water cooling must use a closed-loop cooling system or recycled water system. The Township reserves the right to require the use of a more efficient water cooling method should such a method be developed in the future.

i) Power. Before the issuance of any building permits, the applicant shall provide written verification from the applicable energy service provider that states the following:

1) There is adequate capacity available on the applicable supply lines and substation for the data center or digital mining 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 provider.

2) The utility supply equipment and related electrical infrastructure are sufficiently sized and can safely accommodate the proposed data center or digital mining use during the power provider's peak consumption hours.

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.

j) Electric Utilities.

1) Integration of renewable energy to power data centers is preferred, if feasible. Data centers that are required to obtain power from renewable sources as part of eligibility for the sales and use tax exemptions under Public Act 181 of 2024, as amended, and Public Act 207 of 2024, as amended, shall comply with state laws and regulations. The applicant shall provide proof of compliance with this section.

2) To the extent feasible, electrical utilities shall be located underground.

3) Prior to the issuance of a certificate of occupancy, the applicant shall provide the Township with written verification that the electrical work has passed a third-party final inspection.

4) Any on-site power generation requires separate special land use approval, except for solar power related to the operation of the data center, including rooftop or wall-mounted solar facility or freestanding private solar facility, which shall not require separate special land use approval, but may be approved as part of a site plan approval for a small-scale data center or accessory data center, and may also be approved as part of the same special land use application for medium-scale or hyperscale data centers.

k) Lighting. Any proposed outdoor lighting for a data center or digital mining use shall comply with the requirements of Section 227.

l) Fencing. Fencing may be required for a data center or digital mining use if necessary for safety or security purposes. The Planning Commission shall have discretion to approve the height, location and type of fencing.

m) Safety.

1) A detailed emergency response plan shall be submitted with the zoning application, showing at a minimum that the data center has a plan in effect to address emergencies resulting from flood, fire, explosion, and catastrophic weather events. The emergency response plan is subject to review and comments by the Township, including the Township Fire Chief, and may also be subject to review of the Wexford County Sheriff's Department or other applicable law enforcement agency.

2) The equipment used in any data center or digital mining use shall be housed in a metered, electrically grounded and metal-encased structure with a fire rating designed to resist an internal electrical fire for at least thirty (30) minutes. The containment space for the equipment shall contain baffles that automatically close in the event of fire, independent of a possible electrical system failure.

3) Any data center or digital mining use that is proposed to include battery storage or any other device or group of devices capable of storing energy in order to supply electrical energy at a later time shall demonstrate compliance with the National Fire Protection Association (NFPA) Standard 855, Installation of Stationary Energy Storage Systems, or similar standards and must include fire suppression systems specifically designed for battery storage.

4) The proposed data center or digital mining use shall include a fire suppression system that complies with the Michigan Construction Code, as amended, and any other applicable local, state or federal laws, rules or regulations. Compliance with all requirements of the Township Fire Chief related to fire suppression shall be required.

n) Sewer and Water Utilities. All data center and/or digital mining uses are required to connect to public water and sewer. Such connections shall be subject to approval of all applicable agencies, including the Township or other applicable water and/or sewer authority, the Wexford County Drain Commissioner, and the Wexford County Health Department #10. Approval of all applicable agencies shall be provided to the Township. Should improvements to the existing sewer and/or water infrastructure be required to accommodate a proposed data center and/or digital mining use, the applicant shall bear the full costs of the required improvements.

o) Emergency Contact Information. Each data center or digital mining use shall provide 24-hour emergency contact signage visible at each access entrance. The signs shall include the company name (if applicable), the owner or representative's name, the telephone number for the emergency contact person, and the local power company's name and telephone number.

p) Nuisance Prohibited. The data center or digital mining use shall be designed, 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.

q) 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.

r) Compliance with Other Laws. The design, construction, operation, use, and decommissioning of a data center or digital mining use 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.

