

Ordinance #26-03

AN AMENDMENT TO CHAPTER 86, ZONING, ARTICLE X. INDUSTRIAL DISTRICTS (I-L (LIGHT) AND I-H (HEAVY)). 86-272-PRINCIPAL AND SPECIAL CONDITIONS USES PERMITTED AND 86-273, SPECIAL CONDITION USES.

THE CITY OF CORUNNA ORDAINS:

§ 86-271 Intent.

[Amended 6-6-1994 by Ord. No. 94-06; 6-3-2024 by Ord. No. 24-03]

It is the intent of the industrial districts to provide for areas of light and heavy industrial uses and for other compatible uses.

(1)

The purpose of Light Industrial (I-L) is to provide areas for low-intensity manufacturing, distribution, industrial services and related offices, research, development, and technology industries. Light industrial uses generate few effects felt off site, such as smoke, noise, or odor.

(2)

The purpose of Heavy Industrial (I-H) is to provide areas for and to encourage development of heavy and intensive industrial processing, manufacturing, bulk handling and storage, and other compatible and similar uses. Heavy industrial uses, though regulated, may produce vibration, smoke, noise, odor, glare, dust and other effects that travel off site.

§ 86-272 Principal and special condition uses permitted.

[Amended 6-6-1994 by Ord. No. 94-06; 6-3-2024 by Ord. No. 24-03]

In the industrial zoning districts, the uses listed below in Table 1 within the designated zoning districts are permitted uses or special condition uses as designated. Special condition uses are subject to §§ 86-273, 86-274, 86-275, 86-391, and 86-393.

Table 1: Industrial Zoned Districts Permitted and Special Condition Uses I-L (Light Industrial) I-H (Heavy Industrial) P = Indicates Permitted Uses S = Special Use Permit		
Uses	I-L	I-H
INSTITUTIONAL		
All public utilities, including buildings, necessary structures, storage yards and other related uses	S	P
Municipal uses, such as water treatment plants and reservoirs, sewage treatment plants, and all other similar municipal buildings and uses, including outdoor storage.		P

Table 1:
Industrial Zoned Districts Permitted and Special Condition Uses I-L (Light Industrial) I-H (Heavy Industrial)
P = Indicates Permitted Uses S = Special Use Permit

Uses	I-L	I-H
INSTITUTIONAL		
Warehouse, storage and transfer and electric and gas service buildings and yards, public utility buildings, telephone exchange buildings, electrical transformer stations and substations, and gas regulator stations.	P	P
COMMERCIAL		
Adult entertainment businesses	S	
Auto engine and body repair, and undercoating shops when located in a completely enclosed building.	P	S
Automobile, aircraft, watercraft, and other machinery plants, including all enameling, painting, and welding operations		P
Greenhouses.	P	P
Kennels.	P	
Retail uses which have an industrial character in terms of either their outdoor storage requirements or activities, such as, but not limited to, a lumberyard, building materials outlet, upholsterer, or cabinetmaker	P	P
Trade or industrial schools		S
INDUSTRIAL		
Central dry-cleaning plants or laundries, provided that such plants shall not deal directly with consumer at retail	S	P
Data Centers		S
Contractor's establishment	P	S
Laboratories: experimental, film or testing	S	P
Manufacturing and repair of electric or neon signs, light sheet metal products, including heating and ventilating equipment, cornices, eaves and the like	S	P
Manufacture or assembly of electrical appliances, electronic instruments and devices, radios and phonographs	S	P
Manufacture of musical instruments, toys, novelties and metal or rubber stamps, or other molded rubber products	S	P
Manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas	S	P
Manufacture, compounding, assembling or treatment of articles of merchandise from previously prepared materials, including bone, canvas, cellophane, cloth, cork, elastomers, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, rubber, precious or semiprecious metals or stones, sheet metal, shell, textiles, tobacco, wax, wire, wood, and yarns	S	P

Table 1:
Industrial Zoned Districts Permitted and Special Condition Uses I-L (Light Industrial) I-H (Heavy Industrial)
P = Indicates Permitted Uses S = Special Use Permit

