

**Marcellus Township
Cass County, Michigan**

RESOLUTION NO. 2026-003

**RESOLUTION TO ESTABLISH A TEMPORARY MORATORIUM ON THE
ACCEPTANCE AND APPROVAL OF APPLICATIONS FOR DATA CENTERS AND
CRYPTOCURRENCY MINING FACILITIES**

At a regular meeting of the Township Board for the Township of Marcellus, Cass County, Michigan, held on the 17th day of March, 2026, at 6:00 p.m.

PRESENT: Koshar, Plummer, Hess, Mroz and Schick

ABSENT: None

The following preamble and resolution were offered by Hess and seconded by Mroz

WHEREAS, data centers and cryptocurrency mining facilities represent new and rapidly evolving forms of high-intensity industrial and technological land use that are not currently defined or regulated within the Genoa Charter Township Zoning Ordinance; and

WHEREAS, the Township's existing zoning framework does not specifically address the unique operational characteristics, infrastructure demands, or potential impacts of these uses; and

WHEREAS, the establishment of data centers and cryptocurrency mining facilities without appropriate regulation may pose risks to public health, safety, and welfare, including:

- Noise and vibration from continuous operation of cooling and ventilation equipment, generators, and mechanical systems;
- Extraordinary electrical demand that may strain the local power grid and necessitate costly utility infrastructure expansion;
- Air quality and emissions impacts from backup generators and energy-intensive operations;
- Substantial water usage and potential thermal discharge affecting groundwater and surface water resources;
- Visual and aesthetic impacts from large, windowless buildings, fencing, and 24-hour lighting inconsistent with the Township's rural and residential character;
- Security and emergency service challenges, including fire safety, hazardous material handling, and restricted access;
- Environmental and sustainability concerns due to high energy consumption and greenhouse gas emissions; and
- Construction and operational traffic impacts that may cause premature wear or damage to local roadways; and

WHEREAS, additional time is necessary for the Township to study the nature, scale, and impacts of data center and cryptocurrency mining operations; to develop appropriate zoning

definitions, siting criteria, and performance standards; to coordinate with utility providers and emergency services; and to protect long-term land use goals, environmental resources, and community character as articulated in the Master Plan; and

WHEREAS, the Township desires to temporarily pause the acceptance, processing, and approval of applications for new data centers and cryptocurrency mining facilities, without affecting facilities that are already approved or vested under existing development agreements; and

WHEREAS, the Township has authority under the Michigan Zoning Enabling Act, Act 110 of the Public Acts of 2006, as amended, to adopt this moratorium to protect the public health, safety, and welfare during the period of regulatory review;

WHEREAS, pursuant to Article XI, Section 11.01 of the Zoning Ordinance which iterates “the protection of natural resources the health, safety and welfare, as well as the social and economic well being, of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use activity, an the community as a whole” and Article XI, Section 11.05 which iterates the “Required Standards and Findings” for making determinations of the Township Zoning Ordinance. In addition to the Township Board’s ability to impose a temporary moratorium Resolution on the review or issuance of any and all applications, permits, rezoning, licenses, or approvals for special or other land uses in the Township if the Township Board desires to review, enact, or amend provisions of the master plan or zoning ordinance to regulate existing or emerging land uses that may impact the health, safety or welfare of Township residents or property according to the Michigan Statutes thereof; and

WHEREAS, the Township finds that adopting such a moratorium is in the best interest of the public health, safety, and welfare and that the Township desires to review and amend provisions of the Township Zoning Ordinance in order to determine whether regulations are necessary for the use and development of Data Centers and cryptocurrency mining facilities in the Township.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1) A temporary moratorium is hereby imposed on the submission, acceptance, processing, and approval of any applications, petitions, or requests for zoning approval, site plan review, special land use, land use permit, or other approvals for any Data Center, including cryptocurrency mining facilities, within Marcellus Township.
- 2) In accordance with Article XI, Sections 11.01 and 11.05 of the Zoning Ordinance, the Township Board finds that adopting such a moratorium is in the best interest of the public health, safety, and welfare and that the Township desires to review and amend provisions of the Township Zoning Ordinance in order to provide regulations necessary for the use and development of Data Centers and cryptocurrency mining facilities in the Township.
- 3) For purposes of this Resolution, a “Data Center” shall mean any facility or group of facilities used primarily for the storage, management, processing, and transmission of digital data, including servers, network equipment, data storage devices, and associated infrastructure. This expressly includes cryptocurrency mining operations, blockchain processing facilities, or any other facility that uses computing power to validate, record, or generate digital currency or digital assets.

- 4) Imposing a moratorium, on a limited temporary basis, is reasonable and necessary to allow time for review of and potential amendments to the Township's Zoning Ordinance.
- 5) The Township Board hereby petitions the Township Planning Commission to consider regulations regarding Data Centers and cryptocurrency mining facilities, including but not limited to where such uses may be permissible and appropriate in addition to regulations to mitigate adverse impacts on adjacent properties and uses, and thereafter make recommendations to the Township Board regarding any such proposed amendments in accordance with the procedures set forth in the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.
- 6) The moratorium shall not apply to any Data Center or related facility that is:
 - a) Specifically authorized as part of an approved development agreement, planned unit development (PUD) agreement, or consent judgment executed by the Township prior to the effective date of this Resolution; and
 - b) Consistent with the terms and conditions of such agreement, any proposed amendment, expansion, or new phase not expressly authorized under such agreement shall remain subject to this moratorium.
- 7) This moratorium shall remain in effect for a period of 1 year from the effective date or until an amendment to the Township's Zoning Ordinance regarding Data Centers is effective, whichever occurs first. The Township Board may, by Resolution, extend this moratorium multiple times for a periods not to exceed one (1) year at a time provided the State of Michigan Statutes allow, if necessary to complete the Zoning Ordinance Text Amendment.
- 8) The provisions of this Resolution are severable. If any provision, clause, or part is declared invalid or unenforceable by a court of competent jurisdiction, the remaining provisions shall not be affected and shall remain in full force and effect.
- 9) Notice of this Resolution shall be published within seven (7) days of its adoption. The notice must include a summary of the Resolution's effect, the length of the moratorium including the process to grant an extension; and where the public may inspect the Resolution enacting the moratorium.
- 10) This Resolution shall become effective immediately following publication.

A roll call vote on the foregoing resolution was taken and was as follows:

AYES: Koshar, Plummer, Hess, Mroz, Schick

NAYS: None

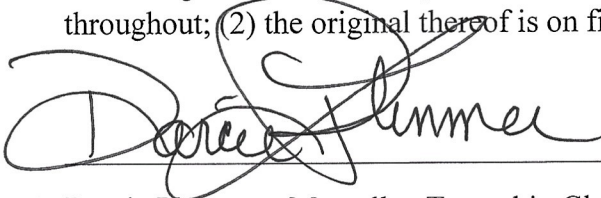
ABSTAIN: None

ABSENT: None

The resolution was declared ADOPTED.

CERTIFICATION OF CLERK

The undersigned, being the duly elected Clerk of the Township, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a meeting of the Township Board, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records of my office.

A handwritten signature in black ink, appearing to read "Darcie Plummer", is written over a horizontal line. The signature is fluid and cursive.

Date: March 17, 2026

Darcie Plummer, Marcellus Township Clerk