

Municipal Moratorium Resolution Template

RESOLUTION NO. [XXXX-XX]

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF OTTAWA, KANSAS / FRANKLIN COUNTY ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, PROCESSING, AND APPROVAL OF ALL LAND USE APPLICATIONS, PERMITS, AND SITE PLANS FOR DATA CENTERS AND BATTERY ENERGY STORAGE SYSTEMS (BESS); AND DIRECTING A REVIEW OF THE MUNICIPAL ZONING ORDINANCES AND COMPREHENSIVE PLAN.

WHEREAS, the Governing Body has a responsibility to protect the health, safety, welfare, environment, and quality of life of its residents; and

WHEREAS, there has been a rapid and unprecedented increase in commercial interest regarding the development of high-impact technology campuses, hyperscale data centers, and industrial-scale battery energy storage systems (BESS) within the region; and

WHEREAS, data centers and BESS facilities present unique and substantial infrastructure challenges, including high electrical grid load, exceptional water consumption for cooling, specific environmental noise impacts, and specialized public safety and fire mitigation risks associated with large-scale lithium-ion storage; and

WHEREAS, the current Ottawa zoning ordinances, comprehensive plans, and land-use regulations do not contain adequate or modernized standards to properly evaluate, regulate, or mitigate the long-term community impacts of these heavy industrial facilities; and

WHEREAS, the Governing Body determines that a temporary pause on new applications is necessary to allow city administration, the Planning Commission, and industry experts to thoroughly study these impacts, draft updated regulatory codes, and enhance public notification standards;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OTTAWA, KANSAS AS FOLLOWS:

Section 1. Imposition of Temporary Moratorium.

An immediate moratorium is hereby established on the acceptance, review, processing, or approval by any Ottawa, Kansas department, board, or commission of any rezoning request, conditional use permit (CUP), special use permit, site plan review, or building permit associated with the development or operation of a new commercial data center, cryptocurrency mining facility, or utility-scale Battery Energy Storage System (BESS) exceeding [e.g., 600 kilowatt-hours].

Section 2. Duration of Moratorium.

This moratorium shall remain in effect for a period of 12 months from the date of its adoption, or until such time as the Governing Body adopts permanent zoning regulations and development standards specifically regulating data centers and BESS facilities, whichever occurs first.

Section 3. Direction to Planning Staff.

During this moratorium period, the Planning Commission and municipal staff are authorized and directed to study the land-use impacts of these industries, conduct public workshops, and draft recommended amendments to the Zoning Ordinance regarding setbacks, safety standards, noise limits, utility protections, and environmental reviews.

Section 4. Exclusions.

This moratorium shall not apply to small-scale, residential solar or battery storage backups, nor shall it retroactively invalidate permits fully approved prior to the effective date of this Resolution.

ADOPTED by the Governing Body this ____ day of _____, 2026.

[Mayor / Commission Chairman]

ATTEST:

[City Clerk / County Clerk]

Key Implementation Considerations

- **Define "Commercial Scale":** Include a strict size/output threshold in Section 1 (such as the *Sedgwick County BESS restriction* capping industrial projects at 600 kilowatt-hours) so residential backup batteries are not accidentally banned. [Sedgwick County](#)
- **Draft "Pending Application" Rules:** Clearly outline whether existing developer options or preliminary due-diligence filings are exempt, as seen in the [Jackson County Moratorium Ordinance](#) which protected existing projects inside city limits but paused new unincorporated applications.
- **Review "Economic Development Incentive Policy" Resolution 1988-25.** Currently outlining the guardrails set for applications to our community. ARTICLE 12A. PROXIMITY PARK DEVELOPMENT OVERLAY DISTRICT (PPD-O) [City Code](#)