Uses	I-L	I-H
INSTITUTIONAL		
Manufacture, compounding, processing, packaging, or treatment of products, such as, but not limited to, bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food products, hardware, and cutlery, and tool, die, gauge and machine shops	S	P
Mini warehouses (self-storage facilities)	S	
Recycling centers	S	P
Stamping plants and foundries		S
Storage facilities for building materials, sand, gravel, stone and lumber, and storage of contractors' equipment and supplies	S	S
Trucking facilities	P	P
Warehousing and wholesale establishments and trucking facilities	P	P
MISCELLANEOUS		
Accessory buildings and uses customarily incident to any of the uses permitted in this section	P/S	P/S
Commercial television and radio towers, public utility microwaves, and public utility television transmitting towers, subject to the listed special use conditions	S	S
Marihuana growers, processors, secure transporters, safety compliance facilities, and microbusinesses (all subject to Chapter 16 of this Code	P	P
Other uses similar to the uses listed in this section.	P	P

§ 86-273Special condition uses.

[Amended 6-6-1994 by Ord. No. 94-06; 6-15-1998 by Ord. No. 98-02; 9-16-2002 by Ord. No. 02-12; 6-3-2024 by Ord. No. 24-03]

The following special condition uses permitted in the I-L and the I-H Districts are subject to the conditions required in this section for each use, subject to any and all reasonable conditions which may be imposed in accordance with § 4c(2) of the City-Village Zoning Act (MCL 125.584c), as amended, and further subject to review and approval by the Planning Commission as specified in § 86-393, pertaining to review and approval of conditional uses, and § 86-391, pertaining to review and approval of site plans:

(1) Miniwarehouses (self-storage facilities), subject to the following conditions:

a.

The minimum size of the site devoted to such use shall not be less than three acres.

b.

Building setbacks shall be as follows: front yard not less than 20 feet; side and rear yard not less than 10 feet.

c.

Building separation between self-storage buildings on the same site shall be 24 feet, as measured from side to side or front to rear, or equal to the building height, whichever is greater.

d.

There is no limit on the lot coverage of the structures on the parcel so long as all requirements of this section are met such as setbacks, building separation, and total acreage of property.

e.

When adjacent to a residential district, a sight proof barrier shall be provided around the perimeter of the development. The barrier shall be located at the setback line and may consist of either the solid facades of the storage structures or a fence. If a fence is provided, it shall be a minimum of six feet in height and shall be constructed of brick, stone, masonry units or wood products which are determined by the building inspector to be durable and weather resistant.

f.

A ten-foot landscaped greenbelt shall be provided between the property line and required barrier along all street frontages. A five-foot landscaped greenbelt shall be provided between the property line and barrier where the site abuts any residential district. All materials shall be planted in conformance with § 86-350.

g.

Parking shall be provided in the ratio of one space for each 2,000 square feet of gross building area. At a minimum, two parking spaces must be assigned to, and located conveniently to, each individual storage building. In addition, two spaces for the resident manager, and one additional space for each additional employee, shall be provided adjacent to the rental office.

h.

Internal driveway aisles shall be a minimum of 24 feet in width.

i.

All off-street parking areas and driveways shall be hard surfaced and drained in accordance with § 86-338.

j.

All ingress and egress from the site shall be directly onto a major thoroughfare as identified on the City future land use plan.

k.

Building height shall not exceed one story (15 feet), except that a caretaker's or resident manager's unit may be allowed a building height of two stories (25 feet).

1.

No single storage building shall exceed 10,000 square feet.

m.

All storage on the property shall be kept within an enclosed building, except as allowed under the following provisions:

1.

Vehicles allowed in outdoor vehicle storage areas include personal and recreational vehicles, boats.

2.

Outdoor vehicle/boat storage areas must have limited visibility from the road and full approval from the Planning Commission as to location and any other reasonable requirements the Planning Commission deems necessary to fulfill the intent of this article.

3.

Outdoor vehicle/boat storage areas are not permitted in required front or side yard setbacks. Further, outdoor storage areas are not permitted between the front of the principal building and the public road.

4.

Outdoor vehicle/boat storage areas may only be permitted as accessory uses to mini-warehouse or self-storage facilities. The area dedicated to outdoor vehicles/boats storage must be less than the area dedicated to self-storage uses for each individual development.

5.

All vehicles stored in outdoor vehicle/boat storage areas must be operational. All boats except small fishing boats under 14 feet in length, canoes and kayaks must be on a trailer that is operational.

6.

Any and all coverings or tarps must be maintained in good order.

n.

