ACME TOWNSHIP PLANNING COMMISSION
ACME TOWNSHIP HALL
6100 US 31 N Williamsburg, MI 49690
November 9, 2026 6:00 p.m.

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE

ROLL CALL:

A. LIMITED PUBLIC COMMENT: Members of the public may address the Commission regarding any subject of community interest during public comment periods by filling out a Public Comment Card and submitting it to the Secretary. Public comments are limited to three minutes per individual. Comments during other portions of the agenda may or may not be entertained at the moderator's discretion

B. APPROVAL OF AGENDA:

C. INQUIRY AS TO CONFLICTS OF INTEREST:

D. SPECIAL PRESENTATIONS:

E. RECEIVE AND FILE:
- **1. RECEIVE AND FILE**
  - **a.** Unapproved Draft Board of Trustees Meeting Minutes 10.6.2026

F. APPROVAL OF MINUTES:
- **a.** Approve Draft Planning Commission Meeting Minutes 10.12.2026

G. CORRESPONDENCE:
- **1.** None

H. PUBLIC HEARINGS:
- **1.** Zoning Ordinance Text Amendment: Temporary Moratorium Computing & Data Processing Centers

I. OLD BUSINESS:
- **1.** Zoning Ordinance Text Amendment: Temporary Moratorium Computing & Data Processing Centers
- **2.** Data Centers – SAMPLE Language
- **3.** Zoning Ordinance Text Review – PC Discussion

J. NEW BUSINESS:
- **1.** 2027 Planning Commission Meeting Dates

K. PUBLIC COMMENT & OTHER PC BUSINESS
- **1.** Planning & Zoning Administrator Report – Lindsey Wolf
- **2.** Township Board Report – Dave Hoxsie
- **3.** Parks & Trails Committee Report – Radu Danca

ADJOURN:

DRAFT UNAPPROVED

ACME TOWNSHIP REGULAR BOARD MEETING
ACME TOWNSHIP HALL
6100 US 31 N, Williamsburg MI 49690
Tuesday, October 6, 2026, 6:00 p.m.

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE at 6:00 p.m.
ROLL CALL: Members present: D. Hoxsie, A. Jenema, P. Scott, D. Stevens, L. Swanson, D. White, A. Wylie
Members excused:
Staff present: L. Wolf, Planning & Zoning Administrator, J. Jocks, Legal Counsel, C. Danca, Recording Secretary

A. LIMITED PUBLIC COMMENT:

Limited Public Comment opened at 6:01 p.m.

Brian Kelley, Acme resident

Limited Public Comment closed at 6:03 p.m.

B. APPROVAL OF AGENDA:

Motion by Jenema, supported by Scott, to approve the agenda as presented. No discussion. Voice vote. Motion carried unanimously.

C. APPROVAL OF BOARD MINUTES: 9/01/2026

Motion by Hoxsie, supported by Stevens, to approve the Board minutes as written 9/01/2026. No discussion. Voice vote. Motion carried unanimously.

D. INQUIRY AS TO CONFLICTS OF INTEREST: None

E. REPORTS:

a. Clerk – Election prep continues (General Election November 3, 2026).

b. Parks – In an effort to inform the public, Jenema spoke about E-bikes having become an increasing problem on non-motorized area trails. Staff is providing this website as one example for additional information: https://nmmba.net/content.aspx?page_id=5&club_id=533979&item_id=97141
Trail users are advised to call the Sheriff's non-emergency number (231-995-5000) to report violations. Jenema also spoke about the September 25th dedication ceremony showcasing the Bayside Park 'Little Free Library' that German exchange students helped make possible. Members of the community, Board and staff, Metro's Station 8, and TADL, enjoyed themselves along with the students. She complimented R. LaMott on his efforts throughout the process. *The township hall has a book donation bin inside the office door entrance for anyone who would like to donate. Jenema is also exploring the possibility with TADL of getting library lockers at the township hall. Board discussion occurred.

c. Legal Counsel – Reported ongoing work with the zoning department. Jenema stated a potential farmland violation has been resolved, and a letter was sent to the property owner noting compliance.

d. Sheriff – Per Officer Abbring during the month of September, there were 4 citations issued, 16 crashes, and 3 arrests. The individual living at Gilroy Park is no longer there. Stats from the past couple months are included in the packet.

e. County – Darryl Nelson, Grand Traverse County Commissioner, gave the following update: he is a member of the DPW Board and noted a pipe that burst for unknown reasons on South Airport Road has been fixed; Cherry Capital Airport expansion work continues – there are now two additional gates on the tarmac and bathrooms will be expanded; at the county level they continue working with the treasurer's office; and the City will have a ballot proposal in November regarding TIF 97 though ultimately the decision of whether to renew it lies with the City Commission. Discussion occurred.
f. Supervisor – Regarding the sewer project, the flow meter near Burger King is expected on next month's agenda.

Dan Watkins of the Grand Traverse Road Commission provided the following information: flood recovery work continues with most of the 155 affected locations having been addressed (in the process other issues came to light and they have applied for FEMA reimbursement in the amount of $500,000); prep for winter is ongoing and includes pothole filling, county-wide crack sealing, tree cutting, and plow truck prep; engineering staff are working on the 2027 list of projects; and Brackett Road designation has been changed to a primary road – pending Road Commission Board approval, it could make the list of projects for 2027 (from 31 to Bates Road). Discussion occurred about traffic backups along 31, and completion of the Beitner Road bridge is expected by the first of the year - *people are asked to avoid the area as bystanders slow the recovery process.

g. Planning & Zoning – Wolf provided the following information: work continues on potential zoning ordinance text amendments; Taco Bell is hoping to open in December; investigation is ongoing regarding odor complaints and the medical marihuana facility; and work continues on data center language - discussion occurred about extending the moratorium.
h. MMR July and August 2026 (included in packet)

F. SPECIAL PRESENTATIONS: None

G. CONSENT CALENDAR:

1. RECEIVE AND FILE:
a. Treasurer's Report
b. Clerk's Revenue/Expenditure Report
c. 08/10/2026 Draft Unapproved PC Minutes

2. APPROVAL:
1. Accounts Payable Prepaid of $109,282.30 and Current to be paid $1,005,819.40
(Recommend approval: Clerk, L. Swanson)

Brief discussion occurred about the 'Current to be paid' amount being for previously agreed upon sewer payment.

Motion by Jenema, supported by Swanson, to approve the Consent Calendar as presented. No discussion. Roll call vote. Motion carried unanimously.

H. ITEMS REMOVED FROM THE CONSENT CALENDAR: None

I. CORRESPONDENCE:
1. Hand delivered on 09/08/2026: Letter from Acme resident Carolyn Lalas
2. Email dated 09/13/2026 from Ellen Shapiros re: Traffic Safety Bartlett Road

J. PUBLIC HEARING: None

K. NEW BUSINESS:
1. Proposals to Sealcoat Township Parking Lot (included in packet)

- **All Seal Seal Coating**
- **Black Magic Striping and Sealing LLC**
- **Randy's Sealcoating**

Discussion occurred about pricing, length of time in business and scope of work.

Motion by Jenema, supported by Hoxsie, to go with All Seal Seal Coating (for $4,500.00) once we have confirmation that they are doing the entire lot. Discussion occurred about accepting the bid presented if it includes the entire lot and about quote details. Roll call vote. Motion carried unanimously.

2. Proposal for partitions in one Bayside Park Restroom (included in packet)
Discussion occurred about replacement of the failing partition in the women's restroom, color choice and about similar replacement in the men's restroom in the future. R. LaMott will do the installation.

Motion by Hoxsie, supported by Swanson, to go with this company (Fast Partitions) as presented. Discussion occurred about the hardware and color choice. Roll call vote. Motion carried unanimously.

Discussion occurred about the color choice.

3. Website proposals (included in packet)
Wolf addressed the Board referring to her memo, comparison spreadsheet and quotes included in the packet. Acme Township's current website builder (Weebly) is no longer a sustainable option. In addition, the current contract with Brick House Interactive expires at the end of this year. Staff requested quotes and information from several vendors to create and manage Acme Township's website moving forward. Discussion included details regarding current services, experience with government websites, training, ADA compliance, digitization of forms, future website refresh service, timelines, .gov versus .org, and costs/fees. Wolf recommended Schumaker Technology Group.

Motion by Wylie, supported by Jenema, that we move forward with Schumaker Technology Group, the Platinum package. Discussion occurred about fees not exceeding $6,000. Wylie restated the motion to include 'up to $6,000.00 so that all can be taken care of in one motion, and (Wolf) will bring any changes back to us so we understand'. Jenema supported. Roll call vote. Motion carried unanimously.

Wolf intends to present the initial new website to the Board for review ahead of final approval.

L. OLD BUSINESS:

1. Data Center Moratorium Extension
J. Jocks and L. Wolf provided an update. The moratorium in place expires December 17th. Discussion occurred about timelines and the process - Planning Commission draft language review, public hearing and then the language will come before the Board.

PUBLIC COMMENT and OTHER BUSINESS:

Limited Public Comment opened at 7:29 p.m.

