

**LODI TOWNSHIP
WASHTENAW COUNTY
MICHIGAN**

Ordinance No. 2026-_____

AN ORDINANCE ADOPTED PURSUANT TO PUBLIC ACT 110 OF 2006 AS AMENDED (MCL 125.3101 *et seq.*), AND PUBLIC ACT 246 OF 1945 AS AMENDED (MCL 41.181 *et seq.*), TO SECURE THE PUBLIC SAFETY, HEALTH, AND WELFARE OF THE RESIDENTS AND PROPERTY OWNERS OF THE TOWNSHIP OF LODI, WASHTENAW COUNTY, MICHIGAN, BY ENACTING A MORATORIUM ON DATA CENTERS AND THE APPLICATION FOR AND CONSIDERATION OF DATA CENTERS IN LODI TOWNSHIP.

THE TOWNSHIP OF LODI, WASHTENAW COUNTY, MICHIGAN, ORDAINS:

Section 1: Title.

This ordinance shall be known and cited as the “Lodi Township Data Center Moratorium.”

Section 2: Purpose.

Whereas, the Lodi Township Zoning Ordinance does not address data centers and neither does Lodi Township have a regulatory ordinance that does so; and

Whereas, data centers are being proposed in neighboring communities; and

Whereas, the Lodi Township Board of Trustees finds that to secure the public safety, health, and welfare of its residents and property owners and for the protection of its natural resources that the Lodi Township Zoning Ordinance needs to be revised to regulate data centers and clearly define the parameters for their consideration by the Township and/or regulatory ordinances need to drafted and passed; and

Whereas, the Lodi Township Board of Trustees finds that it is necessary to study and consider proposed amendments to the Lodi Township Zoning Ordinance and/or draft regulatory ordinances to ensure a consistent, cohesive, and sensible policy which conforms to the most recent jurisprudence is developed and maintained with regard to data centers and the regulation of data centers; and

Whereas, the Lodi Township Board finds that during the pendency of such study and consideration and the passing of anticipated amendments and/or regulatory ordinances that it would be counter-productive for applications relating to data centers to move forward; and

Whereas, the Lodi Township Board finds that during the course of such study and consideration and the passing of anticipated amendments and/or regulatory ordinances that there should be a deferral of review of data center applications; and

Whereas, the Lodi Township Board also recognizes that a delay in the establishment of new developments or the expansion of existing development, or the rezoning of property, or the granting of zoning compliance could result in inconvenience for some applicants; and

Whereas the Lodi Township Board of Trustees has no intent to prohibit or penalize the establishment of data centers in Lodi Township; and

Whereas the Lodi Township Board of Trustees will immediately refer the matter to its consultants and the Lodi Township Planning Commission for the consideration, study, and the drafting of the necessary zoning amendments and/or regulatory ordinances; and

Whereas the Lodi Township Board of Trustees finds that it would best secure the public safety, health, and welfare of its residents and property owners of Lodi Township and the protection of its natural resources by enacting a moratorium on the application for, the consideration of such applications, and the establishment of data centers in Lodi Township until the new amendments and/or regulatory ordinances are in place.

Whereas, the Lodi Township Board of Trustees, finds that under certain circumstances that it may be necessary to expedite the pursuit of certain developments or business opportunities and that it is appropriate to provide for an appeal to this moratorium to the Lodi Township Board.

Section 3: Moratorium

No application for a data center in Lodi Township or a request for zoning compliance for the same shall be accepted for review, considered, or approved, by Lodi Township, a Township entity, official, or agent for 180 days after the effective date of this ordinance or until the Lodi Township Planning Commission recommends **and** the Lodi Township Board passes **and** new Zoning Ordinance amendments and/or applicable regulatory ordinances go into effect regulating data centers in Lodi Township.

Section 4: appeal

A property owner or business with the property owner(s) written consent may appeal the moratorium by filing a written appeal with the Lodi Township Clerk. The appeal should include the applicant's signature, shall state specifically what relief from the moratorium is being requested, and include an explanation describing and substantiating the basis for the relief

requested, including but not limited to, demonstrating that the temporary moratorium will result in the preclusion of any viable economic use of their property or otherwise violates applicable provisions of State or Federal law. The Lodi Township Board of Trustees shall hear the appeal at its next regularly scheduled meeting so long as the appeal is filed at least 21 days prior to that meeting or at the following meeting if it is not filed in time. The Lodi Township Board of Trustees may grant the appeal, deny the appeal, or fashion such other relief as the law requires. The Lodi Township Board shall make findings and conclusions with respect to whether the applicant has demonstrated that all viable economic use of the property has been precluded by the moratorium and whether the moratorium is unconstitutional on its face or as applied to the applicant's case. If it is found and demonstrated that the moratorium has the effect of precluding all viable use of the property, or that it violates State or Federal law, the Township Board shall grant relief from the moratorium to the degree necessary to cure the contravention.