The use of the premises shall be limited to storage only, and the premises shall not be used for any auction or sales, or storage and transfer business; for the servicing, repair or fabrication of any vehicle, boat, trailer, appliance or similar item; or for the operation of power tools, compressors, kilns or similar equipment; except that limited sales to tenants of products and supplies incidental to the principal use, such as packing materials, identification labels, rope, locks, tape, etc., shall be permitted on the site devoted to this use. The storage of combustible or flammable liquids, combustible fibers or explosive materials, as defined in the fire protection code, or toxic materials, is expressly prohibited.

(2)

Commercial television and radio towers, public utility microwaves, and public utility television transmitting towers, subject to the following conditions:

a.

They shall be located centrally on a continuous parcel of not less than 1.0 times the height of the tower, measured from the base of the tower to all points on each property line.

b.

A barrier not exceeding eight feet in height shall be installed along the perimeter of the development. The barriers shall be located at the setback line and consist of either an ornamental masonry wall or fence constructed of materials which are determined by the building inspector to be durable and weather resistant.

c.

A ten-foot landscaped greenbelt shall be provided between the property line and required barrier along all street frontages. A five-foot landscaped greenbelt shall be provided between the property line and barrier where the site abuts any residential district. All materials shall be planted in conformance with § 86-350(c)(2).

d.

A minimum of two parking spaces must be provided on the site and interior to the perimeter barrier. The parking area shall be provided with a permanent durable and dustless surface and shall be so graded and drained so as to dispose of all surface water accumulated within the parking area.

e.

All towers shall be developed on a site consisting of at least two acres in area.

f.

The tower shall be located no closer than 100 feet to any abutting residential district or public street, as measured from the base of the tower.

g.

All towers constructed shall not be altered in terms of physical improvements or method of operation, except, however, that modification may occur upon submittal and approval of an amended application for special condition use approval.

(3)

Adult entertainment businesses, which are subject to the following conditions:

a.

No adult entertainment business shall be located within 1,000 feet of any other adult entertainment business or within 500 feet of any of the following uses:

1.

All class C establishments licensed by the State Liquor Control Commission, except as to "adult cabarets" located within the City as so licensed.

2.

Pool or billiard halls.

3.

Coin-operated amusement centers.

4.

Teenage discos or dancehalls.

5.

Ice or roller skating rinks.

6.

Pawnshops.

7.

Indoor or drive-in movie theaters.

8.

Any public park.

9.

Any church.

10.

Any public or private school having a curriculum including kindergarten or any one or more of the grades 1 through 12.

Such distance shall be measured along the centerline of the street or streets or address between two fixed points on the centerlines determined by projecting straight lines at right angles from the part of the uses listed in this subsection nearest to the contemplated location of the structure containing the adult entertainment use, and from the contemplated location of the structure containing the adult entertainment use nearest to a use listed in this subsection.

b.

No adult entertainment business shall be located within 500 feet of any area zoned residential. Such required distances shall be measured by a straight line between a point on the boundary line of a zoned residential area nearest to the contemplated structure or contemplated location of the structure containing the adult entertainment business to a point on the contemplated structure or contemplated location of the structure containing the adult entertainment business nearest to the boundary lines of a zoned residential area.

c.

All adult entertainment business shall be contained in a freestanding building. Enclosed malls, commercial strip stores, common wall structures and multi-uses within the same structure do not constitute a freestanding building.

d.

No adult entertainment business shall be conducted in any manner that permits the observation of any material depicting, describing or relating to specified sexual activities or specified anatomical areas from any public way or from any property not regulated as an adult entertainment use. This subsection shall apply to any display, decoration, sign, show window or other opening.

e.

No person owning, operating, managing or employed by or within a cabaret shall dance, perform or serve food, beverages or alcoholic beverages while displaying or allowing to be visible specified anatomical areas, as defined in this chapter, or allow any other person to do so.

f.

No person owning, operating, managing or employed by or within a cabaret shall, by means of dancing, acting or otherwise moving about, perform specified sexual activities, as defined in this chapter, or allow any other person to do so.

g.

No person owning, operating, managing or employed by or within a cabaret shall have, own or possess, within said cabaret, any type of radio receiver equipment containing police radio frequency bands or capable of receiving police radio communications, or allow any other person to do so.

h.

No person shall reside in or permit any person to reside in the premises of any adult entertainment business.

i.

No person shall operate an adult personal service business, unless there is conspicuously posted in each room, where such business is carried on, a notice indicating the prices for all services performed by said business. No person operating or working at such a place of business shall solicit or accept any fees except those indicated on any such notice.

j.

