

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**AN ORDINANCE** establishing a temporary moratorium on new data center development projects within Jackson County, Missouri, and establishing requirements for future data center project review with an effective date and severability clause.

**ORDINANCE NO. 6087**, May 18, 2026

**INTRODUCED BY** Manuel Abarca IV, County Legislator

WHEREAS, the rapid expansion of large-scale data centers has raised significant concerns regarding environmental impacts, utility capacity, infrastructure strain, public safety, and neighborhood quality of life; and,

WHEREAS, data centers consume substantial amounts of electricity and water resources, potentially impacting residential and commercial utility customers throughout the region; and,

WHEREAS, local governments and utility providers require sufficient time to evaluate the long-term impacts of proposed data center developments on infrastructure, emergency response capabilities, environmental sustainability, and the public interest; and,

WHEREAS, residents deserve transparency and meaningful public engagement regarding projects that may affect utility costs, resource availability, environmental conditions, and public safety in their communities; and,

WHEREAS, current local emergency response agencies may not possess the specialized training, equipment, or resources necessary to adequately respond to incidents involving hazardous materials and complex systems commonly utilized within large-scale data centers; and,

WHEREAS, this resolution is intended to support responsible growth and thoughtful oversight of data center development not to discourage innovation, investment, or the advancement of technology; and,

WHEREAS, the County recognizes the important role data centers play in supporting modern infrastructure, artificial intelligence, cloud computing, healthcare, education, commerce, and communication; and,

WHEREAS, it is necessary to establish clear standards, studies, agreements, and accountability measures before permitting additional data center construction within Jackson County; and,

WHEREAS, by establishing these expectations, the County aims to create a balanced framework that welcomes innovation and investment while ensuring data center development proceeds in a sustainable, equitable, and community-conscious manner; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, as follows:

Section 1. Temporary Moratorium Established.

A temporary moratorium is hereby imposed on the approval, permitting, rezoning, construction, expansion, or development of any new data center facility within Jackson County, Missouri.

Section 2. Duration of Moratorium.

This moratorium shall take effect immediately upon passage and approval of this Resolution and shall remain in effect for a period of three hundred sixty-five (365) days unless extended or terminated earlier by formal action of the County Legislature.

Section 3. Public Hearing.

A public hearing regarding the moratorium and future data center regulations shall be placed on the agenda for June 1, 2026, to allow residents, utility providers, stakeholders, industry representatives, and other interested parties an opportunity to provide testimony and input.

Section 4. Automatic Sunset.

This moratorium shall automatically expire after three hundred sixty-five (365) days unless renewed by formal action of the County Legislature following a comprehensive reassessment of data center impacts, community concerns, utility capacity, environmental considerations, and regulatory recommendations developed during the moratorium period.

## Section 5. Independent County Study and Policy Recommendations.

During the moratorium period, Jackson County shall commission or conduct an independent study regarding the potential impacts, regulatory considerations, and long-term policy implications associated with large-scale data center development within the County.

The study shall evaluate, at a minimum:

- Regional and local utility capacity impacts;
- Water consumption and sustainability concerns;
- Electrical infrastructure and grid reliability;
- Environmental and air quality impacts;
- Noise and land use compatibility;
- Transportation and infrastructure impacts;
- Public safety and emergency response preparedness;
- Economic development considerations;
- Workforce and employment impacts;
- Tax revenue implications;
- Best practices and regulatory models utilized by other local governments; and
- Potential zoning, permitting, and operational standards necessary to protect the public health, safety, and welfare.

The County Executive, County Legislature, appropriate County departments, utility providers, emergency management agencies, municipalities, school districts, and other relevant stakeholders may participate in the preparation of the study.

The completed study and policy recommendations shall be presented to the County Legislature and made available to the public prior to the expiration or renewal of the moratorium.

The findings and recommendations of the study shall be considered in the development of any future ordinances, zoning regulations, permitting standards, or approval processes governing data center development within Jackson County, Missouri.

Add that if new power plants are required due to usage, the developer is responsible for the cost. The builder would be subject to Legislative approval.

#### Section 6. Environmental Impact Study Requirement.

Prior to any future approval of a data center project following the expiration of the moratorium, the proposing corporation or developer shall conduct a comprehensive independent environmental impact study.

Such study shall evaluate, at a minimum:

- Water usage and long-term water supply impacts;
- Electrical consumption and energy demands;
- Air quality impacts;
- Noise pollution;
- Land use and ecological impacts;
- Waste disposal and hazardous material risks; and
- Carbon emissions and sustainability concerns.

The completed study shall be provided to Jackson County, all applicable municipalities, utility providers, and the public no fewer than ninety (90) days prior to any public hearing or vote related to the proposed project.