Brian Kelley, Acme resident

Limited Public Comment closed at 7:32 p.m.

Trustee Wylie updated the Board stating the portico is nearly complete and invited Board members and staff to join him after the meeting regarding final details pertaining to aesthetics. He also provided verbal quotes for additional building signage that may be added in the future. The Board thanked Trustee Wylie

for his work.

Motion by Scott, supported by Hoxsie, to adjourn the meeting. No discussion. Voice vote. Motion carried unanimously.

The meeting was adjourned at 7:34 p.m.

DRAFT UNAPPROVED

ACME TOWNSHIP PLANNING COMMISSION
ACME TOWNSHIP HALL
6100 US 31 N Williamsburg, MI 49690
October 12, 2026 6:00 p.m.

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE

ROLL CALL: Theresa Galante, Steve Feringa, Doug Grove, Marcie Timmins
Excused: Karly Wentzloff, Radu Danca, Dave Hoxsie
Staff: Lindsey Wolf, Marcie Timmins

A. LIMITED PUBLIC COMMENT: Members of the public may address the Commission regarding any subject of community interest during public comment periods by filling out a Public Comment Card and submitting it to the Secretary. Public comments are limited to three minutes per individual. Comments during other portions of the agenda may or may not be entertained at the moderator's discretion

Opened at 6:02
Brian Kelley- Started with a quote from John I. about listening to what the community wants and not developers when developing the new standards. Thought it was unorthodox for Doug Mansfield to hand the PC potential amendments for a project that may be coming up. Thinks the smaller setbacks for the road are too close and will be a hazard to walkability. Thinks increasing impervious surface is the wrong direction,and will make it more difficult to manage stormwater without impacting the Bay and creek due to their proximity and the high water table in the corridor. Pointed out that according to the placemaking plan and survey's the community doesn't want higher density, as they don't want to become Easy Bay or Chums Corners. Thinks that the Northern tech project should be expedited and not bogged down by the long process of zoning amendment rewrites.
Richard Kay- Asked if there was any intention to require side walks on the west side of 31? With the snow plowing and such it makes it not very walkable all winter. Discussed how data centers talk about high numbers of employees being hired, would like the PC to know that is only during the construction period. Once it is built it will employ very few people. Also asked about the data center sound decibels, found it a little conflicting in the proposed ordinance language. Thinks the proposed setback for the Mt. Hope Grove project of only 8ft.due to MHN zoning is insufficient for adjacent residential and lacks proper screening. Would like this project reviewed before it goes too far.
Closed at 6:09

B. APPROVAL OF AGENDA: Motion by Timmins, support by Galante to approve the agenda with the addition of item G.2
Motion carries unanimously

C. INQUIRY AS TO CONFLICTS OF INTEREST:

D. SPECIAL PRESENTATIONS:

E. RECEIVE AND FILE:
1. RECEIVE AND FILE
a. None

F. APPROVAL OF MINUTES:
a. Approve Draft Planning Commission Meeting Minutes 9.21.2026
Motion by Timmins, support by Galante to approve the draft planning commission minutes From 9/21/26 with the correction of Dave Hoxsie's name and changing matrix to metrics Under Brian Kelley's first public comment.
Motion carries unanimously

G. CORRESPONDENCE:
1. Beckett & Raeder
2. Kelley- Feringa read into the record, copies will be attached to the minutes.

H. PUBLIC HEARINGS:

1. None

I. OLD BUSINESS:

1. Data Centers – SAMPLE Language

Wolf- Since the last meeting Attorney Jeff Jocks has had a chance to review the language. There Are a few items to clarify, definitions that need to be included in the MTA version, want to define small scale enclosed data center , large hyperscale and co-location are.

Wolf discussed that currently data centers are allowed in the light industrial, commercial corridor and commercial flex districts. Since they are truly industrial by nature asked if the planning commission would be comfortable having them excluded from the commercial districts and having them only in the light industrial district. Wolf explained that her task is to look at the set backs in the 1000ft.- 1500ft. Range and see if those setbacks would exclude every parcel in the light industrial district. If that is the case some of the setbacks would need to be adjusted near sensitive lands. Let the PC know they have the right to see the red line ordinance changes before the public hearing. Also that the six month moratorium would expire in December and if the PC would like to, they need to have a public hearing to request a new moratorium go in front of the board so it can be in place when the first one expires.

Galante- would like farm land added under sensitive uses.

Feringa- a good set of definitions will be needed at the beginning of the ordinance.

Wolf- we will need small scale vs. hyperscale data centers separately defined and not just lumped together. As well as what is excluded to be at the beginning of the ordinance instead of the end.

Galante- asked about the 1500ft. Setbacks and if that was only for the generators or the actual buildings?

Feringa-talked about needing to look at the setbacks for; generators; cooling systems, chillers and mechanical units and sensitive land. Need to have a sound attenuation casing around the generators or having them enclosed in the building with sound attenuation insulation within the building. Generally the generators are outside. The hypersized data centers may want to specify in the ordinance that the generators should be indoors. If generators are outdoors, make sure they are enclosed with sound attenuation structure with a roof, not just walls, for the sound.

Wolf- at the November meeting will have some ideas of the parcels and what setbacks would look like in the light industrial district and if those larger setbacks would work on the parcels that are available within that district.

Timmins- asked if after we set zoning for data centers in the light industrial parcels that are available but those parcels sold to businesses not related to data centers, would the township have to redo the zoning to keep it from being exclusionary zoning ?

Wolf- Thinks that Timmins question is an attorney question.

The planning commission also needs to decide if they want to allow data centers in the commercial district and if so she will provide the same setback information. Jocks, John I. and Wolf all believe that whichever district the planning commission decides on, they should all fall under SUP's.

The planning commission would like Wolf to do the full scope of the analysis for the light industrial and commercial districts as well as defining what small and large scale data centers

would qualify as.

Timmins- Asked if in addition to a bond for decommissioning of the property, a bond could be added in case any environmental cleanup is needed?

Galante- asked if the timeframe to declare a data center abandoned could be shortened down to six months.

Timmins- asked about the emergency response plan and fire response plans that they would need to develop and comply with. Wondered if the forests on potential neighboring properties would be considered a sensitive area and protected within those plans?

Feringa- When they do those plans they are usually tailored to the site.

Discussion about sound decibels, Wolf said that in order to enforce the decibels a sound expert would have to be hired by the township to monitor the site and have knowledge about data centers.

Timmins- Referenced the Cherry Land electric article about protecting consumer costs from data center fluctuations. Asked if Wolf knew if any other power companies were implementing similar programs? Wolf was not sure.
Timmins-Asked 24-hour emergency contact signage visible at the access entrance and if like airbandb's in the township we could guarantee that, that contact was within a certain distance or time frame from the facility.
Also asked if the data center was sold and repurposed if the new owners project would fall under the current SUP.
Wolf- Explained that it would as long as no alterations were made to the property. If they wanted to make changes it would fall under either a minor or major amendment.

Feringa-Thinks the PC needs to look at where the words "shall" vs. "may" or "must" are used in the ordinance. Thinks there are a lot of places within the language that "shall" should be used.
Feringa also thinks that we need to be careful with energy and the environment.
Has been reading about what other communities are requiring of data centers. They're requiring the developers to build their own energy centers onsite that provide their own energy to a certain degree.

2. Zoning Ordinance Text Review – PC Discussion

Wolf- Sent the planning commissioners the link for the placemaking plan after the September meeting, would like everyone to take some time and look at that. John I. Provided the new language in the ordinances for this month's packet. Didn't catch the Height change on the buildings in the commercial corridor district, thinks that will be a hard pill to swallow.

Timmins- Doesn't support the height change. Asked if there was a reason that four stories Would have to be 60' and not 45'?

Feringa-Believes that the height as it is now in the ordinance at 3 stories and 45' is good. Explained the extra height for 4 stories was to provide room in between the floors to provide for the wiring, insulation and other infrastructure needed. Personally doesn't

believe that the higher heights are something the community would want for those districts.

Timmins- Doesn't support moving the build to line from 15-35ft. Supports it going from 20-40 ft to give the developers flexibility but leaving more room between the road and sidewalk where possible.

Galante- Talked about the placemaking plan having the idea of walkability all throughout The plan and feels allowing buildings closer to the road way reduces the walkability. Would not support a lesser reduction in the setbacks in that corridor.

Feringa- Understands what the change is trying to accomplish but asks if that is really what our community wants to do. Knows that the idea works in other communities but Acme has a federal highway going through it which creates a unique situation.

Wolf- mentioned the snow plows and the snow and ice they throw in the winter and the possible damage to buildings the closer they build to the road. Asked Feringa if he supports leaving it the 20-35ft?

Feringa- Would be ok with allowing the 20-40ft setback.

Grove-Doesn't like the buildings jammed in, thinks we should try to create some space.

Wolf- Brought up the number of accidents along 31, and if the sidewalks ended up right up next to the road the tragedy that could create.
Talked about John I. modifying the impervious surface.Wants to get the planning commissions thoughts?

Feringa- clarified that it would be reducing lot size by 5%

Timmins- asked if by reducing the lot size, if that would make any projects unbuildable?

