

TOWNSHIP OF WELDON
BENZIE COUNTY, MICHIGAN

At a regular meeting of the Township Board of the Township of Weldon, Benzie County, Michigan, held in the Township Hall on the 11th day of August, 2026, at 7:00 p.m. Local Time.

PRESENT: Members: Carrie Aldrich, Fran Griffin, Sally Bobek, Scott Williams, Sue Meredith

ABSENT: Members: -0-_____

The following ordinance was offered by Member S. Bobek and supported by Member _S. Williams.

ORDINANCE NO. 20260811

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE
OF THE TOWNSHIP OF WELDON
[Site plan review; conditional use review; data center moratorium]**

THE TOWNSHIP OF WELDON ORDAINS:

Section 1. **Timely Action on Applications.** Article 3, Section 3.7 of the Weldon Township Zoning Ordinance is hereby amended so as to read in its entirety as follows:

Section 3.7 Timely Action on Applications

- A. [no change]
- B. Timing of Action: The following time provisions shall apply unless specifically provided otherwise by this Ordinance or special circumstances arise such as delays associated with the acquisition of county, state or federal permits or the submittal of an incomplete application. An application must be received by the Zoning Administrator at least thirty (30) days prior to the meeting when the reviewing body will consider the application.
 - 1. [no change]
 - 2. Applications Requiring Planning Commission Action: Action on an application by the Planning Commission, as in the case of a site plan, special land use, or when making a recommendation to Weldon Township regarding an amendment petition, shall

occur within a reasonable time of receipt of a complete application.

3. Applications Requiring Legislative Body Action: Where a legislative body must delay action until receipt of a recommendation from the Planning Commission, the legislative body shall take action on the application within a reasonable time of the receipt of such recommendation.
4. [no change]
5. [no change]

Section 2. **Temporary Moratorium on Data Centers.** Article 18 of the Zoning Ordinance of the Township of Weldon is hereby amended by the addition of a new Section 18.23, which shall read in its entirety as follows:

18.23 Temporary Moratorium On Data Centers

- a. Background: A new land use, commonly known as “Data Centers,” has begun to be proposed and developed with increasing frequency in the State of Michigan and around the Country. Data Centers are secure buildings filled with computer servers that store, process and transmit data in support of internet functions and other digital services, and which are typically accompanied by networking equipment, water-fueled cooling systems (to prevent overheating), backup power systems and security systems, and which typically have minimal on-site staffing, limited customer visitation and no retail activity. Data Centers are sometimes referred to by other names, including, but not limited to, data processing facility, information technology facility, computer processing facility, technology services facility, digital infrastructure facility, electronic data storage facility – all of which shall be referred to as a “Data Center” for purposes of this Section 18.23. Data Centers were not envisioned by the Township when the Township Zoning Ordinance was originally adopted, nor when the Zoning Ordinance was last amended, such that the use of land, buildings and structures for this purpose is currently not permitted or regulated in any way under the terms of the Zoning Ordinance.
- b. Intent and Purposes: The Township desires to ascertain the most appropriate and safest means for regulating the use of lands, buildings or structures for Data Centers, in order to protect the health, safety and welfare of Township residents. To that end, the Township intends to promptly undertake a study and evaluation for

the purpose of identifying zoning regulations that would specify the bases upon which the use of land, buildings or structures for Data Centers would be approved in the Township, and for the purpose of specifying the terms and conditions that the Township may impose on such approval, when granted.

- c. Findings: The Township Board finds that it is in the public interest to enact a temporary moratorium, lasting until August 11, 2027, unless later shortened by resolution of the Township Board, with respect to the Township's review and decision-making on zoning applications and other approvals for Data Centers, as specified below, so as to preserve the status quo in the interim; to prevent the development of Data Centers that may not be in the best interest of Township development plans; to prevent the development of Data Centers that might be detrimental to the health, safety and/or welfare of Township residents; and, to allow the Township sufficient time to evaluate, develop and potentially enact amendments to the Zoning Ordinance that will establish new regulations for Data Centers.
- d. Temporary Moratorium: A temporary moratorium on Township consideration and decision-making on applications for Data Centers is hereby adopted under the following terms, conditions, and limitations:
 - (1) During the temporary moratorium, no Township officer, employee, agent, contractor, board, agency or commission shall process, review or make a decision on any zoning or building application for the use of any land, building or structure for a Data Center, or issue a permit, license or other form of approval which would allow any land, building or structure to be used for a Data Center.
 - (2) The temporary moratorium is effective as to all applications for Data Centers that have been received at the Township on or after [August 11, 2026.
 - (3) The temporary moratorium shall remain in effect until [August 11, 2027, unless previously terminated by resolution of the Township Board.
 - (4) The moratorium applies only to the types of applications stated in this Section 18.23.
 - (5) To the extent that the provisions of this Section 14.29 conflict with the site plan or conditional use permit review provisions of Article, the provisions of this Section 18.23 shall control.

- e. Automatic Repeal: This Section 14.29 shall be considered to have been automatically repealed, and shall be of no further force and effect, as of **September 1, 2027**.

Section 3. **Publication and Effective Date.** This Ordinance shall become effective seven days after its publication or seven days after the publication of a summary of its provisions in a local newspaper of general circulation.

YEAS: Members: C. Aldrich, F. Griffin, S. Bobek, S. Williams, S. Meredith

NAYS: Members: -0- _____

ORDINANCE DECLARED ADOPTED.

Fran Griffin, Township Clerk

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Township Board of the Township of Weldon at a public meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

Fran Griffin, Township Clerk