#### Section 7. Utility Coordination and Notification Requirements.

Any corporation or developer proposing a data center shall be required to formally coordinate and partner with all appropriate utility providers to ensure notification is distributed to customers within the affected region regarding the proposed development and its anticipated utility impacts.

#### Section 8. Utility Impact Agreement.

Any corporation or developer proposing a data center shall provide a detailed Utility Impact Agreement prepared in coordination with applicable utility providers.

The agreement shall include, at a minimum:

- Expected electricity and water usage;
- Projected peak load demands;
- Infrastructure upgrade requirements;
- Load capacity analysis;
- Financial impacts on residential and commercial utility customers;
- Anticipated rate impacts, if any; and
- Proposed mitigation measures.

The corporation or developer and participating utility providers shall jointly present a clear monitoring and enforcement framework demonstrating:

- How utility usage by the data center will be measured and monitored;
- What operational thresholds or limitations will apply;
- How violations or overages will be addressed; and
- Which entities will be responsible for oversight and enforcement to prevent unintended increases in utility costs for residents.

#### Section 9: Additional Power Generation and Infrastructure Requirements.

If any proposed data center development is determined by applicable utility providers, independent engineering analysis, or County review to require the construction, expansion, or substantial modification of additional electrical generation facilities, substations, transmission infrastructure, or related utility infrastructure in order to meet projected operational demands, the proposing corporation or developer shall be solely responsible for all associated planning, development, construction, mitigation, and infrastructure costs.

No new power plant, electrical generation facility, or major utility infrastructure project associated with a proposed data center shall be approved, authorized, incentivized, or constructed within Jackson County without prior approval by the Jackson County Legislature following public notice and hearing.

Any request for approval shall include:

- A detailed analysis of projected energy demand;
- Documentation demonstrating the necessity of additional generation capacity;
- Environmental and public health impact assessments;
- Identification of proposed locations and technologies;
- Cost allocation and financing plans;
- Public mitigation measures; and
- Compliance with all applicable local, state, and federal regulations.

The County Legislature reserves the authority to approve, deny, condition, or delay any such proposal based upon the public interest, environmental impacts, infrastructure concerns, utility reliability, community input, and overall compatibility with County policy and planning objectives.

#### Section 10. Community Benefit Agreement.

The corporation or developer shall provide a formal Community Benefit Agreement (“CBA”) demonstrating meaningful partnership with surrounding neighborhoods and residents.

Such agreement may include:

- Infrastructure improvements;
- Environmental mitigation commitments;
- Workforce development initiatives;
- Community investment contributions;

- Public transparency measures; and
- Other negotiated neighborhood benefits.

#### Section 11. Local Workforce Agreement Requirement.

Any corporation or developer proposing a data center within Jackson County shall enter into a Local Workforce Agreement designed to maximize employment, apprenticeship, training, and contracting opportunities for residents and businesses located within Jackson County and the surrounding region.

The Local Workforce Agreement shall, at a minimum:

- Establish goals for the hiring of local workers during construction and ongoing operations;
- Include participation opportunities for local contractors, subcontractors, and small businesses;
- Encourage utilization of union labor, registered apprenticeship programs, and skilled trades training programs where applicable;
- Provide workforce development partnerships with local educational institutions, workforce agencies, and community organizations;
- Include targeted outreach efforts to historically underserved communities;
- Establish reporting and accountability measures regarding workforce participation and local hiring outcomes; and
- Be submitted to the County Legislature prior to final project approval.

The County Legislature may require periodic compliance reporting and may consider

adherence to the Local Workforce Agreement as a condition of any future approvals, incentives, permits, or development agreements associated with the proposed data center project.

#### Section 12. Emergency Response and Hazardous Materials Plan.

The corporation or developer shall present a comprehensive emergency response and hazardous materials management plan for the proposed data center.

The plan shall:

- Identify all hazardous materials utilized onsite;
- Establish emergency containment and mitigation procedures;
- Provide for specialized response equipment and training;
- Include coordination with local emergency management agencies; and
- Demonstrate that the facility will not rely solely upon existing municipal emergency services that may lack the resources or expertise necessary to respond to data center-related emergencies.

#### Section 13. Severability.


If any section, subsection, sentence, clause, phrase, or provision of this Resolution is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution, which shall remain in full force and effect.

Section 14. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval as provided by law.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
County Counselor

I hereby certify that the attached ordinance, Ordinance No. 6087 introduced on May 18, 2026, was duly ~~passed~~ <sup>Withdrawn</sup> on June 8, 2026 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

**WITHDRAWN JUN 08 2026**

This Ordinance is hereby transmitted to the County Executive for his signature.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 6087.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Phil LeVota, County Executive