Wolf-Yes

Wolf-noted the minor adjustments that just affected the commercial corridor changing the base density from 18 down to 12.

None of the planning commissioners disagreed with the density change.

Timmins- asked if the side street corner build to line was new? Would support a sliding scale to that area but only with the ability to move back. So the same setback from 20-40ft. Allowing more space for sidewalks or bike trails to be as far from the road as possible. There's two Michigan energy codes that are required. One is the residential, and they do a res. check software for residential compliance with the Michigan energy code. Second is a commercial, which is a com. check, for commercial projects.There's no set scale percentage-wise. There are limitations for that, and you have to look at two methods to calculate that when you have a commercial project. It's for the fenestration limits, which is not just windows, but also windows and doors for an elevation above ground.
Then there are two paths that you have to determine when you do this compliance check.
One is if you go with the International Energy Code Commission compliance path.
Then there's an alternate one, which is the ASHRAE 90.1 compliance path. then for the

IECC compliance path, the total vertical fenestration for doors and windows on one elevation is only at 30% for windows. Then if you do the ASHRAE 90.1 compliance path, the percentage for that is 40%. That's way under what we're showing on our codes. There's also ways to exceed that limit, if you need to have more windows or more doors from your elevations, and it's a maximum window-to-wall ratio on how to do that. Basically, you have to say you're going to use a higher efficient window with a gas-filled window. Then you can increase it a little bit, but you're not going to increase it by 20%, 30%, 40%. So that's one area we need to look at, because we're listed as 60%, 80% of the ground floor story facade. And people aren't going to be able to beat that percentage.

Wolf- John I. has retail and office buildings with a different percentage threshold.

Feringa-They're both commercial when it comes to the Michigan Energy Code.
So they're going to be doing their calculations for the front side rear elevations, and they're not going to be able to meet that. They're code requirements on what we have. We need to change the ordinance language and not give a percentage. The language should say something about shall meet the current Michigan Energy Code.
Also on lines 256 and 257 it talks about building materials. Materials such as exterior insulation, finish system, EFIS, concrete panels, and panel brick are not considered traditional building materials and shall not be used. Feringa thinks the planning commission already took out the word traditional. He thinks we can just scratch that number two and just delete it, because we don't list EFIS or concrete panels or brick panels above in item one. As well as not having to define what are traditional building materials.

Wolf- Asked Feringa what he thought of John I's addition of G.

Feringa- Thinks it is fine. The township's goal is low carbon, zero carbon footprint.
And if the township could do things with that, then yes, he thinks it would be nice.

Wolf- asked if Feringa had any additional edits or any concerns with the additional text provided for facade, ornamentation, massing?

Feringa- think the ordinance should give flexibility and not define it too much, thinks it should be left to the applicant and their designers, not the township.

Wolf- Item number 3 would need to be deleted.

Timmins- questioned where the three different types of detailing and ornamentation on the facade came from and if it was needed.

Discussion about facade and ornamentation continued

Feringa- doesn't think the ordinance should be dictating specifics like that.
Thinks a list of what they can use should be supplied and then base the decision on what the design looks like when it comes in for review.

The planning commission would like to see the red line document prior to setting a public hearing.

J. NEW BUSINESS:

1. Set Public Hearing to extend temporary Computer & Data Processing Moratorium
Motion by Grove, support by Timmins to set a public hearing for the November 9th Planning commission meeting, to recommend a six month extension of the data Center moratorium to the township board.
Motion carries unanimously

K. PUBLIC COMMENT & OTHER PC BUSINESS

Opened at 7:14
Brian Kelley- Had a question for Jeff Jocks and John I. about the data center zoning. Wondered if instead of designating the Light Industrial district for data centers whether the township could create an overlay district for data centers that would apply to portions of Light Industrial, and that would allow criteria for the overlay to exclude sensitive parcels such as the Yuba creek headwaters parcel and residences. Pointed out that because this would change the zoning map it may also allow the change to the zoning of the parcel near the Yuba creek headwaters that was discussed at the last meeting, to be
rezoned at the same time without concern for down zoning the single parcel.
Believes there is an adjacent rural residential parcel so it wouldn't be spot zoning. Concerned with the potential noise data center generators can cause, as well as some of the generators being natural gas turbines like those in Tennessee that have been extremely polluting. The substantial use of natural gas in these turbines has made the nearby communities' prices of natural gas increase.

Richard Kay-addressed the parking required behind business, believes it makes it more susceptible to crime after dark. Thinks parking in the front of buildings would be more noticeable and help deter it. It appears that someone is trying to make Acme a large city when all the resident surveys want it to remain small and rural. Asked who the commission is listening to? Wonders if data centers can be mandated to be only US owned. Worries about what foreign companies may do with US citizens data.
Public comment closed at 7:20

Planning & Zoning Administrator Report – Lindsey Wolf - parking lot was repaved. The township is getting a new website, estimated to be up in running by January 1st.

1. Township Board Report – Dave Hoxsie

2. Parks & Trails Committee Report – Wolf, new little free libraries at Bay Side and Saylar park, people are welcome to bring books to the township to donate or place in the libraries themselves.

ADJOURN: Motion by Timmins, support by Galante to adjourn the meeting.
Motions carries unanimously

Planning & Zoning

6100 US 31 N | Williamsburg, MI | 49690

Phone: (231) 938-1350 **Fax**: (231) 938-1510 **Web:** www.acmetownship.org

To: Acme Township Planning Commission

From: Lindsey Wolf, Planning & Zoning Administrator
Date: November 4, 2026
Re: Computing & Data Center Moratorium – Zoning Ordinance Text Amendment

Purpose: The purpose of this ordinance is to amend the Zoning Ordinance and place a temporary halt on the review and approval of new Computing and Data Processing uses, including those large-scale uses that are commonly referred to as data centers, in Acme Township until the impacts of this kind of development on Acme Township can be examined, and comprehensive Zoning Ordinance amendments can be made if necessary to protect the best interests of the community.

Next Steps in the Process:

1. A public hearing has been scheduled for November 9, 2026.
2. Planning Commission conducts a public hearing, closes the hearing and discusses the amendment
3. Planning Commission makes a recommendation for approval or denial to the Township Board of Trustees

A copy of the proposed amendment is included in this memo for reference.

Proposed Motion:

Motion to recommend approval of the Computing and Data Center Zoning Ordinance Text Amendment for a temporary moratorium to the Township Board of Trustees.

T. C. RECORD-EAGLE, INC.
DEPT 1415
PO BOX 4268
HOUSTON TX 77210-4268
(231)946-2000
Fax (231)946-8273

ORDER CONFIRMATION

Salesperson: ALYSSA HEIDER — Printed at 10/13/26 14:17 by aheid-tc

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Acct #: 6 — Ad #: 639835 — Status: New WHOLD

ACME TOWNSHIP
LISA SWANSON, CLERK
6100 US 31 NORTH
WILLIAMSBURG MI 49690

Start: 10/24/2026 — Stop: 10/24/2026
Times Ord: 1 — Times Run: ***
STDAD 3.00 X 4.32 — Words: 400
Total STDAD 12.96
Class: 147 LEGALS
Rate: LEGAL — Cost: 178.10
Affidavits: 1

Contact: LISA SWANSON
Phone: (231)938-1350
Fax#: (231)938-1510
Email: dwhite@acmetownship.org ls
Agency:

Ad Descrpt: PUBLIC NOTICE TOWNSHIP OF
Given by: *
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Created: aheid 10/13/26 14:12
Last Changed: aheid 10/13/26 14:17

PUB	ZONE	EDT	TP	RUN DATES
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IN	AIN	97	S	10/24

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No refunds or rebates will be issued if you cancel your ad prior to the stop date.

We appreciate your business.

(CONTINUED ON NEXT PAGE)

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Fax (231)946-8273

ORDER CONFIRMATION (CONTINUED)

Salesperson: ALYSSA HEIDER Printed at 10/13/26 14:17 by aheid-tc

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Acct #: 6 Ad #: 639835 Status: New WHOLD WHOL

PUBLIC NOTICE

TOWNSHIP OF ACME
NOTICE OF HEARING

PLEASE TAKE NOTICE that the ACME TOWNSHIP PLANNING COMMISSION will hold a public hearing at its regular meeting on Monday, November 9, 2026 at 6:00 p.m. at the Acme Township Hall, 6100 US 31 N, Williamsburg, MI 49690, to consider the following amendment to the Acme Township Zoning Ordinance:

Zoning Ordinance Amendment 011 - An Ordinance to amend the Acme Township Zoning Ordinance ("Zoning Ordinance") for the purpose imposing a temporary moratorium on applications for Computing and Data Processing Centers.

The purpose of this ordinance is to amend the Zoning Ordinance and place a temporary halt on the review and approval of new Computing and Data Processing uses, including those large-scale uses that are commonly referred to as data centers, in Acme Township until the impacts of this kind of development on Acme Township can be examined, and comprehensive Zoning Ordinance amendments can be made if necessary to protect the best interests of the community.

