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TO: Springfield Charter Township Planning Commission

FROM: Megan A. Masson-Minock, AICP

DATE: June 15, 2026

RE: Draft Zoning Ordinance Amendments for Data Centers and Large-Scale Industrial Developments

Please find attached zoning ordinance amendments to define the application process and where and how data centers and large-scale industrial developments could be allowed in Springfield Township. As you may recall, the Township has placed a moratorium on data center developments in order to develop the proper regulations. The attached draft zoning ordinance amendments were originally drafted by Giffels Webster and then supplemented by Carlisle Wortman, based on our firm's working model and input from the law firm Rosati, Schultz, Joppich, Amtsbuechler.

At your upcoming meeting, the Planning Commission should provide input as to whether the proposed zoning ordinance amendments sufficiently address how and where these types of uses could be allowed and ask questions. The zoning ordinance amendments propose the following:

- Data centers as an accessory use in the O-S, C-1, C-2, M-1, and M-2 zoning districts under the following circumstances: the data center only serves the principal use and the data center is housed in the same building as the principal use.
- Minor data centers (floor area of 25,000 square feet or less, maximum electrical load of 1 megawatt, and lot of 10 acres or less) as a special land use in the M-1 and M-2 zoning districts.
- Major data centers (floor area of more than 25,000 square feet, electrical load greater than 1 megawatt, or lot greater than 10 acres) and large-scale industrial developments (continuous or near-continuous operation, and significant mechanical, electrical, or cooling infrastructure) as special land uses in the M-2 zoning district.
- Data centers that do not qualify as large-scale industrial developments must fully enclose equipment, when possible, use a closed-loop circulation method, submit a noise study with the site plan, and allow a post-construction noise study. Increased setbacks are required with adjacent to any residentially used or zoned property, primary /secondary school, medical clinic, park, day-care center and preschool, hospital, or medical center.

- Large-scale industrial developments are subject to the same or stricter requirements than data centers, such as:
    - Energy and sustainability requirements and annual reporting.
    - Hazardous materials storage and waste information and management plan.
    - Decommissioning requirements if the data center ceases operation for 12 months or more, including a required escrow for 100% of the restoration cost and benchmarks.
    - Fire and emergency response plan.
    - Noise and vibration requirements, monitoring, and annual reporting.
    - Air quality and thermal emissions standards.
    - Regulations for Battery Energy Storage Systems (BESS), if proposed.
    - Regulations for on site substations or switchyards, if proposed.
    - For new large-scale industrial developments or data centers, or expansions that exceed in total on site 25,000 square feet in floor area or an IT load of 10 megawatts or more, a risk management plan is required. The risk management plan has an impact analysis, risk mitigation requirements for local workforce, public safety, environmental performance and enhancements, infrastructure improvements, sustainability/energy plan, community transparency, and a development agreement.
- Amendments to specific sections of the Zoning Ordinance to require that all phases of a development can stand "on its own in terms of the presence of services, facilities, and open space, and shall contain the necessary components to ensure protection of natural resources and the health, safety, and welfare of the users of the development and the residents of the surrounding area."
- Requirement that screening walls are installed prior to above-grade construction.
- Requirement for sufficient room for stacking of vehicles when a gate is proposed on a non-residential property.
- Definitions to support the above regulations

I will be in attendance at the June 23, 2026 Planning Commission meeting. Please let us know if you have any questions.

Respectfully submitted,

Megan A. Masson-Minock

CARLISLE/WORTMAN ASSOC.,INC
Megan Masson-Minock, AICP
Principal

Section 40-2 Definitions

Data Center: A building or portion of a building primarily used to house computer servers, data storage systems, networking equipment, and associated infrastructure for the processing, storage, transmission, or management of digital data. A data center may include power distribution equipment, cooling systems, emergency backup power generation, fire suppression systems, and security features. Only areas of the building specifically dedicated to the storage of physical goods, materials, or merchandise shall be classified as "storage" or "warehouse" uses; all other areas shall be considered part of the data center use. Data Centers shall include the following types of developments:

(1) Data Center, Accessory. A data center that is clearly incidental and subordinate to a principal permitted use on the same lot (e.g., hospital, university, large employer), operated to support the on-site activities of that principal use, does not provide data storage and processing services to parties off-site, and is less than 10,000 square feet in gross floor area.

