AGENDA

CASCADE CHARTER TOWNSHIP PLANNING COMMISSION
MONDAY, November 2, 2026
6:00PM
CASCADE FIRE STATION 1
2865 THORNHILLS AVE SE

Public may access the meeting via video conference software Zoom
Webinar ID: 893 0165 3349
https://us02web.zoom.us/j/89301653349

ARTICLE 1. **Call the meeting to order. Record the attendance.**

ARTICLE 2. **Pledge of Allegiance to the Flag**

ARTICLE 3. **Approve the current Agenda**

ARTICLE 4. **Disclose any Conflict of Interest**

ARTICLE 5. **Approve the Minutes of the October 5, 2026, Meeting.**

ARTICLE 6. **Acknowledge visitors and those wishing to speak.**

(Comments are limited to five minutes per speaker)

ARTICLE 7. **Applicant: Cascade Charter Township**
Requested Action: Schedule Public Hearing to Review Zoning Ordinance Regulations Regarding Data Centers.

ARTICLE 8. **Acknowledge visitors and those wishing to speak.**

(Comments are limited to five minutes per speaker)

ARTICLE 9. **Other Business**

ARTICLE 10. **Adjourn**

CASCADE CHARTER TOWNSHIP

PLANNING COMMISSION

MONDAY, November 2, 2026
6:00 PM

ARTICLE 5.

Approve the Minutes of the October 5, 2026 Meeting

MINUTES
CASCADE CHARTER TOWNSHIP PLANNING COMMISSION
MONDAY, October 5, 2026
6:00 pm
2870 JACKSMITH AVE SE

ARTICLE 1. Chair Rowland called the meeting to order at 6:00 pm.

Members Present: Korstange, Kraemer, Rowland, Cribbs, Madiol
Members Absent: Kaiser, Lauer (excused)

Others Present: Planning Director Dan Swallow, Legal Counsel Leslie Abdoo of Foster Swift, Planning Administrative Assistant Nick Govan, and others listed on the sign-in sheet.

ARTICLE 2. **Pledge of Allegiance to the Flag**

ARTICLE 3. **Approve the current Agenda**

Motion was made by Commissioner Madiol to approve the current agenda.
Supported by Commissioner Cribbs.
Motion carried unanimously.

ARTICLE 4. **Disclose any Conflict of Interest**

There were no conflicts of interest disclosed.

ARTICLE 5. **Approve the Minutes of the September 21, 2026, meeting.**

Motion was made by Treasurer Korstange to approve the minutes of the September 21, 2026 meeting.
Supported by Commissioner Cribbs.
Motion carried unanimously.

ARTICLE 6. **Acknowledge visitors and those wishing to speak.**

There was no one wishing to speak.

ARTICLE 7. **Case #25-3888**
Applicant: International Beverage, Rishi Makkar
Property Address: 6859 Cascade Road SE
Parcel Number: 41-19-09-451-023
Requested Action: Site Plan Approval Extension

Director Swallow presented the request for a site plan approval extension for International Beverage, located at 6859 Cascade Road. He noted the Planning Commission had approved the site plan at its July 7, 2025 meeting, based on the then proposed zoning ordinance. He explained that the staff review included in the packet was based on the new zoning ordinance, so all new requirements applied to the extension as well as to the original approval.

Director Swallow reviewed the conditions of the original approval: that the visibility and light transmission levels of the windows be reviewed, that the lighting be incorporated into a photometric plan and reviewed to

Cascade Charter Township November 2, 2026 Planning Commission Packet Page 3 of 21

confirm the lighting levels met ordinance requirements, that the site be connected to water and sewer in compliance with the Township ordinance, and that an updated water and sewer maintenance plan be submitted and recorded prior to a building permit being issued. He stated the Planning Commission must decide whether the previously approved site plan remained viable and whether the extension was warranted in accordance with the ordinance requirements.