All interested persons are invited to attend and be heard at the public hearings before the Planning Commission. After the public hearings the Planning Commission may or may not deliberate and make its recommendation based on the Acme Township Zoning Ordinance to the Township Board, which will subsequently take appropriate action on the amendment. The proposed amendment may be inspected at the Acme Township Hall between 7:30 a.m. and 5:00 p.m. Monday through Thursday. The application materials will also be available on the Acme Township website www.acmetownship.org under the current meeting minutes tab. If you are planning to attend and require any special assistance, please notify Lisa Swanson, Township Clerk, within 24 hours of the meeting at 938-1350. Written comments may be directed to:

Lindsey Wolf, Planning & Zoning Administrator
6100 US 31 N, Williamsburg, MI 49690, (231)938-1350,
zoning@acmetownship.org

October 24, 2026 – 1T 639835

ACME TOWNSHIP

GRAND TRAVERSE COUNTY

ORDINANCE NO. _____

ZONING ORDINANCE TEXT AMENDMENT

An Ordinance to amend the Acme Township Zoning Ordinance ("Zoning Ordinance") for the purpose imposing a temporary moratorium on applications for Computing and Data Processing Centers.

ACME TOWNSHP HEREBY ORDAINS:

Section 1 Purpose: The purpose of this ordinance is to amend the Zoning Ordinance and place a temporary halt on the review and approval of new Computing and Data Processing uses, including those large-scale uses that are commonly referred to as data centers, in Acme Township until the impacts of this kind of development on Acme Township can be examined, and comprehensive Zoning Ordinance amendments can be made if necessary to protect the best interests of the community.

Section 2 Moratorium: As of the effective date of this ordinance, and notwithstanding any other provisions in the Zoning Ordinance, no applications for Computing and Data Processing uses, including applications for planned developments, special use permits, site plans, or land use permits will be processed by Acme Township, nor will any approvals or zoning permits be granted for Computing and Data Processing Uses.

Section 3 Expiration of the Moratorium: The provisions of this ordinance are temporary in nature and are intended to be replaced by subsequent legislative enactment of future Zoning Ordinance amendments concerning Computing and Data Processing uses. With or without subsequent legislative enactment, the prohibitions in Section 2 of this ordinance will expire automatically six months from the effective date of this ordinance.

Section 4: If any section, clause or provision of this ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any Court of competent jurisdiction, such section, clause, or provision so declared shall thereby cease to be part of this ordinance, but the remainder of this ordinance shall stand and be in full force and effect.

Section 5: The effective date of this ordinance shall be the 8th day after publication.

ACME TOWNSHIP

_____ Date: _____
Doug White, Supervisor

_____ Date: _____
Lisa Swanson, Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a zoning ordinance adopted by Acme Township, Grand Traverse County, State of Michigan, at a regular meeting held on _____, 2026 that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

_____
Lisa Swanson, Clerk

Planning & Zoning

6042 Acme Road | Williamsburg, MI | 49690

Phone: (231) 938-1350 **Fax**: (231) 938-1510 **Web:** www.acmetownship.org

To: Acme Township Planning Commission

From: Lindsey Wolf, Planning & Zoning Administrator
Date: November 4, 2026
Re: Data Center Moratorium & SAMPLE Text Language

Background:
Staff discovered that data centers are a use by right in two zoning districts. As a result, the Acme Township Board issued a moratorium on Data Centers in May of 2026 effective until December 17, 2026. At the September 21, 2026, meeting the Planning Commission made the recommendation to extend the moratorium until zoning text language can be further drafted, approved, and adopted.

It was also decided at the September meeting to use MTA's DRAFT language moving forward. Questions regarding the MTA draft were discussed at the October meeting. Those discussion points were as follows:

- Definitions need to be added to include small scale, enclosed centers, hyperscale, and co-location sites.
- Including more sensitive land uses in the definition (farmland, forests, wetlands)
- Future locations/allowable districts/zoning overlay.
- Does the bond for decommissioning include environmental clean-up?
- The setbacks of 1500' to 1000' from a sensitive land is not realistic in Acme – no parcels available that meet these criteria.
- Hyperscale outdoor vs. indoor
- Casing around equipment with walls and a roof
- Replacing must with shall where appropriate (ex: W. Decommissioning: A data center ~~must~~ shall have a Decommissioning Plan…)
- Having a local contact in case of emergencies.

Next Steps in the Process:

1. Continued discussion on sample language: key elements, questions, concerns, etc.
2. Planning Commission discussion on the future of data centers in the Light Industrial and Commercial Corridor districts – currently a use by right.
3. Staff and legal continue refining language.
4. Set a public hearing once draft language is complete

SAMPLE DATA CENTER ORDINANCE VERSION 1.0

Note: This is a sample ordinance to regulate the development and operation of data centers within a township. These provisions may not suit the unique aspects of your township or may regulate too much or too little for your area. **Adopting this ordinance without considering changes to fit your community is strongly discouraged and may have negative legal consequences. Please consult with your township attorney.** Additionally, new information continues to come out often, so please check back periodically to see if there are newer versions of this sample.

TOWNSHIP OF _____

ORDINANCE NO. _____

ADOPTED: _____

EFFECTIVE: EIGHT DAYS AFTER PUBLICATION AFTER ADOPTION

An Ordinance to amend the Township Zoning Ordinance to authorize Data Centers; to provide regulations and standards for Data Centers; to repeal all ordinances or parts of ordinances in conflict herewith, and to provide an effective date.

TOWNSHIP OF _____
_____ COUNTY, MICHIGAN

ORDAINS:

DATA CENTER ORDINANCE AMENDMENTS TO TOWNSHIP ZONING ORDINANCE

SECTION I
DEFINITIONS ADDED TO SECTION _____

The following definitions shall be added to Section _____ of the Township Zoning Ordinance, and shall be inserted into said Zoning Ordinance so that all definitions are in alphabetical order:

Cooling System: Any system, equipment, or apparatus used to regulate temperature and/or humidity within a Data Center, including but not limited to air conditioning units, cooling towers, and liquid cooling systems.

Data Center: A facility or operation consisting of computer systems and associated equipment designed, constructed, and operated for the primary purpose of intake, processing, storage, and/or distribution of computer data and electronic information. Associated equipment shall include all buildings, structures, and components used in the operation of the Data Center, including but not

limited to servers, routers, switches, storage devices, cooling systems, backup power systems, electrical distribution systems, and telecommunications equipment.

Sensitive Land Uses: A land use that includes educational facilities (Pre-K through 12), college dormitories, commercial child care facilities, hospitals, long term care facilities, nursing homes, retirement homes, campgrounds, parks (excluding linear trails), and dwellings.

SECTION II
ADD A NEW SECTION _____, TITLED "DATA CENTERS"

A new Section _____, titled "Data Centers" is hereby added to the Township Zoning Ordinance to read as follows:

Section _____. Data Centers.

I. PURPOSE

The purpose of this Section is to establish minimum requirements and regulations for the construction, location, operation, and decommissioning of data centers. This Section is designed to ensure that data centers are constructed and operated in a manner compatible with nearby uses of land, the natural environment, and the capacities of public services and facilities. It is also designed to mitigate nuisance impacts and to avoid adverse impacts on important areas such as farmland, Sensitive Land Uses, or valuable natural resources.

II. GENERAL STANDARDS

The following requirements shall apply to all Data Centers in addition to the other generally applicable standards found in the Zoning Ordinance and to the extent of a conflict this Section shall apply:

A. **Site Selection.** Data Centers shall only be allowed as a special land use in the Industrial District [customize to fit individual municipal industrial districts by reference].

B. **Lot Coverage.** Data Centers shall not exceed the maximum lot coverage allowed in the Industrial District.

C. **Placement and Setbacks**. Data Centers shall be arranged, designed, and constructed to be harmonious and compatible with the site and surrounding properties. Data Centers shall be sited to minimize the visual impacts of the bulk of the building on a line-of-sight basis from adjacent public streets and Sensitive Land Uses and to minimize the impacts to natural resources. Data Centers shall comply with the minimum setbacks applicable to the Industrial District except as otherwise provided in this Section.

1. Cooling System components including chillers, fans and compressors must

be surrounded by full height sound attenuation screening that must be designed to blend with the architectural style, materials, and color of the building:

i. If roof mounted, there must be a 1,500-foot minimum setback from the sound attenuation screening to the closest Sensitive Land Use lot lines. This distance is measured from the nearest part of the sound attenuation screen to the property line of the Sensitive Land Use.

ii. If ground mounted, there must be a 1,000-foot minimum setback from sound attenuation screening to the closest Sensitive Land Use lot lines. This distance is measured from the nearest part of the sound attenuation screen to the property line of the Sensitive Land Use .

2. Generators shall be located within full acoustic enclosures to the maximum extent possible. Enclosures must be designed to blend with the architectural style, materials, and color of the building and cannot be located within 1,000 feet of any Sensitive Land Use, measured from the nearest part of the enclosure to the property line of the Sensitive Land Use . Roof mounted generators are prohibited.

D. **Height**. The height of a Data Center, except for electric distribution and transmission poles, shall not exceed the maximum height permitted for structures in the Industrial District.