(2) Data Center, Minor. A principal use data center facility that serves local or regional data processing needs and meets the all following criteria: (1) the data center contains 25,000 square feet or less of floor area devoted to the processing, storage, transmission, or management of digital data; and (2) the data center has an electrical load not exceeding one megawatt; and (3) the data center is located on a lot that is 10 acres or less.

(3) Data Center, Major. A principal use data center facility designed to support colocation or regional cloud computing operations, typically serving multiple clients or large users, and meets any of the following criteria: (1) the data center contains greater than 25,000 square feet of floor area devoted to the processing, storage, transmission, or management of digital data, (2) the data center has an electrical load greater than one megawatt, or the data center is located on a lot that is greater than ten acres.

(4) Large-Scale Industrial Development: A principal nonresidential facility, campus, or group of buildings under common ownership or control that is characterized by continuous or near-continuous operation, and significant mechanical, electrical, or cooling infrastructure. A large-scale industrial development, does not include general warehousing/distribution, general manufacturing, or office uses unless the Zoning Administrator determines, based on operational characteristics and supporting documentation, that the facility is substantially similar in operational profile to a large-scale industrial development (e.g., high-reliability power demand and continuous environmental control serving electronic/process loads) and meets subsections a and b. Multiple buildings, modules, or phases located on the same site or on contiguous parcels under common ownership or control shall be aggregated for purposes of determining if this definition is met and whether thresholds in subsections a and b are exceeded. A large-scale industrial development meets both of the following:

a. Operational Characteristics. The facility includes one or more of the following operational characteristics that are integral to the primary use: central plant or large-scale mechanical cooling and/or ventilation systems serving process loads or IT/electronic equipment; on-site emergency generation with an aggregate nameplate capacity exceeding 2,000 kW or 2 MW; on-site fuel storage exceeding 10,000 gallons; dedicated electrical transformation/switchgear yard, substation, or similarly intensive electrical infrastructure primarily serving the facility; and/or 24-hour operations and/or operational necessity

requiring uninterrupted environmental control (temperature/humidity) or high-reliability power systems.

b. Resource/Infrastructure Thresholds. The facility exceeds one or more of the following thresholds, as demonstrated by applicant-prepared estimates and utility/service provider documentation, including any phased expansion approved or constructed within five (5) years: average daily water demand > 100 gpm; average daily sanitary discharge > 50,000 gallons/day; maximum contracted electric demand or designed peak demand > 10 MW (or equivalent documented kW); storage, use, or generation requiring reporting under [EPCRA Tier II and/or applicable state hazardous materials reporting] and/or generation of hazardous waste at a level regulated under [state/federal hazardous waste generator requirements], as documented on a materials inventory submitted with the application.

(5) Battery Energy Storage System (BESS). One or more electrochemical energy storage containers, inverters, switchgear, and associated equipment, which may be co located with a Large-Scale Industrial Development to provide resiliency or load management.

(6) On site Substation/Switchyard. Electric utility facilities (e.g., transformers, breakers) necessary to serve a data center.

Section 40-136.g.2.c.1 (Site plan review requirements)

(xiii) For phased developments, a phasing plans and schedule, meeting the requirements in Section 40-598.

Section 40-455 M-1 Principal Uses – Permitted subject to special conditions

(9) Data Center, Minor

Section 40-485 M-2 Uses Permitted Subject to Special Conditions

(10) Data Center, Minor, subject to the provisions of section 40-599.

(11) Data Center, Major, subject to the provisions of section 40-599.

(12) Large-Scale Industrial Development, subject to the provisions of section 40-600.

Section 40-519 (PUD) Phasing; Commencement and Completion of Construction

(a) Phasing. Where a project is proposed for construction in phases, the application shall meet the requirements of 40-598 for Phasing. ~~the planning and designing shall be such that, upon completion, each phase shall be capable of standing on its own in terms of the presence of services, facilities, and open space, and shall contain the necessary components to ensure protection of natural resources and the health, safety, and welfare of the users of the planned unit development and the residents of the surrounding area. In addition, In developments which include residential and nonresidential uses, the relative mix of uses and the scheduled completion~~

~~of construction for each phase shall be disclosed and determined to be reasonable in the discretion of the township board after recommendation from the planning commission~~.