He reported the applicant had made progress on the conditions. The applicant had revised the elevation drawings and included window detail sheets, shown in the packet. The applicant had incorporated the lighting into a photometric plan that complied with ordinance requirements. The applicant had contacted the City of Grand Rapids regarding connection to its water and sewer systems, which were available across Cascade Road. He noted the connection would likely require boring under the road at the time of installation and that the applicant was working with the Kent County Road Commission on those requirements. Director Swallow added that the applicant was revising and updating the stormwater maintenance plan for submittal to the Township Engineer.

Director Swallow then addressed the considerations for granting an extension. He stated there had been no significant modifications to the approved site plan, which was largely unchanged except for the additional information required by the conditions. He noted there had been no substantial changes to the zoning since the new zoning ordinance was adopted in February 2026 and approved by the voters in August 2026 that would affect the approved site plan or the review standards. He stated staff believed the site plan was still viable, as there had been no notable changes in the adjacent land uses. He added that the applicant had continued his due diligence, had completed most of the outstanding items, and was preparing to resubmit the site plan details.

Director Swallow stated that staff recommended approval of the extension for Case #25-3888 with the previous conditions carried forward.

Chairman Rowland asked if there were any questions for staff, and there were none. Chairman Rowland invited the applicant's representatives to comment, and they chose not to speak. There was no discussion among the commissioners. Chairman Rowland thanked staff for providing both sample motions, and Director Swallow stated staff would continue to include them going forward.

Treasurer Korstange stated her motion to approve the extension through July 7, 2027, noting the previous conditions still applied. Chairman Rowland asked if the date should instead be moved to October, since the case was being reapproved at this meeting. Director Swallow explained the ordinance typically provided for one-year extensions and that an October date would give the applicant more time to begin the final submittals and building permit application. Treasurer Korstange amended her motion to extend the approval through October 5, 2027.

Cascade Charter Township November 2, 2026 Planning Commission Packet Page 4 of 21

DRAFT

Motion was made by Treasurer Korstange to APPROVE Case Number 25-3888, for a Site Plan Approval Extension for International Beverage located at 6859 Cascade Road SE through October 5, 2027, with the following conditions:

1. **The VLT levels of the windows be approved by the Planning Department in advance of a building permit.**
2. **All lighting on site shall be calculated in the photometric and reviewed and approved by the Planning Director.**
3. **Lighting levels meet the requirements of Article 12.**
4. **The site shall be connected to water and sewer in compliance with Chapter 313 of the Cascade General Code**

Supported by Commissioner Cribbs.
Motion carried unanimously.

ARTICLE 9. Acknowledge visitors and those wishing to speak.

There was no one wishing to speak.

ARTICLE 10. Other Business

There was no other business.

ARTICLE 11. Adjourn

The meeting adjourned at 6:10 pm.

Respectfully submitted,

Commissioner David Madiol, Planning Commission Secretary

DRAFT

Cascade Charter Township November 2, 2026 Planning Commission Packet Page 5 of 21

CASCADE CHARTER TOWNSHIP

PLANNING COMMISSION

MONDAY, November 2, 2026
6:00 PM

ARTICLE 7.

Applicant: Cascade Charter Township

Requested Action: Schedule Public Hearing to Review Zoning Ordinance Regulations Regarding Data Centers Recommendation to Township Board of Trustees

CASCADE CHARTER TOWNSHIP
5920 Tahoe Drive SE • Grand Rapids, MI 49546

PLANNING COMMISSION STAFF REPORT

STAFF REPORT:	Proposed Zoning Ordinance Amendment RE: Data Centers
REPORT DATE:	October 27, 2026
PREPARED FOR:	Planning Commission
MEETING DATE:	November 2, 2026
PREPARED BY:	Dan Swallow, Planning Director, AICP

SUMMARY

REQUESTED ACTION:	Schedule Public Hearing to Review Zoning Ordinance Regulations Regarding Data Centers Recommendation to Township Board of Trustees
REQUIREMENTS:	Regulations Regarding Data Centers

HISTORY

Michigan is an emerging market for data center development, supported by its established industrial economy, access to electricity and fiber infrastructure, proximity to major Midwest markets, and growing demand for cloud computing, artificial intelligence (AI), and digital services. The state's development opportunity is significant, but it is not uniform across Michigan. Projects depend heavily on available electric capacity, transmission upgrades, water availability, fiber connectivity, land-use approvals, and local community support.

