



What is a Moratorium and is it Really Necessary?

A renewable energy moratorium is defined as a complete ban on wind or solar development in a community. While the moratorium is in effect, construction of new projects is prohibited and applications seeking approval for future projects are usually not accepted; projects that were approved (issued permits) prior to the moratorium start date are generally unaffected.

Today, we see moratoriums used far too often as a tool to stop renewable energy development. At other times they may be used for a legitimate review of renewable energy development ordinances and policies. Banning renewables is not a reasonable rationale for a moratorium. That should not be their purpose. At The Center, we believe most policy changes can be accomplished without a moratorium in place.

A moratorium should not be the first action when debating changes or updates to a renewable energy ordinance. Moratoriums should be actions of last resort. We believe there are four essential guiding questions that all communities should ask and answer before they consider taking such restrictive action.

1. Is a moratorium really necessary?

It is the opinion of The Center that consideration of a moratorium should not be entered into hastily or without sufficient public input – **and it should be an action of last resort.**

The issue can often be resolved by updating the necessary local zoning policies without stopping all renewable energy development. **In general, renewable energy moratoriums (and all development moratoriums) send confusing and adverse signals to farmers, landowners, project developers, and the general public.** Having a regular schedule for reviewing and updating local zoning ordinances allows for development to continue and the community to feel confident that the elected officials are continuously maintaining sound policies that support the evolving needs and goals of the community.

2. What is the reason for the moratorium?

The answer to this question needs to be specific and spell out the specific reason the community wants to put a hold on certain types of development. If or when extraordinary circumstances might require a moratorium, **The Center recommends that the rationale for the action be clearly necessary, and the purpose plainly expressed.**

3. What is needed to resolve the issue causing the moratorium?

Over time, a community may realize that something was left out of the original ordinance or something has changed in the community, which creates a need to adjust the original text. Zoning ordinances should be reviewed and updated regularly; however, **needing an amendment to an ordinance does not warrant a moratorium – it requires commitment and action on behalf of the governing body.** In many cases, simply adopting an amendment is the most efficient way to address the issue and avoid unnecessary delays. In other words, the community may be able to conduct two meetings to amend the ordinance rather than two meetings to stop new development, followed by additional meetings to address the changes.

4. How long will the moratorium be in effect – what is the timeline?

When a community considers a moratorium, many public opinions and emotions may be involved. The governing officials need to focus on the facts – those they have and those they need. **Local officials must specifically determine the amount of time required to gather any additional information necessary** and enact a resolution for the above mentioned reason.

Moratoriums should not be for overly long periods either. If a moratorium is deemed necessary, six months typically provides sufficient time to gather all relevant information to resolve the defined issue or deficiency in the ordinance. We believe it is always better to set a goal and extend it, only if needed, rather than start with excessive time.

Additionally, we recognize that each state has different zoning regulations. If a community is considering such action, beyond asking yourself our four guiding questions, policymakers should seek legal counsel to determine if a moratorium is allowed in your state and what parameters must be met.

The Center stands ready to assist in the thoughtful study and analysis of local renewable energy policies. Additionally, we maintain an ordinance database and a compendium of research to support community efforts. We have the resources and expertise to help ensure your community has balanced policies that will enable prosperity in this era of energy diversification.