Section 5: Severability

The provisions of this Ordinance are hereby declared to be severable and if any part is declared invalid for any reason by a court of competent jurisdiction it shall not affect the remainder of the Ordinance which shall continue in full force and effect.

Section 6: Repeal

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 7: Savings Clause.

The repeal provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 8: Effective Date

This Ordinance shall be published once in a newspaper having general circulation in Lodi Township and shall take effect the day following the date of the first publication of the ordinance following adoption by the Township Board.

Jan Godek, Township Supervisor

Christina Smith, Township Clerk

Clerk's Certification

I, Christina Smith, Clerk for Lodi Township, Washtenaw County, Michigan, hereby certify that the foregoing is a true and correct copy of Ordinance No. _____ of Lodi Township, adopted by resolution at a meeting of the Township Board of Trustees held on _____, and the whole thereof now in my custody.

Christina Smith, Township Clerk

A copy of the complete ordinance text may be inspected or purchased at the Lodi Township Hall, 3755 Pleasant Lake Road, Ann Arbor, Michigan 48103. The office hours are 9:00 a.m. until noon Monday through Thursday.

Adopted: _____

Published: _____

Effective: _____

LODI TOWNSHIP
WASHTENAW COUNTY MICHIGAN

Resolution No. 2026-_____

_____, 2026

A resolution to adopt an ordinance pursuant to Public Act 110 of 2006 as amended (MCL 125.3101 et seq.), and Public Act 246 of 1945 as amended (MCL 41.181 et seq), to secure the public safety, health, and welfare of the residents and property owners of the Township of Lodi, Washtenaw County, Michigan, by enacting a moratorium on data centers and the application for and consideration of data centers in Lodi Township for 180 days while zoning ordinance amendments and/or regulatory ordinances are studied, considered, and adopted.

Whereas, the Lodi Township Zoning Ordinance does not address data centers and neither does Lodi Township have a regulatory ordinance that does so; and

Whereas, data centers are being proposed in neighboring communities; and

Whereas, the Lodi Township Board of Trustees finds that to secure the public safety, health, and welfare of its residents and property owners and for the protection of its natural resources that the Lodi Township Zoning Ordinance needs to be revised to regulate data centers and clearly define the parameters for their consideration by the Township and/or regulatory ordinances need to drafted and passed; and

Whereas, the Lodi Township Board of Trustees finds that it is necessary to study and consider proposed amendments to the Lodi Township Zoning Ordinance and/or draft regulatory ordinances to ensure a consistent, cohesive, and sensible policy which conforms to the most recent jurisprudence is developed and maintained with regard to data centers and the regulation of data centers; and

Whereas, the Lodi Township Board finds that during the pendency of such study and consideration and the passing of anticipated amendments and/or regulatory ordinances that it would be counter-productive for applications relating to data centers to move forward; and

Whereas, the Lodi Township Board finds that during the course of such study and consideration and the passing of anticipated amendments and/or regulatory ordinances that there should be a deferral of review of data center applications; and

Whereas, the Lodi Township Board also recognizes that a delay in the establishment of new developments or the expansion of existing development, or the rezoning of property, or the granting of zoning compliance could result in inconvenience for some applicants; and

Whereas the Lodi Township Board of Trustees has no intent to prohibit or penalize the establishment of data centers in Lodi Township; and

Whereas the Lodi Township Board of Trustees will immediately refer the matter to its consultants and

the Lodi Township Planning Commission for the consideration, study, and the drafting of the necessary zoning amendments and/or regulatory ordinances; and

Whereas the Lodi Township Board of Trustees finds that it would best secure the public safety, health, and welfare of its residents and property owners of Lodi Township and the protection of its natural resources by enacting a moratorium on the application for, the consideration of such applications, and the establishment of data centers in Lodi Township until the new amendments and/or regulatory ordinances are in place.

THEREFORE, be it resolved that Ordinance No. 2026-____, entitled "An Ordinance adopted pursuant to Public Act 110 of 2006 as amended (MCL 125.3101 et seq.), and Public Act 246 of 1945 as amended (MCL 41.181 et seq), to secure the public safety, health, and welfare of the residents and property owners of the Township of Lodi, Washtenaw County, Michigan, by enacting a moratorium on data centers and the application for and consideration of data centers in Lodi Township" is made, passed, and adopted.

Township Trustee _____ moved the adoption of the foregoing Resolution, which was seconded by Township Trustee _____ and thereupon adopted by the Lodi Township Board of Trustees by a roll call vote of the Township Board at the regular meeting held this _____, 2026

The following members voted:

Ayes: _____

Nays: _____

Absent or abstain: _____

The Supervisor declared the resolution adopted.