As of October 2026, public trackers show a substantial pipeline of proposed, approved, and active data center projects. A high-profile existing data center includes the Switch Campus in Grand Rapids. This is an important existing regional data center that illustrates the state's potential beyond newly announced hyperscale projects. Microsoft-associated development proposals have brought attention to west Michigan as a potential hyperscale data center location. A proposed 237-acre hyperscale data center in Lowell Charter Township is under review, but the project faces significant community opposition, zoning changes, and utility disputes.

Michigan's data center incentive program can exempt eligible construction and equipment purchases from the state's 6% sales and use taxes. Qualification generally requires at least $250 million in capital investment and 30 qualified new jobs meeting specified wage thresholds. The program requires certification and includes environmental and clean-energy conditions.

Cascade Charter Township November 2, 2026 Planning Commission Packet Page 7 of 21

New certifications are scheduled to end after December 31, 2029, which is accelerating some of the current interest in data center development in Michigan. The controversy around data centers focus around five primary concerns:

1. Large greenfield development that can change community character and overwhelm existing public services in rural areas.

2. Potential large water consumption for evaporative cooling systems that can stress municipal systems or deplete ground water aquifers. However, most of the newly announced hyperscale data centers have proposed closed loop systems.

3. Extremely high electrical use, which can surpass electrical utility capacity in the region and require significant upgrades to distribution and/or generation facilities. However, the Michigan Public Service Commission reviews regulated utility service arrangements and can impose protections for other ratepayers.

4. Potential noise generation from electrical equipment can create unregulated low frequency noise.

5. Decommissioning and reuse or restoration of large development sites if the data center is closed or is no longer viable.

While there are a number of concerns related to data centers, they are becoming critical infrastructure facilities to support modern society's growing demand for digital resources. They attract substantial private investment, create construction jobs, generate significant local tax revenue, and support permanent employment in technical and facility operations. They also strengthen cloud computing, artificial intelligence, cybersecurity, advanced manufacturing, and scientific research. In addition, data center development can drive improvements in electrical grids, fiber-optic networks, and other infrastructure. With responsible planning, energy/water-efficient design, and community engagement, data centers can support economic growth, technological innovation, and Michigan's long-term competitiveness.

CURRENT CASCADE TOWNSHIP REGULATIONS

Currently, Cascade does not have zoning or police power ordinances that are directly intended to manage potential data center development. "Data Center" is not listed as a permitted or special land use in any of the Township Zoning Districts. Therefore, if a data center was proposed, to avoid a claim of exclusionary zoning, the Township would have to engage in a determination of similar use. For example, a data center could be compared to a "Research and Development" facility which is a permitted use in the Industrial and Transitional Industrial Districts.

Under Section 1.9 Uses Not Listed, the Cascade Charter Township Planning Director may determine that a proposed use that is not specifically cited by name as a permitted use in a zone district is clearly similar in nature to a listed use in that district. The Township Planning Director may defer any such decisions to the Zoning Board of Appeals, particularly in cases of ambiguity. In this scenario, a potential data center could be located in the Industrial (I) or Transitional Industrial (TI) District. While this would provide for Site Plan Review and general

Cascade Charter Township November 2, 2026 Planning Commission Packet Page 8 of 21

development standards, it would not address some of the unique concerns related to data centers. Therefore, the recommendation from staff and the Township attorney is to amend the Township Zoning Ordinance to designate Data Centers as a special land use in the I or TI districts, and adopt specific design and performance standards for this use.

CASCADE TOWNSHIP DATA CENTER MORATORIUM

The Cascade Township Board of Trustees adopted Resolution 024-2026, at its May 27, 2026 regular meeting, which placed a 6-month moratorium on receipt and review of any data center applications. This moratorium will expires on November 28, 2026. The Township does not anticipate any data center applications and has not received any inquiries regarding potential data center locations. Therefore, it is not critical to adopt an ordinance priority to the November 28 expiration date. Nevertheless, it is important to move these proposed regulations forward in a timely manner.