(b) Commencement and completion of construction. Construction shall be commenced within one year following final approval of a planned unit development. ~~Each phase of the project shall be commenced within one year of the schedule established for same in the application submitted. If construction is not commenced within such time, any approval of a site plan on the project shall expire and be null and void, provided extensions for a specified period may be granted by the township board upon good cause shown if such request is made to the board prior to the expiration of the initial period, or any approved extension of the initial period. Moreover,~~ In the event a site plan has expired, the township shall be authorized to rezone the property in any reasonable manner, and, if the property remains classified as PUD, a new application shall be required, and shall be reviewed in light of then existing and applicable law and ordinance provisions.

Section 40-572 Schedule of Regulations

Change M-1 Height to 35'; Change M-2 Height to 55'. (Subject to PC Discussion)

Section 40-681 (g) (Parking Schedule)

- Large-Scale Industrial: Parking shall be determined in accordance with a Parking Study that addresses the needs of the development for the basis of determining sufficient parking.
- All Other Industrial Uses: 1 per each 200 sq. ft. of office area, plus 1 per each 1,500 sq. ft. of warehouse/ floor area, or 1 space per employee during the peak shift, whichever is greater.
- ~~Industrial, manufacturing, or research establishments: 1 per each 200 sq. ft. of office area, Plus 1 per each 1,500 sq. ft. of warehouse/ floor area~~
- ~~Warehouses and wholesale establishments: 1 per each 200 sq. ft. of office area, Plus 1 per each 1,500 sq. ft. of warehouse/ floor area~~
- ~~Contractors' offices: 1 per 200 sq. ft. of office area plus 1 space per 1,500 sq. ft. of warehouse floor area, plus 1 per each vehicle or item equipment stored outside of the building.~~

(New Section) 40-598- Phasing

1. Where a project is proposed for construction in phases, the planning and designing shall be such that, upon completion, each phase shall be capable of standing on its own in terms of the presence of services, facilities, and open space, and shall contain the necessary components to ensure protection of natural resources and the health, safety, and welfare of the users of the development and the residents of the surrounding area. The scheduled completion of construction for each phase shall be disclosed and determined to be reasonable in the discretion of the township board after recommendation from the planning commission.

2. Each phase of the project shall be commenced within one year of the schedule established for same in the application submitted. If construction is not commenced within such time, any approval of a site plan on the project shall expire and be null and void, provided extensions for a specified period may be granted by the Zoning Administrator upon good cause shown if such

request is made to the board prior to the expiration of the initial period, or any approved extension of the initial period.

Section 40-685 Data Centers as an Accessory Use

Data centers as an accessory use may be permitted, subject to the following requirements:

1. On-site accessory data centers shall be permitted in the O-S, C-1, C-2, M-1, and M-2 Districts.
2. The data center may only be used to serve the principal use of the property and may not be used to provide data storage and processing services to parties off-site.
3. The data center may not be housed in a separate, standalone building.
4. Additional areas used for data center storage and processing shall not be included in parking calculations when accessory to a permitted principal use.

(New Section) Section 40-599 Data Centers

1. All data centers (minor or major) shall comply with the following requirements:
    a. Any equipment necessary for cooling, ventilating, or otherwise operating the facility, including power generators or other power supply equipment, must be fully enclosed, except where determined by the Building Official not to be mechanically feasible based on the manufacturer specifications. In these circumstances, all equipment shall be screened by an eight-foot masonry wall.
    b. Where water-based cooling systems are utilized, such systems shall employ a closed-loop circulation method. Alternative cooling methods may be approved by the Approving Body upon a demonstration that the proposed system will result in equal or lower net water consumption.
    c. Prior to site plan approval, a noise study must be submitted demonstrating to the Planning Commission that the operation of the data center will comply with the Performance Standards for Noise in section 40.883. A post-construction noise study may be required by the zoning administrator to verify ongoing compliance.
    d. When adjacent sensitive existing uses, defined as any residentially used or zoned property, primary/secondary school, medical clinic, park, day-care center and preschool, hospital or medical center, the setbacks shall be:
        i. Major data center: 400 feet from the property lines adjacent to the sensitive adjacent existing use(s), and 200 feet from all other property lines.
        ii. Minor data center: 100 feet from the property lines adjacent to the sensitive adjacent existing use(s), and 200 feet from all other property lines.
2. Any data center that meets the definition of a large-scale industrial development shall comply with the requirements of Section 40-600, in addition to the requirements of this Section. In addition, any data center that meets the thresholds for a risk mitigation plan under Section 40-600.2.o.ii must provide a risk mitigation plan detailed in Section 40-600.2.o.
3. Any data center as an accessory use shall comply with requirements of Section 40-685.