No person operating an adult entertainment business shall permit it to be used for acts of prostitution or to be frequented by known prostitutes who have been convicted of the act of prostitution within the last 24 months and any customers convicted of being customers of prostitutes within the last 24 months.

k.

No person operating an adult entertainment business shall permit any person under the age of 18 to be on the premises of said business either as an employee or customer.

l.

No person shall become the lessee or sublessee of any property for the purpose of using said property for an adult entertainment business without the express written permission of the owner of the property for such use.

m.

No lessee or sublessee of any property shall convert that property for any other use to an adult entertainment business without the express written permission of the owner of the property for such use.

n.

The provisions of this section regarding massage parlors shall not apply to hospitals, sanitariums, nursing homes, medical clinics or the offices of a physician, surgeon, chiropractor, osteopath, psychologist, clinical social worker or family counselor who is licensed to practice his or her respective profession in the State of Michigan, or who is permitted to practice temporarily under the auspices of an associate; an establishment duly licensed in the State of Michigan, clergymen, members of a state certified massage therapy association. Members of a state certified massage therapy association must have a certificate of completion of a massage program from a community college, college or university.

o.

Building design, facade, or any painted images, murals, pictorials or characters that depict specific anatomical areas or specific sexual activities on a building, inside or outside thereof, are prohibited.

p.

Enforcement:

1.

Anyone violating this article or any subsection, paragraph, clauses and parts hereof is guilty of a misdemeanor and shall be subject to a maximum penalty of 90 days in jail, or an equal amount of time of community service, or any combination thereof not exceeding 90 days, plus \$500 fine, plus actual costs of prosecution.

2.

Continuing violations. In addition to the penalty provided in Subsection (3)p.1 of this section, any condition caused or permitted to exist in violation of the provisions of this Code, or any ordinance, shall be deemed a new and separate offense for each day that such condition continues to exist.

(4)

Accessory buildings and uses customarily incident to any of the uses permitted in this section.

(5). Data Centers

a. WHEREAS, the City of Corunna of Shiawassee County has determined that protecting the public health, safety, and welfare of city residents is a paramount concern, and that establishing clear standards and requirements for data centers is necessary to ensure that protection.

b. WHEREAS, the purpose of this special condition use (aka Data Center Ordinance) is to facilitate the construction, installation, and operation of Data Centers in the City of Corunna in a manner that promotes economic development and ensures the protection of health, safety, and welfare while also avoiding adverse impacts to important areas such as residential areas, and other sensitive lands. This ordinance is not intended to abridge safety, health, or environmental requirements contained in other applicable codes, standards, or ordinances

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SECTION 1 – TITLE

An Ordinance of the City of Corunna of Shiawassee County, establishing regulations, specifications, and restrictions for the use and/or installation of Data Centers in the City.

SECTION 2 – SHORT TITLE

This Ordinance shall be known as and may be cited as the “Data Center Ordinance.”

SECTION 3 – PURPOSE

The purpose of this ordinance is to set standards for data centers in order to protect and promote the safety and welfare of the citizens of the community; to help ensure the safety of the environment and to avoid any hazards that may occur from the development; to help mitigate any future environmental impacts to the land in the future; to promote economic development through responsible investment in digital infrastructure, encourage high-quality design and ensure that data centers can be built and operated efficiently while fitting in with surrounding land uses.

SECTION 4 – DEFINITIONS

CAMPUS DEVELOPMENT – A single site or group of contiguous parcels planned and developed as one integrated Data Center Facility.

CLOSED LOOP COOLING SYSTEM – Designed to circulate water or coolant within a closed circuit, allowing it to absorb heat from equipment and then release that heat through a heat exchanger or cooling tower. This system minimizes water loss and reduces environmental impact by reusing the same water repeatedly.

COMMUNITY NOISE EQUIVALENT LEVEL (CNEL) - The 24-hour A-weighted average sound level from midnight to midnight, obtained after the addition of 5 dB to sound levels occurring in the evening from 7 PM to 10 PM and after the addition of 10 dB to sound levels occurring in the night between 10 PM and 7 AM.

DATA CENTER – A facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer or network equipment, systems, servers, appliances and other associated components related to digital data operations.

The facility may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at the Data Center.