PROPOSED ORDINANCE

Below is a summary of the key standards proposed in the attached DRAFT Data Center ordinance amendments to the Township Zoning Ordinance Section 9.5 Industrial Uses.

NOTE: *To conform with the alphabetical organization of the Ordinance, Township staff will re-number this proposed sub-section as Section* ***9.5. C.*** *(vs. 9.5 V.).*

Ordinance Sections and Key Standards	**Staff Analysis**
Section V. 1. **Data Center Definitions**	Data centers are broken into 2 classifications: 1) <10,000 s,f. or 5 MW and 2) >10,000 s.f. and 6-50 MW. Data Centers >100,000 s.f. and 50 MW are prohibited.
Section V. 1. **Special Use Designation**	Allowed only by Special Land Use in Industrial (I) and Transitional Industrial Districts
Section V. 2. Special Use Application Requirements	Significant details required in application including typical Site Plan requirements and Special Land Use Criteria. Other requirements include the following: • Written Maintenance Plan • Complaint Resolution Plan • Hazardous Waste Management Plan. • Equipment Lists • Lighting Details • Signage Information • Review of Emissions
Section V.2. g. Decommissioning and Reclamation Plan	Addresses issues if the site is closed or abandoned.
Section V.2. k. Fire	Identifies the fire risks associated with the Data Center; describes the

Cascade Charter Township November 2, 2026 Planning Commission Packet Page 9 of 21

Protection Plan	fire suppression system that will be implemented.

Ordinance Sections and Key Standards	**Staff Analysis**
Section V.2. g. Decommissioning and Reclamation Plan	Addresses issues if the site is closed or abandoned.
V.2. k. Fire Protection Plan	Identifies the fire risks associated with the Data Center and describes the fire suppression system that will be implemented.
V.2. n. Proof of Environmental Compliance	Including compliance with the Natural Resources and Environmental Protection Act.
V.2. o. Power and Electrical Capacity.	A capacity confirmation letter or certification from the electric utility provider demonstrating that sufficient electrical capacity is available. The capacity confirmation letter or certification shall also state that all costs associated with required infrastructure improvements shall be borne solely by the applicant or operator.
V.3. System and Location Requirements.	Addresses unique characteristics of Data Centers, with specific performance criteria.
V.3. a. Setbacks	In addition to any other applicable setback requirements under the Zoning Ordinance, no building, structure, equipment, transformer, cooling tower, fence, or other improvement associated with a Data Center shall be located within one thousand (1,000) feet of the boundary of any parcel zoned for residential use.
V.3. b. Equipment	All equipment used in any Data Center must be housed in a metered, electrically grounded, and pre-engineered or prefabricated metal-encased structure with a fire rating designed to resist an internal electrical fire.
V.3. g. Noise V.3. h. Low Frequency Noise	In addition to the A-weighted noise limits the Data Center shall not generate sound, measured using the C-weighted decibel scale (dBC) at the property line of any adjacent parcel, in excess of 60 dBC Lmax during daytime hours or 55 dBC Lmax during nighttime hours.
V.3. k. Water	The Data Center must utilize a closed-loop water cooling system or a zero-loop water cooling system. The use of evaporative cooling towers is prohibited.
V.3. n. Fire Protection V.3. o. Fire Department Training	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.

Cascade Charter Township November 2, 2026 Planning Commission Packet Page 10 of 21

V.3. r. Decommissioning	If a Data Center is abandoned or otherwise nonoperational for a period of one year, the property owner or the operator must notify the Zoning Administrator and must remove the system within six (6) months after the date of abandonment.
V.3. s. Financial Security	A security bond or escrow payment in an amount equal to 125% of the total estimated cost of decommissioning, code enforcement, and reclamation, which cost estimate must be approved by the Township.
V.3. u. Annual Reporting V.3. v. Inspections	Regular reporting and the ability to conduct periodic inspections will help ensure the Data Center Operator follows through with the Plans submitted and Operational Requirements in the Ordinance.