E. **Visual Screening**. Views of a Data Center shall be minimized from public rights of way, adjacent properties, and Sensitive Land Uses, to the extent reasonably practicable using architectural features, earth berms, landscaping or other screening methods that will harmonize with the character of the property and surrounding area. The Planning Commission may require reasonable measures to minimize visual impacts by preserving existing natural vegetation, requiring new vegetative screening, or other appropriate measures on a site- specific basis. In making this determination, the Planning Commission is specifically authorized to consider whether additional visual screening measures are appropriate where a Data Center is proposed to be located on property adjoining or within the view of a Sensitive Land Use..

F. **Sound**. The Data Center must comply with all federal and state regulations related to noise thresholds and any Zoning Ordinance Industrial District noise limitation. In addition, except as otherwise allowed in this Section, noise levels shall not exceed the following noise thresholds as measured at the Data Center property line shared with any non-industrial use or the property line of the closest Sensitive Land Uses as follows:

1. No sound shall exceed 55 dB(A) weighted (Laeq-10 min) between the daytime hours of 7am to 7pm.

2. No sound shall exceed 45 dB(A) weighted (Laeq-10 min) between the nighttime hours of 7pm to 7am.

3. No source of steady tonal sound shall exceed 65 dB(C) weighted (Lceq-10 min) at any time.

4. Octave Bands (dBz) will be maintained at acceptable levels.

G. **Lighting**. The Data Center must implement dark sky-friendly lighting solutions, and all lighting must be designed to direct light downward. The facility must produce zero footcandles of light at the property line.

H. **Vibrations**.

1. No Data Center shall be operated, maintained, or tested in a manner that generates a ground-borne vibration level exceeding a Peak Particle Velocity (PPV) of 0.01 inches per second (in/s) at any point along the Data Center's property line. This limit applies across all vibration frequencies between 1.0 Hz and 100 Hz. The 0.01 in/s PPV threshold applies to measurements taken in any of the three mutually perpendicular axes (vertical, longitudinal, or transverse). If any single axis exceeds 0.01 in/s, the Data Center is in violation.

2. Generators must be equipped with vibration isolation and mitigation systems.

3. Data Centers must have continuous vibration monitoring at spacing of no less than 500 feet along all property lines which sit within 1,000 feet of the property line of any Sensitive Land Use.

I. **Water Usage Standards.** A Data Center shall maintain a Water Usage Effectiveness of no more than two tenths (0.2). As used in this Section, “Water Usage Effectiveness” or “WUE” is defined as the ratio of total annual building water consumption (liters) to information technology equipment energy consumption (kilowatt-hour). Evaporative cooling is prohibited.

J. **Energy Usage.**

1. Data Center facilities must be designed to maintain a Power Usage Effectiveness of no more than one and two-tenths (1.2). As used in this Section, “Power Usage Effectiveness” or “PUE” is defined as the ratio of total facility energy consumption divided by the total IT equipment energy consumption (servers, switches, storage devices, etc.). Total facility energy includes all power entering the building, such as cooling systems, lighting, power delivery components, and IT equipment. IT equipment energy

includes only the power used by computers, servers, storage, and networking devices.

2. Data centers must be designed and operated in compliance with the energy code requirements specified in whichever of the following is most stringent:

   i. The latest adopted Michigan Energy Code;

   ii. The latest published ASHRAE Standard 90.4; or

   iii. Michigan-specific data center energy code requirements adopted by rule, which may include more detailed criteria.

3. The Data Center shall have on-site energy storage capable of supplying not less than fifty percent (50%) of the facility's peak electrical demand for a minimum duration of fifteen (15) minutes, for purposes including grid stabilization, brownout mitigation, and peak-load support. Energy storage systems shall be configured to prioritize discharge during utility-declared peak events and grid emergencies to reduce localized voltage sag, transformer overload, and outage risk in surrounding neighborhoods.

4. The Data Center must demonstrate that it will supply the Center's energy needs independently of the current energy available within the Township and that it complies with all state and federal requirements for the provision of energy to supply its needs.

K. **Generators**. Testing and exercising activities of generators are limited to 9am to 5pm weekdays and are prohibited on any State holiday. No more than two (2) generators shall be tested simultaneously. The use of other backup power sources which serve to reduce or eliminate diesel generator noise and emissions shall be utilized to the maximum extent practicable. All generators must be U.S. EPA Tier 4 compliant.

L. **General Impacts**. Any use or activity producing air, dust, smoke, glare, exhaust, heat, or humidity in any form shall be carried on in such a manner that it is not perceptible at or beyond the Data Center property line.

M. **Public Safety**. All Data Centers must develop and comply with an Emergency Response Plan and Fire Response Plan that shall provide reasonable protection of the public health, welfare and safety during all phases of construction and operation.

N. **Signage**. The Data Center shall post all necessary signage to comply with any applicable electrical, building, and fire codes. Clearly visible warning signs shall be located at the base of any transformers, substations, or electrical components handling energy capable of causing harm to human beings. The Data Center

operation shall provide a 24-hour emergency contact signage visible at the access entrance.

O. **Access Drives**. The Data Center shall provide safe and convenient vehicular access to the site, including sufficient on-site queuing areas at the security gate. The Data Center shall include access drives sufficient to accommodate adequate emergency response to all components.

P. **Surface Water Runoff**. All surface water runoff created by construction and operation of the project shall be effectively managed on-site.

Q. **Building and Electrical Codes**. The Data Center and all associated equipment shall comply with all applicable building and electrical code requirements and any applicable federal or state regulations. A qualified engineer shall provide written certification that the design, installation, and any interconnections are compliant with manufacturer and industry standards, all applicable local construction and electrical codes, and any applicable federal or state regulations.

R. **Permits**. All Data Centers shall be required to apply for and obtain all necessary permits, including but not limited to building, electrical, plumbing, and mechanical permits.

S. **Transmission and Distribution Lines**. Other than transmission or distribution lines for interconnection to the electric power grid, all electrical wiring shall be buried underground; except where the manufacturer's engineer or a qualified engineer employed by the utility that owns/operates the electrical power grid to which the system shall be interconnected certifies an underground wiring installation is not permitted by an applicable code and/or applicable federal/state regulation, with attached complete documentation supporting any such certification.

T. **Transfer of Ownership.** No transfer in ownership of the Data Center shall occur prior to providing 60 days' notice to the Township and upon Township approval verifying that the new owner has the ability and means to carry out the terms of the special land use and site plan approval and agrees in writing to carry out such terms. Approval shall not be unreasonably withheld by the Township.

U. **Environment and Community Impact.** A Data Center shall provide, at time of application for special land use permit, detailed analysis by qualified individuals of the Data Center's impact on the environment of the site and surrounding area, and the impact on the community. All environmental impacts must be in compliance with Federal, State, and local standards.

V. **Construction Hours**. Construction Hours shall be limited to 7:00 a.m. – 7:00 p.m. Monday through Saturday unless otherwise approved by the Planning Commission.

W. **Decommissioning**. A Data Center must have a Decommissioning Plan and Agreement as provided in this Section.

III. APPLICATION REQUIREMENTS AND PROCEDURE

A. **Special Land Use Permit and Site Plan Application Requirements**. Any proposal for a Data Center shall require an application for special land use permit approval and for site plan approval. All required fees and escrow fund shall accompany the application. An incomplete application will not be accepted. The application shall be subject to the general special land use and site plan review requirements in addition to the following submission requirements:

1. The name, address, and contact information of the applicant.

2. The name, address, and contact information of the proposed operator of the Data Center, if different from the applicant.

3. The address and parcel number of each property to be used for the Data Center, including demonstrated proof of ownership, lease, or easement permitting all proposed construction on said property.

4. The planned date for the start of construction of the Data Center and the expected duration of construction, including a description of any construction phases for the Data Center, the proposed timeline for construction of each structure or major component, and a description of any areas where future expansion is anticipated.

5. A description of the expected uses of the Data Center.

6. A description of each Special Land Use standard under the Township's Zoning Ordinance, a detailed statement demonstrating compliance with each Special Land Use standard, and all information and supporting materials relied upon by the applicant in support of their statement of compliance.

7. A description of each standard described in this Section, a detailed statement demonstrating compliance with each standard, and all information and supporting materials relied upon by the applicant in support of their statement of compliance (i.e. sound studies and modeling, vibration studies and modeling, environmental studies, etc).

8. A preliminary electrical plan for the Data Center showing all underground and above ground wiring, the location of any electrical infrastructure, the location and capacity of any interconnections, and any electrical safety devices.

9. Information and supporting materials detailing the anticipated PUE,

electrical use, maximum possible electrical load, and pre-approval or authorization from applicable electricity service providers that such capacity is available to serve the Data Center.

10. Information and supporting materials detailing the type, size, and location of all Cooling Systems and water usage including the WUE analysis. Such analysis shall include proof of capacity on public water and sewer systems to support the proposed intake and discharge of water for the Data Center.

11. Information and supporting materials detailing the type, size, and location of all onsite energy storage and backup power generation, and whether and how such equipment is to be tested.