DATA CENTER ACCESSORY USE Ancillary uses or structures secondary and incidental to a Data Center use, including but not limited to: administrative, logistical, fiber optic, storage, and security buildings or structures; sources of electrical power such as turbines or generators used to provide continuous, peak, or temporary power ; electrical substations; utility lines, domestic and non-contact cooling water and wastewater treatment facilities ... provided such Data Center Accessory Uses/structures are located on the same tract or assemblage of adjacent parcels developed as a unified development with a Data

Center. Such accessory uses, including power generation and energy storage assets, may be developed, owned, and/or operated by a separate legal entity, affiliate, or third-party energy developer from the primary data center entity.

DATA CENTER ELECTRICAL SUBSTATION – A facility used for the transformation or transmission and/or switching of voltages to distribution voltages which switches circuits and distributes usable/consumable electric power, specifically for Data Center users on the same or adjacent site, or on a site immediately across a road right-of-way.

DATA CENTER PRINCIPAL BUILDING – A building that contains the office and/or data storage functions of a Data Center.

LEED – Leadership in Energy and Environmental Design

LEED CERTIFICATION – A globally recognized symbol of sustainability achievement in building design, construction, and operation.

NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) – The world’s leading resource on fire, electrical, and related hazards, dedicated to eliminating loss through knowledge.

STATIONARY ENERGY STORAGE SYSTEMS – Large scale technologies designed to store electricity for later use which may operate behind-the-meter, front-of-the-meter, or as part of a grid-tied hybrid system capable of bi-directional power flow.

SECTION 5 - SPECIFIC USE CRITERIA

The following requirements shall apply to all Data Centers.

a. Building Placement and Orientation

(1) All principal and accessory structures associated with a Data Center shall be arranged, designed, and constructed to be harmonious and compatible with the site and with the surrounding properties. In general, Data Centers that visually approximate commercial office buildings are encouraged.

(2) Buildings shall be sited and oriented to:

- a.** Provide safe and convenient vehicular access to the site, including sufficient on-site queuing areas at security gates.
- b.** Accommodate adequate parking.
- c.** Minimize impacts to natural resources.
- d.** Incorporate appropriate stormwater management practices.

b. Maximum Height

The maximum building height for Data Centers shall be 100 feet.

Any request for a waiver to the Planning Commission up to 165 feet must be included in the written Land Development (site plan) application and must be supported by engineering, architectural, and safety analyses prepared by qualified professionals. The Planning Commission may require an independent third-party review at the developer’s expense. No waiver shall be granted unless the applicant proves, to the satisfaction of the Planning Commission that the proposed height will not impact emergency response capabilities, environmental resources, or adjacent properties, and that no reasonable alternative exists.

c. Setbacks

All data center principal buildings, accessory structures, and Data Center Electric Utility substations shall maintain the following setback distances:

- (1) Property lines, road rights of way –250 feet from all adjoining properties and public road right of ways.
- (2) Residential dwelling - 500 feet from any existing residential dwelling not located on the project parcel.
- (3) Parking lots - 50 feet from public road rights-of-way, and from all property lines.

d. Parking Requirements

A minimum of 1 parking space per employee on the largest shift is required, plus an additional 3 visitor spaces.

e. Off Street Loading

A minimum of one loading bay is required. Loading bays shall be located on one façade of the Data Center Principal Building. These bays shall be designed to cause no obstructions to adjacent street traffic whether during backing and parking or parking and unloading. Sufficient area shall be provided to allow for emergency access around loading areas.

f. Noise/Vibration

(1) Community Noise Equivalent Level (CNEL)

- a. The CNEL at the boundary of the property shall not exceed a noise standard of 70 dBA.
- b. The CNEL at the boundary of any developed property shall not exceed a standard of 70 dBA.
- c. The CNEL at the boundary the nearest residentially zoned property line shall not exceed a standard of 65 dBA.
- d. The maximum sound levels listed above do not apply to emergency alerts, emergency work to provide electricity, water, or other public utilities when public health or safety is involved, snow removal, or road repair.
- e. The Planning Commission may require a sound modeling study that demonstrates compliance with the maximum sound levels and said study must be submitted prior to approval of a final site plan. The sound study must be prepared by a professional engineer.

(2) A noise reduction barrier or device may be required at the discretion of the planning commission when it is inconclusive that noise level tests do not conform to acceptable noise levels.

g. Negative Impacts

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

h. Safety

The equipment used in any Data Center operation shall be housed in a metered facility that meets all applicable Michigan Building Codes and National Fire Protection Association Standards.