CONSIDERATIONS

Planning Commission should provide feedback to staff regarding the adequacy and appropriateness of the following:

- Proposed zoning classifications (i.e. I and TI) in Section V.1.
- Special land use designation
- Application Requirements in Section V.2.
- System and Location Requirements in Section V.3.

Some other key Ordinance requirements that the Planning Commission should consider include the following:

- Are the two classifications reasonable and appropriate?
  - Less than 10,000 s.f. and less than 5 Megawatts
  - 10,000 s.f. or greater and 5 – 50 Megawatts
- Does the Planning Commission concur with prohibition of Data Centers larger than 100,000 s.f. (i.e. hyperscale data centers)

NEXT STEPS

The following are the next steps in the review and approval process:

1. **Provide feedback** to Planning Department staff regarding any requested additional information or requested changes to the draft Ordinance language.
2. ***If Needed:*** Further review the draft Ordinance language at the **November 16, 2026** regular Planning Commission meeting.
3. Conduct the **Public Hearing** regarding the draft ordinance at the **December 7, 2026** regular Planning Commission meeting.
4. **Recommend adoption** of the proposed amendments to the Zoning Ordinance regarding Data Centers to the Township Board of Trustees at the **December 7, 2026** regular Planning Commission meeting.
5. ***Alternatively:*** Recommend adoption of the proposed amendments at the **December 21, 2026** or **January 4, 2027** regular Planning Commission meeting.

Cascade Charter Township November 2, 2026 Planning Commission Packet Page 11 of 21

RECOMMENDATION

MOTION to schedule the public hearing to review and consider the proposed amendment to the Township Zoning Ordinance regarding recommended zoning regulations for Data Centers for the December 7, 2026 regular meeting of the Planning Commission; and direct staff to prepare and publish the required public notice.

ATTACHMENTS

See attached Draft Zoning Ordinance Amendment regarding Data Centers.

Cascade Charter Township November 2, 2026 Planning Commission Packet Page 12 of 21

CASCADE CHARTER TOWNSHIP

ORDINANCE NO. ____

AN ORDINANCE TO REGULATE DATA CENTERS

The Charter Township of Cascade ordains:

Section 1. Amendment to Section 3.2 of the Zoning Ordinance.

The following definition is added to Section 3.2 of the Zoning Ordinance and shall be inserted into Section 3.2 in alphabetical order:

> **Data Center:**
> A facility used for the centralized storage, management, processing, analysis, or transmission of digital information, including cryptocurrency mining and blockchain transaction verification activities, typically containing computer servers, data storage systems, telecommunications equipment, power distribution systems, cooling and ventilation systems, uninterruptible power supplies, backup generators, and associated support infrastructure. The term includes colocation centers, cloud-computing facilities, hyperscale computing facilities, cryptocurrency mining facilities, artificial intelligence computing facilities, and similar high-intensity information technology operations. The term does not include small server rooms, IT closets, personal computers, or similar equipment that are clearly accessory and subordinate to another lawful principal use.

Section 2. Addition of New Section 9.5 V. to the Zoning Ordinance.

A new Section 9.5 V. entitled "Data Centers" is hereby added to the Township's Zoning Ordinance, to read, in its entirety, as follows:

V. Data Centers

1. General Provisions.

    a. Data Centers are permitted in the Township only as a special land use in the Transitional Industrial (TI) or Industrial (I) zoning districts as follows:

        i. Data Centers with a gross floor area of less than 10,000 square feet and a demonstrated minimal power draw of not more than 5 megawatts (MW) shall be permitted by special land use in the Transitional Industrial zoning district.

        For purposes of this subsection, gross floor area and electrical demand shall be calculated by combining all buildings, structures, phases, utility facilities, substations, cooling equipment, battery energy storage systems, backup power systems, and other functionally integrated components that are part of a common development plan, ownership, operation, or campus.

