

CERTIFIED COPY OF ORDER NO: 10-2026-1899

STATE OF MISSOURI
COUNTY OF PETTIS

} ss.

Term, 2026

In the Pettis County Commission of said County, on the 15th day of October, 2026, the following, among other proceedings, were had, viz:

COMMISSION ORDER 10-2026-1899

ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE OR PROCESSING OF APPLICATIONS RELATING TO THE ESTABLISHMENT OR EXPANSION OF CERTAIN ECONOMIC DEVELOPMENT PROJECTS AND DATA CENTER FACILITIES PENDING COMPLETION OF ECONOMIC DEVELOPMENT AND/OR ENVIRONMENTAL STUDIES; PROVIDING EXCEPTIONS UNDER CERTAIN CIRCUMSTANCES; AND ESTABLISHING THE EFFECTIVE DATE OF THIS ORDER.

WHEREAS, economic development projects and data center facilities can have significant impacts on infrastructure, including demands on electrical power, water supply, environmental, residential homes, and telecommunications networks, as well as potential impacts on surrounding land uses, natural resources, public services, and the character of the community; and

WHEREAS, the Pettis County regulations do not currently contain specific regulations, standards or definitions addressing the unique characteristics, demands and potential cumulative effects and impacts of economic development projects and data center facilities, which are a rapidly growing and evolving land use across the United States and in Pettis County; and

WHEREAS, because of possible effects of economic development projects on the community, the county commission intends to consider revisions to the standards designed to protect the health, safety, and general welfare of the community; and

WHEREAS, the County Commission finds that a temporary moratorium on the acceptance or processing of applications relating to the establishment or expansion of economic development projects and data center facilities is necessary to allow the County to evaluate the potential impacts of such projects and consider appropriate regulations, standards, and safeguards to protect the health, safety, general welfare, and long-term interests of Pettis County residents; and

WHEREAS, the County Commission intends for the moratorium to remain in effect until an economic development study, an environmental impact study, or both, as determined appropriate by the Commission, have been completed and the Commission has had a reasonable opportunity to review the findings and consider appropriate recommendations. The Commission intends that these studies and review be completed within an initial period of two (2) years, with any continuation beyond that period subject to further action by the Commission as provided in this Order; and

WHEREAS, the county commission has determined that it is necessary to temporarily suspend acceptance or processing of applications relating to the establishment or expansion of economic development projects and data center facilities while appropriate regulations, standards and definitions may be developed through a comprehensive public process involving the Missouri General Assembly and the county; and

WHEREAS, a temporary delay in the acceptance and processing of applications will allow county staff the necessary time to study the issue and make recommendations to the county commission regarding revisions to the county standards related to economic development projects and data centers, and ensure consistency and fairness by preventing projects of a negative effect on county residents and the use of unincorporated county lands; and

NOW, THEREFORE, BE IT RESOLVED by the County Commission of Pettis County, Missouri, as follows:

Section 1.

The county commission makes and reaffirms the findings set forth above and incorporates the same by reference as if fully set forth herein.

Section 2.

Except as otherwise provided herein, a moratorium is hereby established prohibiting the acceptance for substantive review or processing of applications pertaining to the establishment or expansion of covered economic development projects and data center facilities, including, but not limited to, applications for road usage, permits, site plans and architectural reviews, variances, floodplain development permits, conditional use permits, grading permits, and occupancy permits.

The moratorium shall remain in full force and effect until the completion of an economic development study, an environmental impact study, or both, as determined necessary by the Pettis County Commission, and the Commission has had a reasonable opportunity to review the findings and consider any resulting

recommendations for appropriate County regulations, standards, or safeguards. The Commission intends that the necessary studies and review be completed within two (2) years of the effective date of this Order.

If the necessary studies and review are not completed within two (2) years, the moratorium shall not automatically terminate solely because that period has elapsed. Any continuation beyond the initial two-year period shall require further action by the County Commission, supported by written findings identifying the studies or review that remain incomplete, the reasons additional time is necessary, and the anticipated steps toward completion, subject to applicable law.

The County Commission may terminate the moratorium by further Order upon determining that the necessary studies have been completed, the findings have been reviewed, and the Commission has had an adequate opportunity to determine what, if any, additional regulations or safeguards are appropriate.

Section 3.

For the purposes of this ordinance, economic development projects and "data center" shall mean a building, group of buildings, facility or premise whose primary use for economic activities covering at least 30 unincorporated county acres and/or a value of at least \$5 million.

Section 4.

The county commission may, by resolution, allow the processing of an application for the establishment or processing of an economic development project or data center under any of the following circumstances:

- a. The commission determines that failure to allow processing of the application would cause undue and substantial economic hardship on the property owner, adequate infrastructure exists (or will exist at the completion of the project) to provide necessary services to the use proposed by the application, and the application, if approved, would not be otherwise detrimental to the health, safety, and general welfare of the county, or adversely impact residential property owners within 1000 linear feet from the closest planned external wall of the project to an occupied residence; and
- b. The commission determines the proposed application complies with all existing and foreseeable planned state statutes and regulations, adequate infrastructure exists (or will exist at the completion of the project) to provide necessary services related to the application, and consideration of such application will not be otherwise detrimental to the health, safety, and general welfare of the county residents.

Section 5.

This Order shall apply to the entirety of Pettis County, except as specifically set forth herein. All portions of former Orders, in conflict herewith are hereby repealed or superseded. This Order shall be in full force and effect from and after the date of its passage and approval. Read, passed and approved on the 15th day of October, 2026.



Bill Taylor
Presiding Commissioner

Mark Edwards
Western Commissioner

Israel Baeza
Eastern Commissioner

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I, Jessica Capkovic, Deputy Clerk of Pettis County Commission,
in and for said County, do hereby certify the above and foregoing to be a true
copy of the proceedings of our said Pettis County Commission, on the day and
year above written, as the same appears of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
the seal of said County Commission, at the office in Sedalia, MO, this, the 15th
day of October, 2026.

Jess Capkovic
Deputy Clerk of County Commission

ATTEST

[Signature]