9. DECOMMISSIONING REQUIREMENTS:

The application shall include a decommissioning plan that describes the anticipated life of the data center or digital mining facility and the manner in which the project will be decommissioned, actions that will be taken to restore the site, the removal of all buildings and equipment, the estimated cost of the decommissioning process, and the method for ensuring that the owner and/or operator will have sufficient funds available for decommissioning and restoration, including but not limited to the posting of an appropriate bond, letter of credit or other security. The amount of the bond, letter of credit or other security is subject to annual review and adjustment by the Zoning Administrator to ensure that such bond, letter of credit or other security remains an adequate amount to ensure that the owner and/or operator will have sufficient funds available for decommissioning and restoration. If a data center or digital mining use is not operational for a continuous one-year period, or if substantial action on the project is discontinued for a period of one year, the project shall be deemed abandoned and must be decommissioned. The owner, operator, permit holder, and/or their successor(s) in interest shall have one year to complete decommissioning of the facility. The decommissioning shall be in compliance with the approved decommissioning plan, and the owner, operator, permit holder, and/or their successor(s) in interest shall notify the Township when the project has been decommissioned.

10. COLOCATION DATA CENTERS:

Colocation data centers shall be permitted. The owner(s) and/or operator(s) of colocation data centers shall be responsible for ensuring that lessees and users of the data center or digital mining use facilities comply with the terms of this section and other applicable provisions of the Zoning Ordinance and other applicable local, state and federal laws, rules and regulations. The owner(s) and/or operator(s) of colocation data centers shall provide information regarding their plan to ensure that all of the lessees and users of the proposed data center or digital mining use will remain in compliance.

11. ACCESSORY DATA CENTERS:

a) An accessory data center is permitted only in those zoning districts where an accessory data center is a permitted accessory use.

b) Accessory data centers must be located on the same lot or parcel as the principal use.

c) All equipment necessary for the operation of the accessory data center, including any equipment necessary for cooling, ventilating or otherwise related to operations of the data center or digital mining use, including power generators or other power supply equipment, shall be located within an enclosed building or structure.

12. DIGITAL MINING USES:

Where a digital mining use is allowed as a permitted use or special land use in a zoning district, the following additional requirements apply:

a) All activities related to the digital mining use must be conducted within an enclosed building.

b) The applicant must provide evidence to the Township, certified by a professional engineer, that the proposed use will not have an adverse effect on electrical or digital internet services in neighboring properties or the Township.

c) All digital mining operations shall be designed, erected and installed in accordance with all applicable local, state or federal laws, codes, rules, and regulations.

d) Digital mining shall not occur in any accessory building or temporary structure. The use of ISO shipping containers or other similar containers for digital mining shall be prohibited.

e) No data center engaging in digital mining shall exceed one hundred (100) MW energy usage at any given time. Digital mining uses and

digital mining businesses may not exceed the requirements and regulations for medium-scale data centers. Digital mining is not permitted in a hyperscale data center.

Section 2. **C-General Commercial Zoning District; Uses Permitted by Right.** Section 305 of the Zoning Ordinance is hereby amended by the addition of the following uses to the list of "uses permitted by right" in the "C" General Commercial District:

- Accessory Data Centers as regulated under Section 229.

Section 3. **C1-General Commercial Zoning District for Goode Subdivision; Uses Permitted by Right.** Section 305 of the Zoning Ordinance is hereby amended by the addition of the following uses to the list of "uses permitted by right" in the "C1" General Commercial District:

- Accessory Data Centers as regulated under Section 229.

Section 4. **I-Industrial Zoning District; Uses Permitted by Right**. Section 305 of the Zoning Ordinance is amended by the addition of the following uses to the list of "uses permitted by right" in the "I" Industrial District:

- Accessory Data Centers as regulated under Section 229.

Section 5. **I-Industrial Zoning District; Uses Permitted by Special Land Use Permit**. Section 305 of the Zoning Ordinance is amended by the addition of the following use to the list of "uses permitted by special land use permit" in the "I" Industrial District:

- Small-Scale, Medium-Scale, and Hyperscale Data Centers and Digital Mining Use businesses.

Section 6. **L/I-Light Industrial Zoning District; Uses Permitted by Right**. Section 305 of the Zoning Ordinance is hereby amended by the addition of the following uses to the list of "uses permitted by right" in the "L/I" Light Industrial District:

- Accessory Data Centers as regulated under Section 229.