Cascade Charter Township November 2, 2026 Planning Commission Packet Page 13 of 21

ii. Subject to subsection (b) below, Data Centers with a gross floor area of 10,000 square feet or greater but less than 100,000 square feet, or has an aggregate electrical demand of 5 megawatts (MW) or greater but less than 50 (MW), shall be permitted by special land use in Industrial zoning district.

For purposes of this subsection, gross floor area and electrical demand shall be calculated by combining all buildings, structures, phases, utility facilities, substations, cooling equipment, battery energy storage systems, backup power systems, and other functionally integrated components that are part of a common development plan, ownership, operation, or campus.

b. The cumulative gross floor area of all Data Center buildings located on the same parcel, contiguous parcels under common ownership or control, or within the same planned development shall not exceed 100,000 square feet or 50 megawatts (MW) of electrical demand. For purposes of this Section, parcels shall be deemed under common control where they are owned, leased, operated, or developed by the same person or affiliated entities.

For purposes of this subsection, gross floor area and electrical demand shall be calculated by combining all buildings, structures, parcels, phases, utility facilities, substations, cooling equipment, battery energy storage systems, backup power systems, and other functionally integrated components that are part of a common development plan, ownership, operation, or campus.

c. The Township may enforce any remedy or enforcement, including but not limited to, the revocation of special land use approval and removal of any Data Centers pursuant to the Zoning Ordinance or as otherwise authorized by law if the Data Center does not comply with this Section.

2. Special Land Use Application Requirements. In addition to the requirements of Section 14.8, an applicant for special land use approval of a Data Center must provide the Township with all of the following:

a. An application fee in an amount set by resolution of the Township Board.

b. A list of all parcel identification numbers comprising or serving the Data Center, including all parcels containing buildings, improvements, structures, or equipment appurtenant to or necessary for operation of the facility; documentation establishing ownership of each such parcel; and copies of any lease agreements, easements, licenses, or purchase agreements affecting the subject parcels.

c. An operations agreement 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.

d. Current photographs of the subject property.

e. A site plan that includes all proposed structures, buildings, improvements, and equipment and the location of each, 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.

f. A written plan for maintaining the subject property, including a plan for maintaining and inspecting drain tiles, if any, and addressing stormwater management, which is subject to the Township's review and approval.

g. 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 restore the subject parcels or to repurpose buildings or facilities for alternative uses, which is subject to the Township's review and approval.

h. A deposit for an escrow account in an amount set by resolution or fee schedule approved by the Township Board. The escrow account is used to cover all costs and expenses associated with the special land use review and/or approval process, which costs can include, but are not limited to, review fees of the Township Attorney, Township Planner, and Township Engineer, as well as any reports or studies which the Township anticipates will be required during the review and/or approval process for the application. At any point during the review process, the Township may require that the applicant place additional monies into escrow with the Township if the existing escrowed funds on account with the Township will be insufficient, in the determination of the Township, to cover any remaining costs or expenses with the review and/or approval process. If additional funds are required by the Township to be placed in escrow and the applicant refuses to do so within 14 days after receiving notice, the Township will cease the zoning review and/or approval process until and unless the applicant makes the required escrow deposit. Any escrow amounts in excess of actual cost will be returned to the applicant. An itemized billing of all expenses will be provided to the applicant upon request.

i. A plan for resolving complaints from the public or other property owners concerning the construction and/or operation of Data Center, which is subject to the Township's review and approval.

j. A plan for managing any hazardous waste, which is subject to the Township's review and approval.

k. A fire protection plan, which identifies the fire 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 re-igniting (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. The fire protection plan shall include the use of non-hazardous clean agent or inert gas fire suppression systems (including, but not limited to, IG-541, FK-5-1-12, or equivalent systems) and shall not include Halon or hydrofluorocarbon (HFC)-based systems.

l. A transportation plan for construction and operation phases, including any applicable agreements with the Kent County Road Commission and Michigan Department of Transportation, which is subject to the Township's review and approval.