Original proposed language in blue underlined font: example
CWA proposed changes in green underlined font: example
Proposed language for deletions in red strike-through font: ~~example~~

(New Section) Section 40-600 Large-Scale Industrial Developments

1. Purpose. The purpose of this section is to establish additional development standards for large-scale industrial developments in order to ensure that such developments are designed and operated in a manner that protects the public health, safety, and welfare and is compatible with surrounding land uses. Due to the scale and intensity of these developments, additional regulations are necessary to address potential impacts related to building size, operational intensity, and infrastructure demand.
2. Large-scale industrial developments, as defined by this ordinance, shall be subject to the following standards, as well as any additional standards applicable to the specific land use that is proposed.
    a. Application materials. Applications for large-scale industrial developments shall include the following information in addition to the information required for site plans as described in Section 40-136.g.2.
        i. A traffic impact analysis for the proposed development meeting the requirements of Section 40-682;
        ii. A parking study that addresses the parking needs of the development for the basis of determining sufficient parking;
        iii. If a phased development is proposed, phasing information as described in Section 40-598;
        iv. Energy and sustainability information meeting the requirements of sub-section h below.
        v. A hazardous materials storage and waste plan meeting the requirements of sub-section k below;
        vi. A refuse handling plan meeting the requirements of Section 40-885;
        vii. A decommissioning plan meeting the requirements of sub-section q below;
        viii. A performance guarantee meeting the requirements of Section 40-35;
        ix. A fire and emergency response plan meeting the requirements of sub-section k below;
        x. A risk mitigation plan meeting the requirements of sub-section o below
        xi. A hold harmless agreement to hold the Township harmless from any costs or liability arising from the proposed use, construction, repair or removal.
    b. Procedures. All large-scale industrial developments shall be reviewed in accordance with the Special Land Use procedures described in Section 40-145.
    c. Setbacks. Setbacks along all property lines shall be as follows:
        i. When adjacent to an M-1, M-2, or E-1 Zoning District: The setback requirement along all property lines shall be equal to the required setback for the district or 55 feet, whichever is greater, except when adjacent to sensitive existing uses. For

each additional 25,000 Square Feet of floor area, an additional 5 feet of distance shall be added to the setback requirement.

ii. When adjacent to property zoned RC, PR, PS, C-1, C-2, or O-S: The setback requirement along all property lines shall be equal to the required setback for the district or 75 feet, whichever is greater, except when adjacent to sensitive existing uses. For each additional 25,000 Square Feet of floor area, an additional 5 feet of distance shall be added to the setback requirement.

iii. When adjacent sensitive existing uses, defined as any residentially used or zoned property, primary/secondary school, medical clinic, park, day-care center and preschool, hospital or medical center: The setback requirement shall be 400 feet from the property lines adjacent to the sensitive adjacent existing use(s), and 200 feet from all other property lines.

d. Building separation. All principal buildings within a large-scale industrial development shall be separated by a distance no less than 50 feet. Equipment and accessory structures shall be separated from principal buildings by a distance no less than 30 feet.

e. Parking. The number of parking spaces required shall be based upon the number of spaces recommended in the parking study. The Approving Body may require a greater or lesser number of parking spaces upon a finding that such adjustment is necessary to ensure the safe and efficient movement of vehicles and pedestrians, prevent congestion on adjacent streets, and adequately serve the proposed use based on its operational characteristics.

f. Any equipment necessary for cooling, ventilating, or otherwise operating the facility, including power generators or other power supply equipment, must be fully enclosed, except where determined by the Building Official not to be mechanically feasible based on the manufacturer specifications. In these circumstances, all equipment shall be screened by a masonry wall.