Any Data Center use proposing battery storage or any other device or group of devices capable of storing energy in order to supply electrical energy at a later time, whether the energy is stored for use on-site or off-site, shall demonstrate compliance with National Fire Protection Association (NFPA) Standard 855, Installation of Stationary Energy Storage Systems, or similar standards and must include fire suppression systems designed specifically for battery storage.

i. Power

The applicant shall provide written verification from the applicable service provider stating the following:

- (1) Adequate capacity is available on the applicable supply lines and substation to ensure that the capacity available to serve the other needs of the service area is consistent with the normal projected load growth envisioned by the provider,
- (2) Utility supply equipment and related electrical infrastructure are sufficiently sized and can safely accommodate the proposed use,
- (3) Any system designed for cooling and operation of the facility (electricity, water, or other means) shall be adequate and will not negatively impact the surrounding region,
- (4) The use shall not cause electrical interference or fluctuations in line voltage on and off the operating premises, and

j. Lighting

Data centers can generate substantial night lighting if not carefully controlled. The following standards shall apply: (1) all site and building lighting be full-cutoff/fully shielded to prevent light from shining across property lines of nearby occupied residential lands; (2) the color temperature of exterior lighting generally not exceed 3,000K to reduce blue light and skyglow in rural areas; (3) property-line light levels at residential boundaries be kept very low, consistent with rural conditions (for example, an average of no more than 0.2 foot-candles); and (4) non-essential lighting be controlled by timers, dimming, or motion sensors so that lighting is reduced during overnight hours while maintaining necessary security. The Planning Commission is encouraged to review a photometric plan for each project to verify that light trespass and glare to neighbors.

k. Perimeter Fencing/Security

Any fencing shall be of high-quality design and materials.

l. Power Lines and Data Center Electric Utility Substations

- (1) Electric Utility Substations on the same property as the Data Center they serve must be located on the side or rear of a Data Center Principal Building so they are somewhat screened from public view and must not be located in a required front yard. On-site substations do not require a buffer or screening between the Data Center Principal Building and the substation.
- (2) Burying power lines serving the property is strongly encouraged. On-site power lines of 34.5 kV and below must be buried.
- (3) The Data Center Electric Utility Substation shall be setback 200ft from all adjoining properties lines and roadways. The setback for residential structures shall be 500ft from the residential structure not on the project parcel. Setbacks shall be measured from the edge of the compound containing the substation to the residential property boundary.

m. Power Generation and Energy Storage

On-site, behind-the-meter, or grid-tied front-of-the-meter generation and hybrid energy systems (including but not limited to gas turbines, internal combustion engines, and grid-scale electrochemical or stationary batteries) using natural gas, renewable fuels, or other clean sources when used to improve reliability, efficiency, sustainability, or grid resiliency is permissible.

All systems shall meet environmental, safety, and utility interconnection standards, and may interact with the electrical grid to import, store, or export power. All Data Centers shall provide and maintain on-site, behind-the-meter, or grid-tied power generation and storage systems capable of supporting critical operations.

All Data Centers shall provide, maintain, or secure through a third-party energy developer or independent power producer via lease, easement, or contractual agreement, on-site, behind-the-meter, or grid-tied power generation and storage systems capable of supporting critical operations.

n. Multi-Entity Development and Permitting

The development of a Data Center and its associated power generation or energy storage infrastructure may be executed by a single entity or by separate entities operating under a joint development agreement, lease, or utility interconnection agreement. Land Development applications, site plans, and permits under this Ordinance may be submitted jointly or independently by the data center developer, an independent power producer, an energy storage developer, or their designated affiliates. Someone may develop either the data center facility, the power production/energy storage facility, or both, provided the cumulative standards of this Ordinance are met.

o. Emergency Contact Information

Each Data Center operation shall provide 24-hour emergency contact signage visible at the access entrance. Signs shall include the company name (if applicable), the owner/representative's name, the telephone number, and the corresponding local power company's name and telephone number.

p. Buffer Yards and Screening

All Data Center operations shall provide buffer yards and screening acceptable to the Planning Commission along all property boundary lines subject to the criteria listed below, except for areas of ingress and egress into the site.