Section 7. **Off-Street Parking Regulations**. Section 219.2 of the Zoning Ordinance is hereby amended by the addition of the following requirement to the "Table of Off-Street Parking Requirements":

-Data Center or Digital Mining Use	1	10,000 sq. ft. of building area

Section 8. **Table of Special Land Use Permit Standards; Data Centers and Digital Mining as a Special Land Use**. Chapter 5 of the Zoning Ordinance is amended by the addition of a new section at the end of the "Table of Special Use Permit Standards," which shall read in its entirety as follows:

SPECIAL USE: Small-Scale, Medium-Scale, and Hyperscale Data Centers, and Digital Mining

STANDARD AND ADDITIONAL REQUIREMENTS:

* Small-Scale and medium-Scale data centers may be permitted by the Planning Commission as a special land use. Digital mining uses may be permitted by the Planning Commission for medium-scale data centers as a special land use. Hyperscale data centers that do not engage in digital mining uses may be permitted by the Planning Commission as a special land use. All data centers and digital uses which are permitted by the Planning Commission as a special land use must comply with all the terms and conditions of this section.

* Definitions. The definitions provided for data centers in Section 229 shall apply.

1. Compliance with Section 229. Proposed special land use data centers and/or digital mining businesses must comply with the requirements for all data centers under Section 229, except as provided in this section.

2. Application. In addition to the application materials and environmental impact study required for data centers under Section 229.3 and 229.4, applications for special land use data centers and/or digital mining businesses shall include the following:

    a) A separate noise impact study which includes information on the noise levels to be generated by the construction, use and operation of the data center, measured in dB(A).

b) A separate analysis of the impact on rates for other users and on the use of the required water for the data center or digital mining business on the capacity of water available from public utilities or from groundwater or surface water sources. If water is proposed to be from public sources, the applicant shall demonstrate that the public source has the capacity to provide water for the proposed data center or digital mining use or if infrastructure or facilities improvements would be required.

c) The applicant shall also provide a water feasibility study regarding the use of public water and any use of nonpublic sources of water. Private wells shall not be used for general cooling or processing purposes. The water feasibility study shall include the following:

1) Calculations of the projected water needs of the data center during normal operations and at peak operations.

2) A hydrogeologic map of the area with a radius of at least one mile from the property.

3) The location of all existing and proposed wells within one mile of the site, with a notation of the capacity of all high-yield wells.

4) The location of all rivers, streams and lakes within one mile of the site.

5) A determination of the long-term safe yield of groundwater based on the geologic formation(s) underlying the site.

6) A determination of the effects of the proposed water supply system and water discharge system on the quantity and quality of water in nearby wells and bodies of water.

7) A statement of the qualifications and the signature(s) of the person(s) preparing the study.

8) An analysis of the potential impacts of the construction of the data center on the groundwater of the site in an area within a one-mile radius of the site, including any need for dewatering during construction, and the method for recharging the groundwater following construction-based dewatering. The report shall include information on

any contamination of nearby groundwater that could impact the quality of the recharged groundwater on the site, or on sites within a one-mile radius.

d) The applicant shall provide an analysis of the impact of storm water discharged from the proposed data center and the impact on groundwater, surface water or other water sources.

e) The applicant shall also provide information regarding any preliminary review of the Michigan Department of Environment, Great Lakes, and Energy.

f) The applicant shall provide information regarding discussions with the electric service provider indicating that capacity is available to serve the proposed data center or digital mining use.

g) The site plan shall include a future parking area, as described in subsection 8.

h) The traffic impact study required in Section 229.4 shall include, in addition to the impacts of the ongoing operation of the medium or hyperscale data center, the impacts of construction traffic, including trucks and heavy machinery.

3. Location and Infrastructure Requirements. No special use permit shall be approved for a special land use data center unless the Planning Commission determines that sufficient infrastructure is in place, or can be constructed, to support the data center, without imposing costs onto the Township or other public entities. Specifically, no special use permit shall be approved unless the following requirements are met.

a) Water and Sewer. Special land use data centers and/or digital mining businesses shall be required to connect to public water and public sewer.

1) If extensions to the water and/or sewer systems are necessary, they shall be completed at the sole cost of the applicant. Such costs shall include all necessary repairs to public and private property along the route of the extensions to return them to a condition consistent with their condition prior to construction.

