

**LODI TOWNSHIP
WASHTENAW COUNTY
MICHIGAN**

Ordinance No. 2026-003

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 HIGH-POWER FACILITIES AND THE APPLICATION FOR AND CONSIDERATION OF HIGH-POWER FACILITIES 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 High-power Facilities Moratorium.”

Section 2: Purpose.

Whereas the Lodi Township Board of Trustees previously on February 3, 2026 adopted Ordinance No. 2026-001 enacting a moratorium on data centers and the application for and consideration of data centers in Lodi Township for 180 days and referred the matter to its consultants and the Lodi Township Planning Commission for immediate consideration, study, and the drafting of the necessary zoning amendments and/or regulatory ordinances; and

Whereas, Lodi Township’s consultants begin researching and providing information to the Planning Commission, including sample ordinances, and

Whereas, the Lodi Township Planning Commission placed the matter for discussion and consideration on its monthly agenda starting that same February; and

Whereas, the Lodi Township Planning Commission subsequently created a subcommittee to research the issue in more detail and provide a recommendation, which subcommittee has met on June 30 and July 23, 2026; and

Whereas, the Lodi Township Zoning Ordinance does not address High-power Facilities and neither does Lodi Township have a regulatory ordinance that does so; and

Whereas, High-power Facilities 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 all High-power Facilities and clearly define the parameters for their consideration by the Township and/or regulatory ordinances need to be drafted and passed; and

Whereas, the Lodi Township Board of Trustees finds that it is necessary to further 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 High-power Facilities and the regulation of High-power Facilities; 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 High-power Facilities 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 High-power Facilities 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 will immediately refer the matter back to its consultants and the Lodi Township Planning Commission for additional 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 High-power Facilities 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: Definitions

High-power Facilities, for the purpose of this ordinance, means facilities that consume, transform, or generate substantial amounts of power, regardless of the source, or consume large amounts of water for cooling or process purposes. They include data centers (except small-scale facilities that are purely accessory to an otherwise permitted use), electrical substations and switchyards with a capacity exceeding ten (10) MW, and power generating facilities (except solar facilities and wind energy conversion systems regulated elsewhere) with a capacity exceeding one (1) MW.

Section 4: Moratorium

No application for a High-power Facility 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 unless the Lodi Township Planning Commission recommends **and** the Lodi Township Board passes **and** new Zoning Ordinance amendments and/or applicable regulatory ordinances have gone into effect regulating High-power Facilities in Lodi Township.

Section 5: 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 6: 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 7: Repeal

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

Section 8: 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 9: 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.

Jacob Schaible, 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. 2026-003 of Lodi Township, adopted by resolution at a meeting of the Township Board of Trustees held on August 11, 2026, 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: 8.11.2026
Published: 8.19.2026
Effective: 8.20.2026