g. Screening. All large-scale industrial uses shall comply with the provisions for screening described in Section 40-721.b.3. In addition to any required berms or landscaping, the masonry wall described in Section 40-721.b.3.v shall be required around the perimeter of the site for all large-scale industrial developments. A waiver from the wall requirement may be provided by the approving body upon an affirmative determination of the following findings:

i. A sufficient alternative screening method has been provided that provides equal or greater protection to adjacent properties from

ii. The alternative screening method is durable, permanent, and capable of being maintained over the life of the facility

iii. Granting of the waiver will not result in adverse impacts to adjacent properties

h. Energy and Sustainability.

i. Efficiency Target. Applicants shall design for Power Usage Effectiveness (PUE) of 1.2 or lower, or demonstrate the highest efficiency reasonably achievable given site constraints; documentation shall be provided at the time for Site Plan review and post-occupancy.

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CWA proposed changes in green underlined font: example
Proposed language for deletions in red strike-through font: ~~example~~

ii. Renewable Energy. The applicant shall demonstrate that on-site renewable energy generation will meet at least 90 percent of the project's projected annual energy demand. If the applicant demonstrates, to the Township's satisfaction, that this standard cannot reasonably be achieved through on-site generation alone, the Township may approve compliance through a combination of power purchase agreements, renewable energy credits, or utility green power programs. Any approved renewable energy source or procurement method shall not include nuclear energy.

iii. Heat Reuse. Applicant shall provide a feasibility analysis for waste-heat recovery or district-energy interconnection.

iv. Reporting. See sub-section n for annual reporting requirements.

v. Water Conservation.

1. Cooling shall be designed as a closed-loop / closed-cycle system with no routine discharge of noncontact cooling water to the sanitary sewer/publicly owned treatment works (POTW) or to surface waters, in order to comply with applicable local sewer use ordinances (including prohibitions/limitations on noncontact cooling water and heat to the POTW) and EGLE discharge/withdrawal permitting requirements (including NPDES authorization and Michigan Water Quality Standards, and large-quantity withdrawal registration/review where applicable

i. Noise and Vibration

i. Prior to site plan approval, a noise study must be submitted demonstrating to the Planning Commission that the operation of the data center will comply with the Performance Standards for Noise in section 40-883 and the requirements below. A post-construction noise study may be required by the zoning administrator to verify ongoing compliance.

ii. Noise Limit. Routine operations (including cooling equipment) shall not exceed 50 dBA Leq at the property line. Nighttime (10 p.m.–7 a.m.) limits adjacent to residential shall be no greater than 40 dBA Leq. In addition, the development shall comply with all requirements the Performance Standards for Noise in section 40-883.

iii. Generator Testing. Routine testing shall only occur between 8:00 a.m.–6:00 p.m. weekdays. Testing shall comply with the noise limits as set forth in section 40-833.

iv. Measurement Protocol. Compliance shall be demonstrated via pre- and post-occupancy sound studies by a qualified acoustical engineer. Noise measurements or predictions should be adjusted for special sound characteristics consistent with ANSI/ASA S12.9 methods, including a +5 dB adjustment for prominent discrete tones and applicable adjustments for impulsive noise. The adjusted sound level should be used for compliance evaluation.

v. Vibration. Operations shall not cause perceptible vibration at the property line per ANSI/ISO criteria.

j. Air Quality and Emissions

i. All stationary engines, cooling towers, and emission sources shall comply with the federal Clean Air Act and the Michigan Department of Great Lakes and Energy ("EGLE") rules. Required Air Use Permits to Install (PTI) must be obtained and kept current.

ii. Generators. New generators shall meet EPA Tier 4 Final standards. Dispersion modeling may be required when generators are placed within 500 feet of residential, schools, parks, or hospitals.

iii. Cooling Towers. Cooling towers shall include drift eliminators and be managed to prevent particulate emissions or microbial contamination.

iv. Thermal Emissions. The facility shall be designed and operated so that thermal emissions do not cause a sustained increase in ambient air temperature at any property line beyond the limits below, measured at 5 feet above grade:

1. Residential or mixed-use property line: not more than +2°F above ambient background, averaged over any 15-minute period.