2) The water and/or sewer system must have sufficient capacity to serve 125% of the data center's anticipated maximum need, plus 150% of the average daily usage of all existing properties served by the water and/or sewer system. If the existing systems do not have sufficient capacity, upgrades

must be made to ensure sufficient capacity, at the sole cost of the applicant.

b) Electricity. Electricity generation and transmission capacity.

1) The applicant must submit written verification from the applicable energy service provider that there is adequate capacity available on the applicable supply lines and substation for the data center or digital mining use and to ensure that there is sufficient capacity available to serve the needs of other customers within the Township, plus sufficient excess capacity that can be utilized within Haring Charter Township to accommodate future growth, up to 150% of current electrical usage within the Township (including the anticipated needs of the proposed data center). Such capacity must exist prior to the data center beginning operation. All necessary expansions or extensions shall be completed at the sole cost of the applicant.

2) The applicant must submit written verification from the applicable energy service provider that related electrical infrastructure are sufficiently sized and can safely accommodate the proposed data center or digital mining use during the power provider's peak consumption hours.

3) The Township may obtain the services of a third-party expert to review the documentation submitted by the applicant to demonstrate compliance with the electricity requirements of this section and this ordinance. In addition to all other escrows, the Township may require an escrow payment from the applicant to cover the cost of such review.

c) Public Safety. The applicant must submit written verification from the local public safety entities with jurisdiction that their existing equipment and resources can adequately protect the data center from fire, vandalism, theft, and other security concerns. If the local public safety entities find deficiencies in their existing equipment and resources, the Township may require the applicant to invest in upgraded equipment or other increased capacity in order ensure safety and security.

d) Roadways. No special use permit shall be approved for a special land use data center unless the lot in question meets the minimum width requirement applicable in the zoning district, along a paved, public road, and the applicant obtains approval from MDOT and/or the Wexford County Road Commission to construct a driveway to that public road. If there is no paved road adjacent to the property

in question, the applicant shall, at its sole cost, pave the road. Such pavement must extend continuously to an intersection with another paved, public road in at least one direction.

e) Communications Infrastructure. The applicant must provide a report stating that existing wired and wireless communications infrastructure is sufficient to handle the inbound and outbound data from the proposed data center, without slowing speeds or reliability to existing data users in the vicinity. If upgrades are required, they shall be completed at the sole cost of the applicant. Such costs shall include all necessary repairs to public and private property along the route of the extensions to return them to a condition consistent with their condition prior to construction.

4. Lot Size, Coverage, Setbacks and Height Requirements for Special Land Use Data Centers and/or Digital Mining Businesses.

a) Minimum Lot Area. The minimum lot area shall be 100 acres.

b) Lot Coverage. Not more than 40 percent of the area of a lot or parcel or combination of lots or parcels used for a data center or digital mining use shall be occupied by buildings, structures or equipment. Areas used for parking lots shall not be used in determining lot coverage, but such areas shall comply with all minimum building setbacks.

c) Building Size. Buildings for small-scale and medium-scale data centers and digital mining uses and businesses shall not exceed 100,000 square feet in total area. Buildings for hyperscale data centers shall not exceed 500,000 square feet in total area. The total square foot area for all combined buildings in a hyperscale data center complex shall not exceed 1,000,000 square feet in total area.

d) Building Height. The maximum building height shall not exceed the maximum height specified under section 305 of the zoning ordinance for the applicable zoning district.

e) Setbacks. The minimum setback from adjoining property lines that shall be 500 feet, provided, however, that the Planning Commission may decrease or modify such setback requirements in its discretion, if a decrease or modification would be consistent with the intent of this Section.

5. Additional Cooling Requirements. All special land use data centers and digital mining use businesses 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.

6. Landscaping and Buffering.

   a) Landscaping shall be provided in accordance with the requirements of Section 422.3(e).

   b) An additional berm with buffering landscaping shall be required along any property line shared with an adjacent property that is zoned in a residential district.

      1) All required berms shall comply with the requirements of Section 422.3(c)(3).

      2) The Planning Commission may require additional screening it is discretion.

      3) The owner(s) and/or operator(s) of the data center shall continuously maintain the required landscaping, including the berm buffers for adjacent parcels that are zoned residential, including but not limited to replacement of any dead or diseased plantings.

