

MADISON HEIGHTS CITY COUNCIL RESOLUTION
FOR TEMPORARY DATA CENTER DEVELOPMENT MORATORIUM

WHEREAS, the City is a Michigan municipal corporation, duly and legally organized under and existing by virtue of the laws of the State of Michigan, pursuant to the provisions of 1909 Public Act 279, being specifically Michigan Compiled Laws (MCL) 117.1 et seq., with its principal offices located at 300 Thirteen Mile Road, Madison Heights, Michigan 48071; and,

WHEREAS, the State of Michigan and other states have recently experienced an increased interest in the development of Data Centers; and,

WHEREAS, Data Centers present unique possible concerns of high electricity use, water consumption, noise, temporary (but limited) local employment opportunities, land use issues and environmental impacts (among other issues) while at the same time providing important digital infrastructure and economic benefits, such as increased and improved power cloud computing, artificial intelligence, online banking, streaming services, healthcare, local better broadband services, and property tax revenues (among other benefits); and,

WHEREAS, the City's current Zoning Ordinance, Building Ordinance, and regulations and development standards related thereto (collectively referred to as "Zoning and Building Ordinances") do not specifically define, classify, or comprehensively regulate Data Centers or establish standards governing their location, design, scale, operational characteristics, infrastructure requirements, or compatibility with surrounding land uses; and,

WHEREAS, the Madison Heights City Council finds that it is in the public interest to undertake a comprehensive review of the City's Zoning and Building Ordinances as they relate to Data centers to ensure that any future development of such facilities occur in appropriate locations and under standards that protect the public health, safety, and welfare, while supporting responsible economic development; and,

WHEREAS, during the moratorium period necessary to conduct this review, acceptance or approval of applications for Data Centers could result in development that is inconsistent with future regulations and planning objectives, thereby frustrating the City's ability to implement a comprehensive regulatory framework; and,

WHEREAS, the Madison Heights City Council finds that a temporary moratorium is necessary and reasonable to preserve the status quo while the City evaluates and adopts appropriate Zoning and Building Ordinances governing Data Centers; and,

WHEREAS, it is the express intent of this Resolution that the moratorium will be temporary in nature and not intended to prohibit Data Centers permanently; but rather is solely intended to provide the City with adequate time to study, evaluate, and establish appropriate Zoning and Building Ordinances identifying where and under what standards a Data Center or Centers may be appropriate within the boundaries of the City; and,

WHEREAS, for purposes of this Resolution, a Data Center shall mean the following:

“Data Center means a building or portion of a building primarily used to house computer system servers, network equipment, data storage equipment, cloud computing infrastructure, or similar information technology infrastructure, together with associated mechanical equipment, cooling systems, backup power generation, electrical substations, battery energy storage systems, and related support facilities designed principally for the processing, storage, transmission, or management of digital data.”

WHEREAS, for purposes of this Resolution, a Data Center shall **NOT** mean the following:

1. Server rooms or equipment accessory to a principal use on the same property;
2. Telecommunications facilities regulated separately under City ordinances;
3. Government-owned emergency communications facilities, including but not limited to Police, Fire, 911 and Emergency facilities and,
4. Small-scale information technology facilities serving only the principal use on the site.

NOW, THEREFORE, BE IT RESOLVED that the Madison Heights City Council finds that a temporary moratorium on Data Centers, as defined above, is reasonable and necessary to preserve the status quo while the City evaluates and adopts appropriate Zoning Ordinances and Building Ordinances governing Data Centers, for a period of twelve (12) months from the date of the approval of this Resolution by City Council (the “Temporary Moratorium Period”), unless extended by a maximum of two (2) subsequent Resolution(s), approved by City Council, each Resolution not to exceed sixty (60) days, with a maximum extension not to exceed one-hundred and twenty (120) days; and,

BE IT FURTHER RESOLVED that during the Temporary Moratorium Period, the City shall not accept, process, review, schedule for public hearing, approve, issue permits for, or issue zoning approvals or building permits for any application for the establishment, construction, expansion, or development of a Data Center, including any related special land use approvals, rezoning, site plan approval, building permit, grading permit, land division, or other discretionary development approval necessary to authorize such use; and,

BE IT FURTHER RESOLVED that this Temporary Moratorium applies to all new principal Data Center developments, conversion of existing buildings into principal Data Centers, expansion of an existing Data Center (if any) that would materially increase computing capacity, building area, utility demand, or operational intensity; and,

BE IT FURTHER RESOLVED that the Madison Heights City Council shall appoint a Special Commission titled, “The Data Center Commission,” whose purpose shall be to undertake a comprehensive review of the City’s Zoning Ordinances, Building Ordinances, and regulation and development standards as they relate to Data centers to ensure that any future development of such

facilities occur in appropriate locations and under standards that protect the public health, safety, and welfare, while supporting responsible economic development; and,

BE IT FURTHER RESOLVED that the membership of “The Date Center Commission” shall consist of nine regular voting members as follows: Mayor, City Manager, City Attorney, City Planner, Community and Economic Development Director, Planning Commission Chairperson, Informational Technology Advisory Committee Chairperson, and two at-large residents, who shall meet twice monthly and who shall provide recommendations to the City Council regarding the subject matter of this Resolution; and,

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded to U.S. Senators Elissa Slotkin and Gary Peters, U.S. Representative Haley Stevens, Michigan Governor, Gretchen Whitmer, Attorney General, Dana Nessel, Secretary of State, Jocelyn Benson, State Senator, Stephanie Chang, State Representative Mike McFall, State Representative, Tom Kuhn, Oakland County Chief Executive, David Coulter, and Oakland County Commissioner Ann Erickson Gault

APPROVED BY THE MADISON HEIGHTS CITY COUNCIL ON THIS _____DAY OF _____, 2026.

MADISON HEIGHTS CITY COUNCIL

Corey K. Haines, Mayor

William J. Mier, Mayor Pro Tem

Toya D. Aaron, Councilwoman

Sean D. Fleming, Councilman

Emily J. Rohrbach, Councilor

Quinn Wright, Councilor

Laurie B. Gerald, Councilor