(1) Buffering

a. Data Center sites abutting residentially zoned and or residentially occupied houses must include an enhanced buffer yard with required plantings located on an earthen berm with a grade no steeper than 2:1. The minimum height of the berm abutting such is two feet, The Planning Commission may grant a modification or waiver from this requirement and any of the requirements below as long as the full intent of the ordinance is met. The waiver must be in written form and accompany the Land Development application.

b. A minimum 50-foot buffer yard shall be provided along any property line adjacent to a non-residential use or zone.

a. A minimum 150-foot buffer yard shall be provided along the entire length of any public street frontage of any property upon which the Data Center is located and along any property line which abuts or is within 500 feet of an existing residential property line.

b. A minimum 50-foot buffer yard shall be provided along all other property lines.

c. Use of existing vegetation for landscaping and screening is strongly encouraged and may be substituted for new berms and plantings if approved by the planning commission.

- d. The landscape buffer shall be located along the outer edge of the buffer yard.**
- e. Plant material within buffer plantings shall meet the following requirements:**
- f. Be resistant to diesel exhaust.**
- g. Not identified on the most current DNR invasive species or watch lists.**
- h. Shall be planted on the top and the exterior of any required berm in order to provide effective screening.**
- i. Shall be arranged in groupings to allow for ease of maintenance and to provide a natural appearance.**
- j. The buffer yard may be located within the required building setback lines. No impervious surface is permitted within the buffer yard aside from access drives, sidewalks, and associated improvements.**

q. Environmental and Community Impact Analysis

The applicant shall provide an environmental and community impact analysis. The environmental and community impact analysis shall include:

- (1) A narrative description of the nature of the on-site activities and operations, including the market area served by the facility, the hours of operation of the facility, the total number of employees on each shift, the times, frequencies, and types of vehicle trips generated, the types of materials stored and the duration period of storage of materials.**
- (2) A site plan in compliance with the current requirements of the City Code book.**
- (3) Evidence that the disposal of materials will be accomplished in a manner that complies with state and federal regulations.**
- (4) An evaluation of the potential impacts of the proposed use, both positive and negative, upon:**
 - a. Emergency services and fire protection,**
 - b. Water supply,**
 - c. Sewage disposal,**
 - d. Solid waste disposal,**
 - e. Municipal revenues and expenses.**
- (5) Any environmental impacts that are likely to be generated (e.g., odor, noise, smoke, dust, litter, glare, heat islands, vibration, electrical disturbance, wastewater, stormwater, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts.**
- (6) The applicant shall further furnish evidence that the impacts generated by the proposed use fall within acceptable levels, as regulated by applicable laws and ordinances.**

r. Water and Sewer

- (1) If the use will be served by a public water supply and/or public sewage system, the applicant shall submit documentation from the public authority certifying that the public authority will supply the water needed and the sewage system can accept the additional flow.**

(2) If the use is to rely upon nonpublic sources of water, the applicant shall provide a water feasibility study. The purpose of the study is to determine if there is an adequate supply of water for the proposed use and to estimate the impact of the use on existing wells, groundwater, and surface waters in the vicinity. No data center shall be approved unless the water feasibility study demonstrates that the anticipated water supply yield is adequate for the project and that the proposed water withdrawals and discharges will not endanger or adversely affect the quantity or quality of groundwater supplies or surface waters in the vicinity. The water feasibility study shall include the following information at a minimum:

- a. The projected water demands of the data center**
- b. The source of water to be used**
- c. A description of how water will be used, including the amount or proportion of water to be used for each purpose (e.g. cooling, fire suppression, and domestic usage)**
- d. The long-term safe yield of the water source**
- e. A description of the amount of portion of water withdrawn that will be recycled or discharged and by what means**
- f. A geologic map of the area with a radius of at least one mile from the site**
- g. The location of all existing and proposed wells within 1,000 feet of the property boundary, with a notation of the capacity of all high-yield wells**
- h. The location of all surface waters, including perennial and intermittent streams, rivers, lakes, reservoirs, ponds, wetlands, springs, natural seeps, and estuaries, within 1,000 feet of the property boundary**
- i. A determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, surface waters, and the groundwater table**
- j. A statement of the qualifications and the signature(s) of the person(s) preparing the study.**

s. Emergency Responders

It shall be confirmed that the local emergency departments have the proper chemicals/supplies in the event of a fire emergency. The applicant shall submit an Emergency Response Plan (ERP) to the City of Corunna police and fire department having jurisdiction.

t. Environmental Impact Assessment

A storm water management plan will be required and submitted to the Shiawassee County Drain Office for final approval prior to the beginning of construction.