12. The expected direct impacts of the Data Center on the environment and natural resources and how the applicant intends to address and mitigate these impacts. The Applicant shall describe all environmental features of the proposed project site and surrounding area, including natural resources, waterways, flora and fauna which may be impacted by the proposed project. The description shall include the anticipated impacts on the environment and habitats and mitigation measures for such impacts.

13. A decommissioning plan as described in this Section.

14. A detailed site plan of the proposed Data Center, showing the location, height, and design of all components of the Data Center, including distances from all existing and proposed structures/buildings and fencing on the site to all lot lines including to all boundaries of a leased site, where applicable, and to all structures/buildings within 2,000 feet of the subject property.

15. A site plan depicting all proposed means of ingress and egress which demonstrates compliance with any applicable fire or emergency response regulations.

16. A landscape plan depicting all proposed changes to the landscape of the existing site, including grading, vegetation removal, fencing and vegetative screening.

17. A map of any existing overhead and underground major facilities for electric, gas, telecommunications transmission within the facility and surrounding area.

18. A fire response plan and an emergency response plan containing, at a minimum, all of the following:

    i. A description of all chemicals or hazardous materials that will be used during the construction or operation of the facility and describe their purpose and location within the facility.

ii. A detailed evaluation of any risk of intentional or inadvertent chemical or hazardous material discharge, the likelihood of such events, risk mitigation measures to prevent such events, and emergency notification and response plans in the case of such events.

iii. A description of all electrical, fire, smoke, and similar environmental risks, their likelihood, and mitigation measures both before and after an emergency.

iv. A description of the current emergency and fire response capacity and equipment available within the Township and the surrounding area, and whether such capacity and equipment is sufficient to address the risks described in the Plans. If the capacity or equipment is insufficient, the Plan must include a detailed description of such deficiencies and how the facility will attain sufficient emergency response capacity, whether by improvements to local emergency and fire authorities, private emergency management measures, or other means.

v. A description of emergency shutdown procedures, how such procedures are triggered, and any effects that an emergency shutdown may have on the operation, utilities, or emergency response plans.

vi. A description of if and how the Township and the public shall be notified of emergencies at the Data Center to the extent that such emergencies have the potential to result in impacts to the Township or the public.

vii. Evidence of consultation or a good faith effort to consult with local fire department representatives, first responders, and emergency managers to ensure that the Plan is in alignment with acceptable operating procedures, capabilities, resources, etc. If consultation with local fire department representatives is not possible, provide evidence of consultation or a good faith effort to consult with the State Fire Marshal or other local emergency manager.

viii. A description of all on-site equipment and systems to be provided to prevent or handle fire emergencies.

ix. A commitment to review and update the plan with fire departments, first responders, and county emergency managers at least once every three (3) years.

x. Analysis should include identification of any specific equipment or training deficiencies in local emergency response capacity and recommendations for measures to mitigate deficiencies.

xi. Other information the applicant finds relevant or wishes to present to the Township.

IV. DECOMMISSIONING AND REMOVAL

A. All Data Centers shall be required to provide a Decommissioning Plan and comply with said plan and the requirements of this Section for the lifetime of the project.

B. The Decommissioning Plan shall include all of the following:

1. State the anticipated life of the project;

2. Describe estimated decommissioning costs in current dollars and provide that this figure will be updated every fifth (5th) year after commencement of operation of the system;

3. Define the conditions upon which decommissioning will be initiated. At a minimum decommissioning shall be required if the Data Center is abandoned. Abandoned shall mean that the Data Center ceases operations for a period of 12 months, unless the current responsible party provides sufficient evidence and guarantee of the intent to resume operations to the Planning Commission.

4. State that decommissioning will allow the Data Center to be repurposed for general industrial use through the removal of aspects of the Data Center specific to use as a Data Center.

5. Describe the timeframe for completion of decommissioning activities;

6. Describe any agreement with the landowner regarding decommissioning; and

7. State the party responsible for decommissioning.

C. The Applicant shall further submit a Decommissioning Agreement to be signed by the applicant, operator, or party responsible for decommissioning and shall bind all successors, heirs and assigns.

D. Decommissioning shall begin within 6 months of abandonment or other trigger and shall be completed within 18 months.

E. The Decommissioning Plan shall include financial assurance in the form of a bond. The amount of the financial assurance shall not be less than the estimated cost of decommissioning the Data Center. Salvage value shall not be included in the estimated cost of decommissioning. The financial assurance must be posted in at one-hundred-and-twenty-five percent (125%) total decommissioning value by the start of full commercial operation and continuously maintained for the period of the life of the Data Center. During construction a financial assurance must be maintained in an amount to return the site to the original condition and such assurance shall be required until the full financial assurance is provided at the start of the full commercial operation.

V. DEVELOPMENT AGREEMENT.

A. The Planning Commission shall require a development agreement between the applicant/property owner and the Township to ensure completion of the approved site plan and continued compliance with required standards. The development agreement may address, but is not limited to, the following: The property's legal description; the zoning district in which the property is located; the site plan as approved; conditions of site plan approval; security for general improvements; compliance with standards during and after development; maintenance of the site during and after development; open area maintenance; stormwater management; roads and drives; sewer and water; Township engineer approval of construction plans; easements for and assignments of utility lines; pedestrian sidewalks; tree preservation; wetland preservation; landscaping; electricity and gas use; lighting; construction access; construction work schedule; performance guarantee; engineering plans and certifications; site grading and setbacks; monuments and markers; warranties; proceedings for failure to maintain repair or preserve development elements; reimbursable costs to the Township; enforcement procedures; duration of agreement; and construction oversight.

VI. SMALL-SCALE OPERATION EXCEPTION

A. The provisions of this Section shall not apply to a Data Center which is constructed and operated solely as an accessory and subordinate use to an existing principal use on a property, so long as that Data Center is (1) housed entirely within existing structures which conform to all zoning and other permit requirements, (2) creates no adverse impacts on adjacent land uses, and (3) requires no additional approvals from a utility provider with respect to electrical or water usage.

SECTION IV
AMEND SECTION _____

Section ____ of the Township Zoning Ordinance is amended to add the following use as a

special land use in the Industrial Zoning District:

- Data Center

SECTION VI
SEVERABILITY

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

SECTION VII
REPEALER AND EFFECTIVE DATE

All ordinances or parts of ordinances in conflict herewith are hereby repealed. This ordinance shall take effect 8 days after publication after adoption.

Planning & Zoning

6042 Acme Road | Williamsburg, MI | 49690

Phone: (231) 938-1350 **Fax**: (231) 938-1510 **Web:** www.acmetownship.org

To: Acme Township Planning Commission

From: Lindsey Wolf, Planning & Zoning Administrator
Date: November 4, 2026
Re: Zoning Ordinance Text Amendments - US 31/M 72 Overlay District

It was noted at the August 10, 2026, meeting that several requirements within the current Acme Township Zoning Ordinance Adopted 2022 (as amended) are very particular and should have some flexibility within the US-31/M-72 Mixed Overlay District. This topic was further discussed at the September 21 and October 12, 2026, meeting.

John I. also reviewed the Planning Commission's suggested edits and had the following comments:

I reviewed the PC comments and have the following objections:

- A zoning ordinance in a Michigan downtown or mixed-use district, requiring **50-70% ground-floor transparency** is generally not considered to conflict with energy codes, provided the ordinance includes a statement that compliance remains subject to applicable building and energy code requirements.
- Michigan currently incorporates energy code standards based on versions of the International Energy Conservation Code (IECC) and ASHRAE 90.1 for commercial buildings. Compliance may be demonstrated through:
    - Prescriptive approach
    - Trade-off approach
    - Whole-building energy modeling approach
    - A building with 60%, 70%, or even 80% glazing may be code-compliant if high-performance glazing and energy modeling demonstrate equivalent or better performance.
- Moving the building back 40 feet is too far away from the road and will cause additional speeding because it increases the field of view. The wider the field of view the faster the cars travel.

My thoughts. The window transparency, or lack thereof, is a big deal and will significantly change the character.

The following are the edits from those discussions about the US 31/M 72 overlay district.

Next Steps in the Process:
Schedule a public hearing.

