

RESOLUTION No. 2022-

***RELATIVE TO THE CREATION, ESTABLISHMENT, DEVELOPMENT,
CONSTRUCTION, EXPANSION, ENLARGEMENT AND OPERATION OF
COMMERCIAL DATA CENTERS IN THE CITY OF NIAGARA FALLS,
EXTENDING THE MORATORIUM ON THE CONSIDERATION AND/OR
ISSUANCE OF ALL PERMITS AND/OR APPROVALS
THROUGH SEPTEMBER 13, 2022***

WHEREAS, on December 20, 2021, the City Council of the City of Niagara Falls imposed a one hundred-eighty (180) day moratorium on the consideration and/or issuance of all permits and/or approvals relative to the creation, establishment, development, construction, expansion, enlargement and operation of Commercial Data Centers in the City of Niagara Falls; and

WHEREAS, the moratorium was imposed so as to enable the City to develop a comprehensive and detailed plan which is in concert with the Comprehensive Plan and Zoning Ordinance for the City of Niagara Falls concerning the location and approvals for Commercial Data Centers in the City; and

WHEREAS, the Administration has completed its work on the comprehensive plan and will submit the same to the City Planning Board for review; and

WHEREAS, as the newly developed plan will require an amendment to the City's Zoning Ordinance, Planning Board review will also require submission of the plan to the Niagara County Planning Board and a Public Hearing; and

WHEREAS, the review process is expected to be completed in August 2022; and

Bax _____ **Myles** _____ **Tompkins** _____ **Zajac** _____ **Spanbauer** _____

WHEREAS, in order allow for the completion of this process prior to our consideration of the specifics of the amendment to the City Zoning Ordinance, a short extension of the moratorium is necessary.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Niagara Falls, New York that the moratorium on the consideration and/or issuance of all permits and/or approvals relative to the creation, establishment, development, construction, expansion, enlargement and operation of Commercial Data Centers in the City of Niagara Falls is hereby extended through September 13, 2022, unless further extended by the City Council.