2. Nonresidential property line: not more than +4°F above ambient background, averaged over any 15-minute period.

3. No thermal emission shall create unsafe conditions on sidewalks, trails, roadways, or public spaces due to icing, fogging, or thermal plume interaction with winter conditions.

k. Public Safety.

i. The storage of any hazardous materials on site shall comply with the requirements of Section 40-890.

ii. Fuel containers shall be stored aboveground with secondary containment in accordance with Section 40-890(3)a. A waiver from this standard may be provided by the Building Official upon a finding that physical constraints on the property, such as topography or utility conflicts, prevent aboveground storage.

iii. Fire and Emergency Response Plan. An Emergency Response Plan and a Fire Response Plan developed in consultation with the Fire Department shall be submitted and contain the following:

a. An identification of contingencies that would constitute a safety or security emergency (fire emergencies are to be addressed in a separate Fire Response Plan);

b. Emergency response measures, evacuation control measures, and community notification measures by contingency;

c. An identification of potential approach and departure routes to and from the facility site for police, fire, ambulance, and other emergency vehicles;

d. A commitment to review and update the plan with the Fire Department at least once every 5 years.

e. An analysis of whether plans to be implemented in response to an emergency can be fulfilled by existing local emergency response capacity, and identification of any specific equipment or training deficiencies in local emergency response capacity;

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

g. A description of all contingency plans to be implemented in response to the occurrence of a fire emergency, including evacuation control measures and community notification measures;

h. The results of a toxic and flammable gas plume dispersion analysis for the anticipated equipment in a severe fire emergency scenario to assess potential impacts on surrounding communities.

i. A commitment to offer to conduct, or provide funding to conduct, site-specific training drills with the local fire Department before commencing operation, and at least once per year while the facility is in operation, at the expense of the project owner. Training should familiarize the Fire Department with the project, hazards, procedures, and current best practices.

j. An analysis of whether plans to be implemented in response to a fire emergency can be fulfilled by existing local emergency response capacity. The analysis should include identification of any specific equipment or training deficiencies in local emergency response capacity and recommendations for measures to mitigate deficiencies.

k. Other information the applicant finds relevant.

l. Battery Energy Storage Systems (if provided).

i. Battery Energy Storage Systems (BESS) shall be an accessory component to the principal use of the property.

ii. BESS shall comply with NFPA 855, the Michigan Building/Fire Codes, and manufacturer's specifications.

iii. Setbacks. Outdoor BESS containers shall be set back a minimum of 100 feet from property lines and 300 feet from residential districts/uses, unless a greater distance is required by NFPA 855 based on technology and aggregate capacity.

iv. Protection. Applicant shall provide vehicle impact protection, fire rated separation where required, gas detection, ventilation, and emergency shut offs.

v. Applicant shall include a BESS specific emergency response plan and data sheet package.

m. On Site Substation/Switchyard (if provided)

i. On-site substations or switchyards shall be located to minimize visual and noise impacts; and shall provide evergreen screening and security fencing consistent with utility standards.

ii. Transformers shall include integral secondary containment sized per state rules.

n. Monitoring and Reporting.

i. Commissioning Documentation: Prior to Certificate of Occupancy, Applicant shall submit commissioning results for mechanical/electrical systems and acoustical compliance.

ii. An Annual Report (by March 31) is required and shall include:

1. Actual annual energy consumption (MWh) and calculated PUE;
2. Renewable energy procurement and percentage of total load;
3. Water usage (gallons) and cooling method;
4. Generator testing/operating hours and emissions compliance statement with current EGLE permits;
5. Sound level monitoring summary; and
6. Summary of efficiency/cooling/security upgrades implemented.

iii. A robotic camera inspection of drain tiles every three (3) years.

iv. Failure to monitor and report may be grounds to revote any Township approvals.

o. **Risk Mitigation**

i. Purpose and intent. Large-Scale Industrial Developments can generate community impacts and service demands related to energy consumption, water use, stormwater, noise, traffic/road wear, visual impacts and aesthetics, public safety coordination, and long-term site management. The purpose of this sub-section is to require a Risk Mitigation Plan for Large-Scale Industrial Developments and Data Centers that:

1. Mitigates impacts that are reasonably attributable to the facility;
2. Provides transparent, measurable commitments that support Township goals; and
3. Establishes clear enforcement and reporting mechanisms.