3.4.7 C – CORRIDOR COMMERCIAL

A. Dimensional Standards

Lot Occupation	Standard
Minimum Lot Width	40 Feet
Minimum Lot Area	3,500 square feet
Maximum Lot Coverage	70%
Maximum Impervious Surface	~~85%~~ 80%
Base Density	12 - 14 Dwelling Units / Acre
Principal Building	
Front Built-To-Line	15 ~~20~~ – 35 feet
Side Street, Corner Built-To-Line	15 ~~20~~ – 35 feet
Side Setback	3 feet
Rear Setback	25 feet
Maximum Height	~~4~~ 3 stories; not to exceed ~~60~~ 45 feet
~~Minimum Ground Floor Area~~	~~400 square feet~~
~~Minimum Floor Area / Unit~~	~~400 square feet~~
First Floor Height – Commercial & Mixed-Use	14 – 16 feet
First Floor Height – Residential	9 – 12 feet
Accessory Buildings	
Permitted Location	Rear Yard only
Front Setback	N.A.
Side Setback	3 feet
Rear Setback	10 feet
Principal Building Setback	10 feet
Parking	
Permitted Locations	Side or Rear Yards
Front Setback	N.A.
Side Setback	5 feet
Rear Setback	10 feet

3.4.8 CF – CORRIDOR FLEX

A. Dimensional Standards

Lot Occupation	Standard
Minimum Lot Width	40 Feet
Minimum Lot Area	3,000 square feet
Maximum Lot Coverage	70%
Maximum Impervious Surface	~~85%~~ 80%
Base Density	12 - 18 Dwelling Units / Acre
Principal Building	
Front Built-To-Line	20 Feet
Side Street, Corner Built-To-Line	20 Feet
Side Setback	5 feet
Rear Setback	5 feet
Maximum Height	4 stories; not to exceed 60 feet
~~Minimum Ground Floor Area~~	~~400 square feet~~
~~Minimum Floor Area / Unit~~	~~400 square feet~~
First Floor Height – Commercial & Mixed-Use	14 – 16 feet
First Floor Height – Residential	9 – 12 feet
Accessory Buildings	
Permitted Location	Rear Yard only
Front Setback	N.A.
Side Setback	5 feet
Rear Setback	5 feet
Principal Building Setback	10 feet
Maximum Height	Less than or equal to the principal building
Maximum Ground Floor Area	Less than or equal to the principal building or 2,500 square feet, whichever is less.
Parking	
Permitted Locations	Side or Rear Yards
Front Setback	N.A.
Side Setback	5 feet
Rear Setback	5 feet

4.2 US-31/M-72 MIXED USE OVERLAY DISTRICT

4.2.1 Intent and Purpose

The US-31 / M-72 Mixed Use Overlay District represents a departure from traditional zoning practices by placing less emphasis on individual parcel uses and greater emphasis on the integration of public and private spaces. The district is designed to coordinate public infrastructure standards with private development regulations to create a vibrant and economically sustainable business district that serves both motorists and pedestrians. Key objectives include achieving a better balance of land uses, expanding the range of uses permitted by right, streamlining the development review process, encouraging buildings to be located closer to the street to support walkability, increasing opportunities for higher-density residential development, and integrating low-impact stormwater management practices.

The text and diagrams contained within the US-31 / M-72 Mixed Use Overlay District establish the location and extent of permitted land uses, implement the vision set forth in the Acme Township Placemaking Plan and Community Master Plan, and express the community's goals for urban form and design. These provisions help define and distinguish neighborhoods, districts, and corridors; support a diverse mix of land uses and housing types; and establish specific standards governing the relationship between buildings, streets, and public spaces to create a cohesive, pedestrian-oriented environment.

4.2.2 Applicability

The location and extent of the US-31 / M-72 Mixed Use Overlay District shall be the Mixed Housing Neighborhood (MHN), Corridor Shoreline (CS), Corridor Commercial (C) and Corridor Flex (CF) zoning districts as indicated on the Overlay Districts Map at the beginning of this Article .

4.2.3 General Standards

The Planning Commission or Administrative Review Committee shall review each development application for the purpose of determining that each proposed use meets the following standards, and in addition, shall find adequate evidence that each use on the proposed location will:

A. Be designed, constructed, operated and maintained so as to insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner.

B. Be designed to protect natural resources, the health, safety, and welfare, and 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 or activity, and the community as a whole.

C. Be related to the valid exercise of the police power, and purposes which are affected by the proposed use or activity.

D. Be necessary to meet the intent and purpose of this Ordinance, be related to the standards established in the Ordinance for the land use or activity under consideration, and be necessary to insure compliance with those standards.

E. Meet the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured. The applicant shall have the plan reviewed and approved by the Grand Traverse Metro Fire Department prior to the review by the Planning Commission.

F. Meet the intent of the Acme Shores Placemaking Plan and Community Master Plan to establish interconnected, walkable and mixed use neighborhoods.

4.2.4 Properties Currently Developed and Occupied

The Regulating Plan encompasses properties that have been developed under the former Acme Township Zoning Ordinance. These properties will likely not comply with the dimensional and form requirements of the US-31 / M-72 Mixed Use Overlay District and will not be considered as nonconforming. If an existing structure is expanded, the improvements shall comply with the standards of the overlay district to the greatest extent possible, as determined by the Zoning Administrator, Administrative Review Committee, and/or Planning Commission. If the property is demolished, redeveloped, or vacated of its existing structure, then all new construction shall comply with all of the standards of the overlay district.

4.2.5 Development Categories, Patterns and Land Use

A. MHN - Mixed Housing Neighborhood

MHN – MIXED HOUSING NEIGHBORHOOD	
Intent	This neighborhood will include a variety of housing types, including single- and multi-family residential, cluster residential and open space subdivisions, small lot residential, duplex, triplex, fourplex, courtyard units, and apartments of various types and sizes. All of these residential developments will be designed as walkable neighborhoods with sidewalks and on-street parking. Densities would range from 5 to 12 dwelling units per acre.
Distinguishing Characteristics	Mix of housing types including attached units.
General Characteristics	Predominantly detached buildings, balance between landscape and buildings, presence of pedestrian amenities such as sidewalks and pedestrian-scale lighting.
Desired Form	Residential
Building Placement	Shallow to medium front and side yard setbacks
Frontage Types	Porches, low fences
Type of Public Open Space	Parks along East Bay and neighborhood parks

CS – CORRIDOR SHORELINE	
Intent	To provide for the continuation of existing businesses and residences along the west side of US-31 as this area evolves into a series of interconnected public and private water-related recreation uses.
Distinguishing Characteristics	Primarily single-family residential with a walkable development pattern and pedestrian facilities, dominant waterfront landscape character. Includes some scattered commercial uses.
General Characteristics	Detached buildings with landscaped yards, normally adjacent to other residential and some commercial establishments. Commercial uses consist of service or office uses with parking.
Desired Form	Commercial, storefronts, live-work units
Building Placement	Shallow to medium front and side yard setbacks
Frontage Types	Stoops, doorways, storefronts and arcade walkways
Type of Public Open Space	Parks along East Bay

C – CORRIDOR COMMERCIAL	
Intent	To provide for a traditional commercial district that promotes mixed use, walkability and transit options, and takes advantage of its location to East Bay
Distinguishing Characteristics	Variety of 1 story commercial buildings and 2 to 3 story mixed use buildings with upper stories used for professional offices and residential units. Buildings would be constructed with durable building materials close to the right-of-way with parking on the side or in the rear of the building. Parking lots would be connected with cross access easements and on-site amenities and lighting would be consistent between properties
General Characteristics	Predominately detached buildings, balance between landscape and buildings, presence of pedestrian amenities such as wide sidewalks and pedestrian scale lighting.
Desired Form	Commercial, storefronts, live-work units
Building Placement	Shallow to medium front and side yard setbacks
Frontage Types	Stoops, doorways, storefronts and arcade walkways
Type of Public Open Space	Parks along East Bay

CF – CORRIDOR FLEX	
Intent	To provide for a flexible mixture of retail, office, commercial, residential and institutional uses within walkable and connected neighborhoods. The objective is to create an environment where residents can live, work and shop for day-today amenities in the same area.
Distinguishing Characteristics	Retail, workplace and civic activities mixed with attached housing types such as townhouses and apartments all developed at a community scale.
General Characteristics	Predominantly attached buildings, landscaping within the public right-of-way, substantial pedestrian activity
Desired Form	Mixed-Use
Building Placement	Small or no setbacks, buildings oriented to the street with placement and character defining a street wall
Frontage Types	Commercial uses front onto thoroughfare
Type of Public Open Space	Parks, plazas and squares, boulevard median landscaping

4.2.6 General Provisions

The following provisions apply to all developments within the US-31 / M-72 Mixed Use Overlay District:

A. All floors must have a primary ground-floor entrance that faces the primary side of the street.

B. Residential uses with a primary ground-floor entrance must face the primary side of the street.

C. Rear-facing buildings, loading docks, overhead doors intended for the receipt of vehicles or goods, and other service entries are prohibited on street-facing facades.

D. Exposed mechanical equipment, utility and telephone company transformers, meters or boxes, garbage cans / dumpsters, storage tanks, and similar equipment shall not be stored or located between the front facade and the primary street, and shall be effective screened if located between a side facade and side street.

E. Roof mounted equipment shall be placed behind and away from any required building line and be screened from view from the street.

4.2.7 Land Use Development By Floor

LAND USE	MHN	CS	C	CF
Ground Floor				
Residential Use	Yes	Yes	No*	No*
Public / Private Uses	Yes	Yes	Yes	Yes
Transportation / Utility Uses	Yes	Yes	Yes	Yes
Office Uses	No	Yes	Yes	Yes
Commercial Uses	No	Yes	Yes	Yes
Lodging Uses	No	No	Yes	Yes
Ceiling Height (minimum)	9’	---	12’ to 14’	12’ to 16’
Finish Level Above Grade (maximum)	6”	6”	6”	6”
Upper Floors				
Residential Uses	Yes	Yes	Yes	Yes
Public / Private Uses	Yes	No	Yes	Yes
Transportation / Utility Uses	No	No	No	No
Office Uses	No	Yes	Yes	Yes
Commercial Uses	No	No	Yes	Yes
Lodging Uses	No	No	Yes	Yes
Ceiling Height (minimum)	9’	---	9’	9’

* Customary accessory uses may occupy the rear ground floor in the C and CF districts, provided a minimum depth of fifty (50) feet along the front of the ground floor is provided for non-residential uses. Residential may be located on the entire ground floor as a part of a multiple family residential project.

