

# **DRAFT**

## **BEFORE THE BOARD OF COMMISSIONERS OF STARKE COUNTY, INDIANA**

### **ORDINANCE NO. 2025-\_\_\_\_\_**

#### **AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON THE ISSUANCE OF IMPROVEMENT OF LOCATION PERMITS FOR HYPERSCALE DATA CENTER PROJECTS**

WHEREAS, the Board of Commissioners of Starke County has previously adopted Zoning Ordinances for the unincorporated areas of Starke County, for its proper and effective development. ("Zoning Ordinance")

WHEREAS, the Zoning Ordinances of Starke County currently fail to provide any regulations related to hyperscale data projects within Starke County, which omission constitutes a defect in the Zoning Ordinance that should be corrected before any improvement location permits for structures related to hyperscale data projects in any zoning district are issued.

WHEREAS, the Starke County Plan Commission initiated a proposal to adopt an ordinance to impose a temporary moratorium on the issuance of improvement location permits for hyperscale data projects, including any storage facility, water conservation systems, cooling systems or data centers or buildings, and all appurtenant facilities related to hyperscale data center projects, in order to amend the Zoning Ordinance to address issues related to hyperscale center projects.

WHEREAS, the Plan Commission timely gave notice to interested parties and held a public hearing in accordance with I.C. 36-7-4-604.

WHEREAS, the Plan Commission timely certified its recommendation on the proposal in accordance with I.C. 36-7-4-607(e)(1) and I.C. 5-14-1.5-5, thereby recommending its adoption.

WHEREAS, the Board has provided for consideration at its regularly scheduled meeting of \_\_\_\_\_, conducted pursuant to I.C. 36-7-4-603, giving consideration to all terms of this Ordinance and the Resolution of the Plan Commission, does hereby adopt the Plan Commission proposal as certified.

#### **NOW, THEREFORE, IT IS ORDAINED AS FOLLOWS:**

1. "Hyperscale Data Project" shall be understood to be a building structure in excess of five thousand (5,000) square feet, whose primary purpose and design is to house data center equipment or software, which is used for processing, storage, retrieval, or other communication of data.
2. There is now imposed a temporary moratorium on the issuance of or receipt of an improvement location permit or related application for any structure related to any hyperscale data center project, including but not limited to any related storage facility, water conservation systems, cooling systems or data centers or buildings, and all appurtenant facilities, in all zoning districts in the unincorporated areas of Starke

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County, pending adoption of an ordinance amending the Starke County Zoning Ordinance to provide regulations related to hyperscale data projects within Starke County. This is effective upon the date of the adoption below, and shall continue for a time period not to exceed one (1) year.

3. This Ordinance shall be effective in the unincorporated areas of Starke County upon its adoption. Pursuant to IC 36-7-4-610(b) this copy shall be available in the office of the Starke County Plan Commission.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2025.

BOARD OF COMMISSIONERS OF STARKE COUNTY

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ATTEST:

\_\_\_\_\_  
Starke County Auditor