ii. Applicability. A Risk Mitigation Plan is required for any new Large-Scale Industrial Development, Data Center, or expansion that meets one or more of the following thresholds:

1. Gross floor area of 25,000 square feet or more; or
2. IT load of 10 MW or more (nameplate/critical IT load).

iii. Plan Submittal Timing. The applicant shall submit the Risk Mitigation Plan concurrently with the Site Plan and Special Use application. The Planning Commission may deem an application incomplete until the Plan is provided in a form sufficient to evaluate compliance with this Section.

iv. Required contents of the Risk Mitigation Plan. The Risk Mitigation Plan shall include, at minimum:

1. Project overview. Site plan summary; construction phasing; expected operational date; anticipated employment (construction and permanent); and a description of on-site infrastructure (including electrical and water systems as applicable).
2. Impact analysis. A concise, plain-language description of expected impacts on:

a. Public utilities and infrastructure (electric, water, sewer as applicable);

b. Stormwater and groundwater protection;

c. Traffic and roadway wear (construction and operations);

d. Noise, lighting, and hours/character of operations;

e. Public safety coordination (fire, EMS, police); and

f. Long-term site management and decommissioning (if applicable).

3. Risk mitigation commitments. The applicant shall provide commitments meeting all baseline requirements in subsection v. Each commitment must include:

a. A measurable deliverable (e.g., dollar amount, number of trainees, percentage, kwh, gallons, acres, etc.);

b. A timeline/milestones;

c. The responsible party;

d. Reporting method; and

e. Proposed remedies if the commitment is not met.

v. Requirements. As a condition of approval, the applicant shall commit to the following requirements, in a form acceptable to the Township:

1. Local workforce and procurement.

a. Good-faith local hiring and contracting plan, including outreach to Oakland County unions/trades, community colleges, and workforce programs; and

b. Annual reporting of construction hours and permanent jobs by residency (to the extent permitted by law) and contracting spend by geography.

2. Public safety coordination and preparedness.

a. Pre-occupancy coordination meeting(s) with Township fire/EMS and code officials;

b. Facility emergency response information provided to Township (site contact list, shutoffs, hazard inventory, access plan).

3. Environmental performance.

a. A water stewardship plan (efficiency, leak detection, and, if applicable, reuse/recycling strategies);

b. A noise and lighting management plan demonstrating ongoing compliance and complaint response procedures; and

c. A sustainability/energy plan describing how the facility will minimize emissions and peak-load impacts (e.g., efficiency

measures, demand response participation, renewable procurement strategy), to the extent within the applicant's control.

4. Community access and transparency. Public-facing reporting dashboard; community advisory meetings during construction; neighborhood hotline with response times; complaint resolution program; third-party audits of key metrics (energy, water) where feasible.
5. Infrastructure improvements. Roadway, non-motorized, transit, or signal improvements proportionate to traffic and construction impacts; utility upgrades directly serving or mitigating impacts;
6. Environmental enhancements. On-site habitat restoration, tree canopy targets, native landscaping, green infrastructure, carbon reduction commitments, or renewable energy support.
7. Review standards and findings. The Township Board shall approve, approve with conditions, or deny the application based on whether the Risk Mitigation Plan:
    a. Contains all required elements in this sub-section;
    b. Provides clear, measurable commitments;
    c. Demonstrates that commitments are reasonably related to anticipated impacts and Township objectives; and
    d. Includes enforceable mechanisms for implementation and reporting.

    Approval may include conditions to ensure commitments are proportional and administratively feasible, consistent with the standards specified in the zoning ordinance.
8. Development agreement; security; enforcement
    a. Incorporation into approval. All commitments in the approved Risk Mitigation Plan shall be conditions of approval and shall be incorporated into a Development Agreement and/or recorded document, as determined by the Township.
    b. Annual reporting. The operator shall submit an annual report to the Township documenting compliance with each commitment for the prior calendar year. Reports shall be made publicly available except for proprietary or security-sensitive information.
    c. Noncompliance. If the Township determines a material commitment is not being met, the Township may:
        i. Require a corrective action plan with a defined cure period;
        ii. Draw upon performance security where applicable;
        iii. Pursue civil remedies authorized by the zoning ordinance; and/or

iv. Initiate permit/approval enforcement consistent with the ordinance.

