

RESOLUTION NO. 014-2026

DATE ADOPTED: 1/14/26

DATE PUBLISHED: _____

A RESOLUTION ESTABLISHING AN INTERIM DEVELOPMENT CONTROL AND PROVIDING FOR THE SUSPENSION OF CERTAIN TYPES OF USE APPLICATIONS AND BUILDING PERMITS AND CONSIDERATION ON ANY LAND WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY; AND DIRECTING THAT POTENTIAL LAND DEVELOPMENT REGULATIONS FOR THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE BE REVIEWED AND DEVELOPED.

WHEREAS, the Wichita-Sedgwick County Unified Zoning Code ("Zoning Code") presently does not directly define and address a land use associated with "Data Centers," as herein defined; and

WHEREAS, Kansas statutes authorize counties to establish land development regulations to address their local development concerns and needs; and

WHEREAS, there has been an increased nationwide interest in Data Center development and impacts; and

WHEREAS, due to a number of impacts that Data Centers have or might have on both nearby property owners, the region, and also future development, the Board of County Commissioners recognize that a need exists to further consider, and potentially adopt, additional land development regulations and/or standards that may pertain to such property uses; and

WHEREAS, the time necessary to complete the task of developing, considering, and potentially adopting any specific regulations and/or standards for Data Centers would likely take multiple months; and

WHEREAS, the time necessary to adopt any regulations and/or standards for Data Centers could result in an influx of associated Conditional Use applications or Building Permit applications that may not be in the best interests of Sedgwick County; that could be detrimental to the health, safety, and general public welfare of the citizens of Sedgwick County; and, that might be inspired to occur only in an attempt to become established before any new land development regulations and/or standards are adopted which might limit, restrict, or prohibit such development; and

WHEREAS, pursuant to K.S.A. 12-741, *et seq.*, and K.S.A. 19-101, *et seq.*, Sedgwick County has the police power and statutory authority to regulate the conduct of development through this Resolution. This moratorium is a legislative action.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS that:

SECTION 1.

Within the unincorporated area of Sedgwick County, the consideration and issuance of any Conditional Use Permits or Building Permits for applications submitted after this Resolution's effective date that would include or involve Data Centers is temporarily suspended as indicated within this Resolution. For purposes of this Resolution, Data Centers shall be generally construed as one or more buildings, facilities or other sites that are constructed, reconstructed, enlarged, remodeled, leased or used to principally house a group of networked computer servers for the storage, processing, management and dissemination of data and information, or a substantially similar use.

SECTION 2.

All Sedgwick County, Metropolitan Area Planning Department ("MAPD") and Metropolitan Area Building and Construction Department ("MABCD") officials, agencies, staff, agents, commissions, and/or boards charged with the responsibility to review, hear, approve, license, permit, or otherwise authorize the establishment and/or construction of any Data Center on property in the unincorporated area of Sedgwick County are directed to suspend the receipt, review, hearing, or granting of such applications, approval, licenses, permits, or authorization for the period stated within this Resolution.

SECTION 3.

MAPD staff and the Wichita-Sedgwick County Metropolitan Area Planning Commission ("MAPC") (and any applicable sub-committee(s) thereof) are directed to review the existing Zoning Code. The MAPC may then bring forward any proposed Zoning Code amendments pertaining to Data Centers and related matters within the Zoning Code pursuant to K.S.A. 12-741, *et seq.* If deemed appropriate by the MAPC (and any applicable sub-committee(s) thereof), potential amendments pertaining to Data Centers and related matters may be proposed to be made to the Community Investments Plan 2015-2035 (the comprehensive plan for Sedgwick County and the City of Wichita).

SECTION 4.

The interim development control imposed by this Resolution may be extended, amended, or terminated earlier than its expiration date by subsequent resolution approved by the Board of County Commissioners.

SECTION 5.

The Director of the MAPD, in conjuncture with the Director of the MABCD on Building Permits, is hereby directed to be the administrator of the provisions of this Resolution. Any question as to the applicability of any provision of this Resolution shall be administered in accordance with the procedure established within the Zoning Code and Unified Building Code.

SECTION 6.

If any section of this Resolution shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this Resolution as a whole or any part or provision thereof, other than the part so declared invalid or unconstitutional.

SECTION 7.

This Resolution shall take effect and be in full force and effect after its adoption and publication in the official county newspaper and shall remain in effect until April 17, 2026. The County Clerk is directed to publish this Resolution once in the official county newspaper.

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Commissioners present and voting were:

PETER F. MEITZNER
JEFF BLUBAUGH
STEPHANIE WISE
RYAN BATY
JAMES M. HOWELL

aye
aye
aye
aye
aye

Dated this 14th day of January, 2026.

ATTEST:

Kelly B. Arnold
KELLY B. ARNOLD, County Clerk



BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

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RYAN BATY, Chairman
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Commissioner, Third District

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JAMES M. HOWELL
Commissioner, Fifth District

APPROVED AS TO FORM:

Kirk W. Sponsel
KIRK W. SPONSEL
Deputy County Counselor