u. Green Building Techniques

Data Centers are encouraged to implement low-impact development practices in site design and energy efficiency, such as, but not limited to, the following:

- (1) Site Design**
 - a. Select sites that avoid sensitive lands such as wetlands, floodplains, and steep slopes**
 - b. Minimize land disturbance**
 - c. Maximize tree preservation**
 - d. Minimize impervious surfaces**
 - e. Minimize potential nuisance impacts (noise, glare, vibration, etc.) on adjacent properties, public roadways, and the vicinity.**
- (2) Energy/Resource Efficiency**
 - a. Orient buildings to take advantage of passive cooling and daylight opportunities.**
 - b. Utilize alternative energy sources (solar, wind, hydro, etc.) as much as possible.**
 - c. Provide an energy storage system to monitor and regulate usage of alternative energy for usage during off-peak hours.**
 - d. All Data Centers shall utilize a Closed Loop Cooling System. Open-loop, once-through, or discharge-based cooling systems are prohibited. Cooling systems shall be designed to recirculate water or coolant within a sealed system to minimize overall water withdrawal and prevent impacts to groundwater, private wells, and surface waters.**
 - e. Encourage systems that limit the use of finite natural resources and their disposal**
 - f. Encourage fuel storage that limits impacts on the environment from potential spills**
 - g. Install water-efficient landscape materials**
 - h. Implement energy management best practices and carbon reduction techniques such as, but not limited to, those promoted through the U.S. Department of Energy's Better Buildings initiative and U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) Certification system.**

SECTION 6 - DECOMMISSIONING

A decommissioning plan that ensures the return of all participating properties to a useful condition... shall be provided by the applicant(s). The decommissioning plan shall include, but is not limited to, financial assurance in the form of a bond, a parent company guarantee, or an irrevocable letter of credit... to be determined by the applicant(s). Where the power generation/energy storage facility and the data center facility are owned by separate entities, decommissioning plans and financial assurances may be segmented and submitted independently by each respective owner or applicant for their specific asset scope.

In no event shall the security be less than 100% of the estimated cost of decommissioning. The owner shall provide a new estimate of the cost of decommissioning every ten years thereafter and increase its security if the cost increases.

The City is granted the right to seek injunctive relief to effect or complete decommissioning, as well as the county's right to seek reimbursement from the owner or owner successor for decommissioning costs in excess of the amount deposited in the account and to file a lien against any real estate owned by the owner or owner successor, or in which they have an interest, for the amount of the excess, and to take all steps allowed by law to enforce said lien.

SECTION 7 – ADMINISTRATION AND ENFORCEMENT

A. Delegation of Duty. The City of Corunna Planning Commission shall have the duty to accept and review all applications for such Data Centers.

B. Applications.

- 1. Applications shall be made on a form provided by the City Planner.**
- 2. Applications shall document compliance with this Ordinance and site plan requirements of the city code book.**
- 3. The Data Center must be properly maintained and be kept free from all hazards, and unsafe conditions detrimental to public health, safety or general welfare.**

C. Fees and Costs

- 1. The Applicant shall pay any application fee required and set by the Corunna City Council.**
- 2. The Applicant shall pay all engineer review fees and costs when seeking approval of a Data Center under this Ordinance.**
- 3. The Applicant shall pay all other fees and costs incurred by the Planning Commission to review an application submitted under this Ordinance.**
- 4. All fees and costs shall be paid before final approval is granted.**

SECTION 8 – SEVERABILITY

If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Corunna City Council that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof had not been included herein.

SECTION 9 – EFFECTIVE DATE

DATE OF PASSAGE:

DATE OF PUBLICATION:

EFFECTIVE DATE:

CITY OF CORUNNA

BY: _____
Wayne LeDuc – Mayor

BY: _____
Jennifer M LePior – Clerk/Treasurer

STATE OF MICHIGAN }
}ss.
COUNTY OF SHIAWASSEE}

I, Jennifer S. LePior, being Clerk/Treasurer of the City of Corunna, do hereby certify that the foregoing is a true and accurate copy of the City of Corunna amendment to ORDINANCE NO. 26-03 passed on the 3rd day of August, 2026. Further, I certify that I caused the same to be published in the Argus Press newspaper, Owosso, MI, within 15 days after adoption by the Corunna City Council, Corunna, Michigan.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 3rd day of August, 2026.