9. Modification. A material modification to an approved Risk Mitigation Plan (e.g., reduction in deliverables, extended timelines, or removal of a commitment) shall require Township approval in the same manner as the original Plan, unless the approving body determines the modification is minor.

p. Outside agency approvals; violations. The applicant shall provide evidence of all approvals required by County, State, or Federal agencies before any building permits may be issued. The Owner or Operator shall notify the Township of any violations or enforcement actions by outside agencies within one week of the violation notice or enforcement action

q. Decommissioning. All large-scale industrial developments shall submit and obtain approval of a decommissioning plan in accordance with this section. The decommissioning plan shall apply only to exterior equipment, accessory structures, and infrastructure that are specifically associated with the operation of the industrial use and that would not reasonably be reused by a subsequent occupant of the building or site. Buildings and principal structures shall not be subject to the decommissioning requirements of this section.

i. Purpose. The purpose of the decommissioning plan is to ensure that, upon cessation of industrial operations, specialized equipment and accessory infrastructure are safely deactivated, removed, repurposed, or disposed of in a manner that protects public health, safety, and welfare and facilitates future redevelopment.

ii. Approval. The decommissioning plan shall be reviewed and approved as part of the final site plan for the development. Amendments to the approved decommissioning plan may be reviewed administratively by the Site Plan Review Committee.

iii. The decommissioning plan shall be implemented upon abandonment or permanent cessation of the industrial use at the site. For the purposes of this section, an industrial facility shall be considered to have ceased operations if the primary industrial activity has been discontinued for a period of twelve (12) consecutive months, or if the equipment and infrastructure necessary to conduct the use has been removed, disconnected, or rendered inoperable for that period of time. A facility shall not be considered to have ceased operations if the property owner demonstrates to the satisfaction of the Zoning Administrator that the cessation is temporary and that active efforts are underway to resume operations or transition ownership.

iv. Plan contents. The decommissioning plan shall include, at a minimum, the following information:

1. Equipment and infrastructure inventory. A description of all exterior equipment, accessory structures, and infrastructure subject to decommissioning, including but not limited to backup generators, fuel storage tanks, fuel delivery systems, cooling towers, mechanical equipment, substations, transformers, battery systems, process

equipment, or other specialized infrastructure associated with the industrial operation. Buildings and principal structures shall not be included in the decommissioning scope.

2. A description of the proposed methods for deactivation, removal, recycling, reuse, or disposal of equipment and materials, including fuels, batteries, coolants, oils, chemicals, and other regulated substances, in compliance with all applicable local, state, and federal regulations.
3. A description of any site restoration activities necessary following removal of equipment or accessory structures, which may include removal of equipment pads, fuel infrastructure, or utility connections; regrading; stabilization; or other improvements necessary to allow continued use or redevelopment of the property.
4. A proposed schedule for completion of decommissioning activities, which shall not exceed twelve (12) months from the date the decommissioning requirement is triggered, unless extended by the Zoning Administrator for good cause
5. Responsible Party. Identification of the property owner and any operator or entity responsible for implementing the decommissioning plan.
6. The applicant shall furnish a performance guarantee to cover the estimated cost of decommissioning and site restoration, as described in Section 40-35.

Section 40-721.b.3.v

Solid wall as needed. Where there is a need, in the opinion of the township body responsible for site plan approval, to provide a greater noise or dust barrier or to screen more intense development, a solid wall shall be required and installed prior to the commencement of any above-grade construction on the property. Such wall shall be eight feet in height as measured on the side of the proposed wall having the higher grade, and shall be constructed on both sides with face brick, poured-in-place simulated face brick, pre-cast brick face panels having simulated face brick, or stone. If vegetative screening is determined necessary in combination with a wall by the township body responsible for site plan approval, the landscaping will generally be located between the wall and the contiguous land use. The township body responsible for site plan approval shall determine the extent of landscaping and final location.

Section 40-781.9

Entranceway structures, including but not limited to walls, columns, and gates may be permitted and may be located in a required yard, except as provided in section 40-636, obstruction to visibility, provided that such entranceway structures shall comply with all codes and ordinances of the township. When a gate is proposed on a non-residential property, sufficient room shall be provided in front of the gate for the queueing of emergency vehicles and vehicles used for loading and unloading.