7. Open Space. In addition to required landscaping areas, at least 20% of the site must be maintained as permanent open space. The space in question must be maintained in its natural state or as active agricultural cultivation.

   a) Required setback areas, required landscape buffers and the future parking area shall not count towards the required open space.

   b) The Planning Commission may permit an open space area smaller than 20% of the site upon finding that the proposed open space meets all of the following requirements:

   c) The open space is at least 10% of the total land, including in the data center proposal.

1) The open space is a contiguous, connected area, with no gaps where buildings, parking, or other aspects of the data center are proposed, or could be constructed in the future.

2) The open space contains significant natural features such as wetlands, flood plains, dense woodlands, and/or steep slopes, and the natural features will be maintained in pristine condition without negative impacts from the data center.

3) The open space creates a buffer zone that mitigates negative impacts of the data center on nearby residents, agricultural uses, and/or the environment.

8. Future Parking Area. In order to ensure that buildings constructed as special land use data centers can be re-used for other uses permissible in the Industrial District, a future parking area must be designated on the site plan. The future parking area shall meet all requirements, including, but not limited to, setbacks, dimensions and number of spaces, applicable to a parking lot serving a manufacturing use within the data center building. The future parking area shall not be constructed but shall during the life of the data center remain as undeveloped open space.

   a) A vegetative ground cover, approved by the Planning Commission, shall be planted throughout the future parking area. The Planning Commission may, alternatively, approve existing vegetation in the future parking area to remain in place.

   b) No new trees or shrubs shall be planted in the future parking area.

   c) The future parking area shall not count towards the required dedicated open space in subsection 7.

9. Construction Requirements. The construction of special land use data centers is subject to special construction restrictions. The construction must be conducted only during such days of the week and hours as may be specifically approved by the Planning Commission as part of special land use. The Planning Commission may require additional reports, such as traffic reports, environmental impact reports and the like related to the construction process. The construction shall not take place in a way which allows for unreasonable noise, dust or other negative impacts on nearby or adjoining properties, lands or water. The Planning Commission may impose specific restrictions or conditions on the construction methods, storage or disposal.

10. Generators. Generators shall not be used for grid support services, peak-shaving demand response programs or participation in energy markets. Generators may only be operated for the purpose of supplying electricity during an emergency disruption in supply from the normal electricity

supplier. Under no circumstances shall any generator be operated for the purpose of supplying electricity for ongoing operations except during an emergency disruption in supply.

a) Generators may be operated for the purpose of performing testing of the generators at dates and times approved by the Planning Commission or Township in writing. Generators must be housed within a building or within sound-attenuating enclosures to mitigate noise as approved as part of special land use approval.

b) Generators must be permanent installations included in the approved site plan and shall not be portable or temporary in nature, nor shall any generator not included in the site plan be added to the property without an approved site plan revision under this ordinance.

11. Decommissioning Financial Security. To ensure the proper decommissioning of a special land use data center upon abandonment or dormancy, the owner and/or operator 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 owner and 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.

12. County, State, and Federal Compliance. The Township may request proof of compliance and/or approval from all applicable county, state and federal regulatory bodies, and pertaining to all applicable county, state and federal laws and regulations. The Township may reject any application deemed in violation of a county, state or federal law or regulation, even if the application otherwise meets the requirements of this ordinance.

13. Nuisance Prohibited. All special land use data centers and digital mining uses 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.

Section 9. **Publication and Effective Date**. A summary of the regulatory effect of this Ordinance shall be published in a newspaper of general circulation in the Township within 15 days after adoption. This Ordinance shall become effective seven days after such publication.

AYES: _____

NAYS: _____

ABSENT: _____

ORDINANCE DECLARED ADOPTED.

_____
Robert Scarbrough
Township Supervisor

_____
Paula Dewey
Township Clerk

First reading: _____

Second reading: _____

Ordinance becomes effective: _____

STATE OF MICHIGAN)
) ss.
COUNTY OF WEXFORD)

CERTIFICATION

I, the undersigned, the duly qualified and acting Clerk of the Charter Township of Haring, Wexford County, Michigan, do hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Township Board at meeting on_____, 2026, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1986, as amended, including in the case of a special or rescheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on the ___ day of _____, 2026.

_____
Paula Dewey
Township Clerk