m. An attestation that the applicant will indemnify and hold the Township harmless from 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.

n. 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 (MCL324.36501 et. seq.); and any other applicable laws and rules in force at the time the Township considers the application.

o. Power and Electrical Capacity. The applicant or operator shall provide a capacity confirmation letter or certification from the electric utility provider demonstrating that sufficient electrical capacity is available to serve the proposed Data Center.

    i. The capacity confirmation letter or certification shall also state that all costs associated with required infrastructure improvements, upgrades, interconnections, or extensions necessary to serve the facility shall be borne solely by the applicant or operator.

    ii. The applicant shall be responsible for all coordination with the electric utility provider and shall comply with all applicable utility requirements and regulatory approvals.

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

3. System and Location Requirements. In addition to the requirements of Section 14.7, the site plan must include all of the following:

    a. Setbacks. In addition to any other applicable setback requirements under the Zoning Ordinance, no building, structure, equipment, transformer, cooling tower, fence, or

other improvement associated with a Data Center shall be located within one thousand (1,000) feet of the boundary of any parcel zoned for residential use.

b. Equipment. All equipment used in any Data Center must be housed in a metered, electrically grounded, and pre-engineered or prefabricated metal-encased structure with a fire rating designed to resist an internal electrical fire for at least 30 minutes.

c. 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. If prefabricated, pre-engineered, or modular structures are installed, the following standards are required:

    i. All structures shall have concrete foundations.

    ii. 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.

    iii. If intermodal shipping containers are utilized such installation shall comply with current National Electrical Code standards.

d. Lighting.

    i. All outdoor lighting shall comply with the requirements of Article 12. All exterior lighting fixtures shall be fully shielded and directed downward and shall be arranged to prevent illumination from extending onto adjacent properties or public rights-of-way.

    ii. A photometric plan prepared in accordance with Article 12 shall be submitted as part of site plan review and shall demonstrate compliance with the lighting standards of the Zoning Ordinance, including fixture specifications, mounting heights, shielding, illumination levels, and light spill at property lines.

    iii. Any lighting associated with the Data Center shall be designed and installed to minimize glare, light trespass, and skyglow, and shall not create a nuisance or hazard to adjacent properties or public rights-of-way.

e. Mechanical Equipment Screening. All mechanical equipment associated with the use shall comply with Section 4.11.

f. Landscaping and Screening. The Data Center shall comply with the landscaping and greenbelt requirements of Article 11, including any required buffering from adjacent properties and public rights-of-way.

g. Noise. The noise generated by the Data Center shall not exceed 55 dBA Lmax during daytime hours and 50 dBA during nighttime hours, as measured at the property line of any adjacent parcel. For purposes of this Section, “daytime hours”

means 7:00 a.m. to 9:00 p.m., local time, and "nighttime hours" means 9:00 p.m. to 7:00 a.m., local time. The applicant shall provide pre-construction acoustic modeling demonstrating compliance and shall conduct post-construction sound level verification testing to confirm ongoing compliance with these limits.

h. Low-Frequency Noise (C-Weighted Scale). In addition to the A-weighted noise limits established in the preceding subsection, the Data Center shall not generate sound, measured using the C-weighted decibel scale (dBC) at the property line of any adjacent parcel, in excess of 60 dBC Lmax during daytime hours or 55 dBC Lmax during nighttime hours, using the same daytime and nighttime hours defined in the preceding subsection. A measured difference between the C-weighted sound level (dBC) and the A-weighted sound level (dBA) at any monitoring location exceeding twenty (20) decibels shall constitute evidence of excessive low-frequency noise or infrasound and shall require the applicant or operator to implement additional mitigation measures, subject to the Township's review and approval, regardless of whether the dBC limits set forth above are otherwise satisfied. The pre-construction acoustic modeling and post-construction sound level verification testing required under the preceding subsection shall include C-weighted measurements sufficient to demonstrate compliance with this subsection.

i. Signage. The Data Center shall provide a 24-hour emergency contact signage visible at the access entrance. Signs shall include company name if applicable, owner/representative name, telephone number, and corresponding local power company and telephone number.

