

ORDINANCE NO. 26-005

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND THE JAMESTOWN CHARTER TOWNSHIP ZONING ORDINANCE BY SECTION 29.7 – MORATORIUM FOR CERTAIN USES AND DEVELOPMENTS, AND TO PROVIDE FOR SEVERABILITY PROVISIONS, REPEAL PROVISIONS, AND AN EFFECTIVE DATE OF THIS ORDINANCE.

THE CHARTER TOWNSHIP OF JAMESTOWN, COUNTY OF OTTAWA, AND STATE OF MICHIGAN ORDAINS:

Section 1. Section 29.7 – Moratorium for Certain Uses and Developments. A new section, Section 29.7, is hereby added to the Zoning Ordinance to read in its entirety as follows.

Section 29.7 – Moratorium for Certain Uses and Developments

In response to increased proposals throughout Michigan for the siting of a new land use, commonly referred to as “data centers,” but which are also known as a data processing facility, information technology facility, computer processing facility, technology services facility, digital infrastructure facility, and electronic data storage facility, all of which may include cryptocurrency mining or digital mining (all referred to herein as “data centers”), the Township determines that it is necessary and in the best interest of the Township, its residents and property owners, to enact a temporary moratorium on certain types of uses and developments within the Township. 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. Recent proposals in Michigan for the siting of data centers call for the centers to cover anywhere from 200 acres to over 1000 acres of land, which is often prime agricultural land, and propose the construction of more than 1 million square feet of buildings comprising the data center. Data centers require significant water and energy usage and are reported to produce exterior noise pollution from exhaust fans, air-handling equipment, cooling equipment, and back-up power generators.

The Township’s Zoning Ordinance does not currently include a distinction between the smaller-scale data and computer processing centers that are not new and the

larger data centers that are currently being proposed in the State, and does not include regulations that would assist in alleviating the potential negative impacts of data centers. These types of 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 Zoning Ordinance currently does not include specific requirements related to use of land, buildings and structures for this purpose that addresses the potential adverse impacts of the use.

During the temporary moratorium, the Township, acting through its staff and consultants, is to conduct a thorough review of the Township Zoning Ordinance, regulatory ordinances, and utility master plan and provide recommendations to the Township for possible amendments to the Zoning Ordinance and applicable regulatory ordinances to preserve and protect the public health, safety and welfare of the Township and its residents and property owners.

- A. The Township hereby enacts a moratorium on consideration of applications for data centers.
- B. During the temporary moratorium, no Township officer, employee, agent, contractor, board, agency or commission shall process or review any zoning or building application for the use of any land, building or structure for a data center (including a digital mining use), 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 and/or a digital mining use.
- C. The temporary moratorium is effective as to all applications for data centers and digital mining uses that have been received in the Township on or after February 16, 2026.
- D. The temporary moratorium shall remain in effect until the regularly scheduled Township Board meeting on August 17, 2026, unless previously terminated or otherwise extended by the Township Board. In addition, if the Township adopts amendments to the Jamestown Charter Township Zoning Ordinance addressing data centers, the moratorium shall automatically terminate upon the effective date of the amending ordinance, unless otherwise extended by the Township Board.
- E. The moratorium applies only to the types of applications stated in this ordinance and data centers that have not received final approval from the Township including, but not limited to approval from or by the Planning Commission and/or Township Board, as of February 16, 2026.

Section 2. Severable Provisions. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of

competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Repeal. All ordinances or parts of ordinances in conflict with this Ordinance are hereby expressly repealed.

Section 4. Effective Date. This amendment to the Jamestown Charter Township Zoning Ordinance was approved and adopted by the Township Board of Jamestown Charter Township, Ottawa County, Michigan on _____, 2026, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended; after introduction and a first reading on March 30, 2026, and after posting and publication following such first reading as required by Michigan Act 359 of 1947, as amended. This Ordinance shall be effective on _____, 2026, which date is the eighth day after publication of a Notice of Adoption and Posting of the Zoning Text Amendment Ordinance in the *Grand Rapids Press* as required by Section 401 of Act 110, as amended. However, this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

Laurie Van Haitzma, Township Supervisor

Candy DeHaan, Township Clerk

CERTIFICATE

I, Candy DeHaan, the Clerk for the Charter Township of Jamestown, Ottawa County, Michigan, certify that the foregoing Jamestown Charter Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on _____, 2026. The following members of the Township Board were present at that meeting:

_____. The following members of the Township Board were absent:

_____.

The Ordinance was adopted by the Township Board with members of the Board _____

_____ voting in favor and members of the Board _____

_____ voting in opposition. Notice of Adoption of the

Ordinance was published in the *Grand Rapids Press* on _____, 2026.

Candy DeHaan, Clerk
Jamestown Charter Township

AFFIDAVIT OF POSTING
(Zoning Text Amendment Ordinance)

STATE OF MICHIGAN)

)ss

COUNTY OF OTTAWA)

The undersigned, Candy DeHaan, the Jamestown Charter Township Clerk, being first duly sworn, deposes and says as follows:

1. That she posted a proposed Zoning Text Amendment Ordinance for Jamestown Charter Township, after its first reading at a meeting of the Jamestown Charter Township Board held on _____, 2026 and its second reading at a meeting of the Jamestown Charter Township Board held on _____, 2026, in the Township Clerk's office and on the Township's website at www.twp.jamestown.mi.us on _____, 2026.

Candy DeHaan, Clerk
Jamestown Charter Township

Subscribed and sworn to before this
____ day of _____, 2026.

Notary Public, Ottawa County, Michigan

Acting in Ottawa County, Michigan

My commission expires: _____