4.2.8 Canopies and Awnings

Canopies and awnings may be required and may encroach over the built-to-line and/ or setbacks to the maximum extent indicated below, but shall not exceed over the property line:

A. Front: 10 feet
B. Side: 10 feet
C. Rear: 5 feet

4.2.9 Facade Components and Materials (All Buildings Except Residential- Only)

A. Windows and Transparency:

1. ~~Retail Storefronts~~ Non-Residential Developments: A minimum of ~~60% to 80%~~ 50% - 70% percent of the ground floor story front facade between two (2) feet and ten (10) feet above the sidewalk must be comprised of transparent, non-reflective windows into the nonresidential space.

2. ~~Office Buildings: A minimum of 40% to 60%% percent of the ground floor story front facade between two (2) feet and ten (10) feet above the sidewalk must be comprised of transparent, non-reflective windows into the nonresidential space.~~

~~3~~ 2. Upper Story Commercial or Mixed-Use: A minimum of 20% to 40% percent of the upper story front facade measured floor to floor shall have transparent, non-reflective, vertically oriented windows.

3. Window and transparency compliance remains subject to applicable building and energy code requirements.

B. Facade Ornamentation: All street-facing facades shall incorporate architectural ornamentation and detailing through ~~at least three (3) of~~ at least one (1) the following design elements:

1. Cornices, parapet caps, belt courses, or other decorative roofline treatments.
2. Window trim, headers, sills, lintels, or surrounds.
3. Pilasters, columns, piers, or other vertical facade elements.
4. Recessed entrances or entryway architectural features.
5. Decorative masonry patterns, soldier courses, projecting brickwork, stone accents, or similar wall treatments.
6. Awnings, canopies, or arcades.
7. Variation in facade materials, colors, or textures.
8. Decorative metalwork, architectural lighting, or other permanent architectural embellishments.

C. Facade Massing:

1. Any street-facing facade exceeding fifty (50) feet in length shall incorporate changes in wall plane, projections, recesses, storefront bays, or similar architectural features.

2. Facades exceeding one hundred (100) feet in length shall provide a minimum projection or recess depth of three (3) feet at intervals not exceeding fifty (50) feet.

3. Architectural modulation shall extend from the ground level to the roofline.

~~Front façades sixty (60) feet wide or more shall incorporate wall offsets of at least two (2) feet in depth (projections or recesses) a minimum of every forty (40) feet. Each required offset shall have a minimum width of twenty (20) feet. Such offsets, along with other architectural components, shall be allowed to deviate from the established built-to-line.~~

D. Roofs:

1. When flat roofs are used, parapet walls with three-dimensional cornice treatments shall be used to conceal the roof and mechanical equipment.

2. Asymmetric or dynamic roof forms allude to motion, provide variety and flexibility in nonresidential building design, and allow for unique buildings. Asymmetric or dynamic roof forms shall be permitted on nonresidential buildings as an alternative to flat roofs.

3. All roof-based mechanical equipment, as well as vents, pipes, antennas, satellite dishes, and other roof penetrations (with the exception of chimneys), shall be located on the rear elevations or screened with a parapet wall having a three dimensional

cornice treatment so as to have a minimal visual impact as seen from public street, existing single family uses, and land zoned for residential and agricultural uses.

E. Customer Entrances:

1. Each side of a building facing a public street shall include at least one (1) customer entrance, except that no building shall be required to provide entrances on more than two (2) sides of the structure that face public streets. Buildings fronting two (2) streets on a corner lot may satisfy this requirement by having one (1) customer entrance located at the corner of the building placed at a forty five (45) degree angle to the street intersection.

2. Buildings shall have clearly defined, highly visible customer entrances that include no less than three of the following design features:

a. Canopies/porticos above the entrance;
b. Roof overhangs above the entrance;
c. Entry recesses/projections;
d. Arcades that are physically integrated with the entrance;
e. Raised corniced parapets above the entrance;
f. Gabled roof forms or arches above the entrance;
g. Outdoor plaza adjacent to the entrance having seating and a minimum depth of twenty (20) feet;
h. Display windows that are directly adjacent to the entrance; or
i. Architectural details, such as tile work and moldings, that is integrated into the building structure and design and is above and/or directly adjacent to the entrance.

F. Building Materials:

1. Primary exterior wall materials shall consist of one or more of the following:

a. Brick.
b. Natural stone.
c. Cast stone.
d. Architectural precast concrete.
e. Glass curtain wall systems.
f. Architectural metal panels.
g. Fiber cement siding or panels.
h. High-quality wood or engineered wood products.
i. Terracotta or ceramic cladding systems.
j. Sustainably sourced mass timber products, including cross-laminated timber (CLT), glue-laminated timber (glulam), nail-laminated timber (NLT), and similar engineered wood products.

~~2. Materials such as exterior insulation finish system (EIFS), concrete panels, and panel brick are not considered traditional building materials and shall not be used.~~

G.Sustainable and Low-Carbon Materials. Construction material that captures, stores, mineralizes, or otherwise permanently retains atmospheric or industrial-source carbon dioxide within the material throughout the anticipated life of the building, including but not limited to mass timber, hempcrete, carbon-cured concrete, biochar-enhanced products, and other comparable materials recognized by applicable industry standards, such as;

a. Mass timber products.
b. Low-carbon concrete and cement alternatives.
c. Recycled-content metal products.
d. Reclaimed brick, stone, wood, or other architectural materials.
e. Bio-based building materials.
f. Carbon-sequestering construction products.

4.2.10 Site Lighting

A. Streetlights shall be of a general type specified by the Township and shall meet the applicable standards in Article 6.

B. Wall pack lighting shall only be used on the rear or side of the building to illuminate exits and loading facilities.

C. Front facade illumination lighting shall only be used over the customer entry.

D. Parking lot pole height (including luminaire) shall not exceed the height of the building or twenty two (22) feet, whichever is less.

4.2.11 Water Quality and Storm Water Management

All projects shall adhere to the Acme Township Storm Water Control Ordinance, as amended, as well as incorporating low impact development (LID) water quality technologies. Low impact development water quality technologies shall include, but are not limited to, rain gardens, rooftop gardens, vegetated swales, cisterns, permeable pavers, porous pavement, and filtered storm water structures and will be required on-site as a component of the overall storm water plan. The Planning Commission has the authority to determine the type of LID that will be used as part of the approval process.

4.2.12 Parking

Parking shall conform to provisions of Article 6, except as specified below:

A. Location: Parking shall be located behind or adjacent to a building.

B. Screening: All parking lots shall be screened with a three (3) foot, six (6) inch masonry wall or landscaped hedge row on all sides. An opening not to exceed fifteen (15) feet wide may be permitted along the side or rear edge of the parking lot for snow removal purposes.

C. Setbacks: The following parking lot setbacks shall apply:

1. Front setbacks when adjacent to a building shall be five (5) feet if screened by a masonry wall, or ten (10) feet if screened by a landscape hedge, both measured from the facade of the building.

2. Side street setbacks shall be five (5) feet if screened by a masonry wall, or ten (10) feet if screened by a landscape hedge, both measured from the facade of the building.

3. Side setbacks along a common property line shall be five (5) feet.

4.Rear setbacks shall be five (5) feet.

D. Cross Access: Where a parking lot abuts an interior and/or common property line the property owner shall provide a cross access easement for the purpose of connecting adjacent parking lots.

E. Bicycle Parking: Bicycle parking shall be required for every new development and additions or improvements to existing developments that add over one thousand (1,000) square feet of additional impervious surface at a rate of two (2) bicycle parking spaces plus one (1) bicycle parking space for every ten (10) vehicle parking spaces, however, the number of required bicycle parking spaces shall not exceed ten (10) total.

Acme Township

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ACME TOWNSHIP PLANNING COMMISSION

2027 Meeting Dates
Adopted:

January 11
February 8
March 8
April 12
May 10
June 14
July 12
August 9
September 13
October 11
November 8
December 13

The Acme Township Planning Commission normally holds its regular meetings on the second Monday of the month at 6:00 p.m. at the Acme Township Hall.

Other Special Meetings will be posted separately as required.

*** Denotes meeting date changed due to a holiday, election or other schedule conflict.

If you are planning to attend and require any special assistance, please notify Lisa Swanson, Township Clerk, within 24 hours of the meeting at (231) 938-1350 or lswanson@acmetownship.org

For planning and zoning questions please contact Lindsey Wolf, Planning and Zoning Administrator, at (231) 938-1350 or zoning@acmetownship.org