j. Underground Transmission. All power transmission or other lines, wires, or conduits from a 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.

k. Water. The Data Center must utilize a closed-loop water cooling system or a zero-loop water cooling system. The use of evaporative cooling towers is prohibited. The facility shall be connected to a public water supply system. The applicant or operator shall provide annual reporting of total water use to the Township to demonstrate ongoing compliance.

l. Drain Tile Inspections. The Data Center must be maintained in working condition at all times while in operation. The applicant or operator must inspect all drain tiles, if any, at least once every three years using a robotic camera, with the first inspection occurring before the Data Center is in operation. The applicant or operator must submit proof of the inspection to the Township. The owner or operator must repair any damage or failure of the drain tile within sixty (60) days after discovery and submit proof of the repair to the Township. The Township is entitled, but not required, to have a representative present at each inspection or to conduct an independent inspection.

m. Emissions.

i. Any backup power generation equipment utilized by the Data Center shall meet or exceed U.S. EPA Tier 4 emissions standards, or the most current equivalent standard applicable at the time of installation.

ii. In lieu of or in combination with backup generators, the facility may utilize battery energy storage systems (BESS) or other lower-emission technologies to reduce air pollutant emissions.

iii. The applicant or operator shall provide annual reporting of air emissions associated with facility operations, including backup generation usage to the Township.

iv. The Data Center shall not store or use hazardous or industrial chemicals on-site, except for customary quantities of materials necessary for routine building maintenance and operation, which shall be stored and handled in accordance with applicable codes and regulations.

n. Fire Protection.

i. 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.

ii. 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 (i).

iii. 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).

iv. The Data Center must contain an internal fire suppression system consistent with subsection (2)(k) above that shall be reviewed and tested once every twelve (12) months by a third-party contractor approved by the fire chief.

o. Applicant must provide all Township Fire Department contractors with the appropriate equipment and training to address fires in the Data Center.

Cascade Charter Township November 2, 2026 Planning Commission Packet Page 19 of 21

p. 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. The Township shall be listed as an additional insured on the policy at all times.

q. 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.

r. Decommissioning. If a Data Center is abandoned or otherwise nonoperational for a period of one year, the property owner or the operator must notify the Zoning Administrator and must remove the system 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 top soil 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.

s. Financial Security. To ensure proper decommissioning of a Data Center upon abandonment, the applicant must post financial security in the form of a security bond or escrow payment in an amount equal to 125% of the total estimated cost of decommissioning, code enforcement, 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 fifteen (15) business days after approval of the special use application.

t. Extraordinary Events. If the Data Center experiences a failure, fire, leakage of hazardous materials, personal injury, or other extraordinary or catastrophic event, the applicant or operator must notify the Township within 24 hours.

u. Annual Report. The applicant or operator must submit a report on or before January 1 of each year that includes all of the following:

   i. Current proof of insurance;

   ii. Verification of financial security; and

   iii. A summary of all complaints, complaint resolutions, and extraordinary events.

v. Inspections. The Township may inspect a Data Center at any time by providing 24-hour advance notice to the applicant or operator.

w. 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 issued by the Township.

x. Remedies. If an applicant or operator fails to comply with this Ordinance, the Township may pursue any remedy or enforcement, including but not limited to the 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 recover any and all costs, including the Township's actual attorney fees and costs.

Section 3. Amendment of Section 5.1.

Section 5.1, Table 5.1 Permitted Uses, is hereby amended to add "Data Center" as a Special Land Use (SLU) within the Transitional Industrial (TI) and Industrial (I) Zoning Districts, subject to the requirements, limitations, and eligibility criteria set forth in Section 9.5(V).

Section 4. Validity and Severability.

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

Section 5. Repealer.

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

Section 6. Effective Date.

This Ordinance takes effect upon the expiration of 7 days after publication as required by MCL 125.3401(7).

87192:00001:203152677-1

Cascade Charter Township November 2, 2026 Planning Commission Packet Page 21 of 21