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RESOLUTION NO. 2026-PC-___

**A RESOLUTION OF THE STARKE COUNTY PLAN COMMISSION
RECOMMENDING A TEMPORARY MORATORIUM ON THE ACCEPTANCE,
PROCESSING, AND APPROVAL OF APPLICATIONS FOR CARBON CAPTURE AND
SEQUESTRATION (CCS) FACILITIES AND PIPELINES**

WHEREAS, Indiana Code § 36-7-4 et seq. authorizes the Starke County Plan Commission to advise the Board of Commissioners regarding the county's comprehensive plan and zoning ordinances to promote the public health, safety, morals, convenience, order, and general welfare of the citizens; and

WHEREAS, there is a growing interest in the development, construction, and operation of Carbon Capture and Sequestration (CCS) facilities, including injection wells and associated carbon dioxide pipelines, within the region; and

WHEREAS, the current Starke County Zoning Ordinance does not adequately define, regulate, or address the unique land use, environmental, infrastructure, and safety impacts associated with commercial-scale CCS operations; and

WHEREAS, the Plan Commission requires adequate time to research, study, and develop comprehensive zoning regulations, definitions, and development standards to safely integrate or restrict such uses within the County's jurisdictions; and

WHEREAS, allowing the permitting and development of CCS facilities before appropriate regulations are enacted could result in irreversible harm to the county's infrastructure, agricultural lands, water resources, and the general welfare of the public.

NOW, THEREFORE, BE IT RESOLVED by the Starke County Plan Commission as follows:

1. **Recommendation:** The Plan Commission formally recommends that the Starke County Board of Commissioners enact a temporary moratorium on the acceptance, processing, review, and approval of any zoning, building, or development applications related to Carbon Capture and Sequestration (CCS) facilities, injection wells, and associated CO2 pipelines.
2. **Duration:** It is recommended that this moratorium remain in effect for a period of twelve (12) months to afford the Plan Commission and the Director of Planning and Building sufficient time to draft and propose necessary amendments to the Zoning Ordinance.

ADOPTED by the Starke County Plan Commission this ____ day of _____, 2026.

STARKE COUNTY PLAN COMMISSION

Mike VanDeMark, President

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ATTEST:

John McCurrie III, Secretary / Director of Planning and Building

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ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON THE SUBMISSION, ACCEPTANCE, PROCESSING, AND APPROVAL OF APPLICATIONS FOR CARBON CAPTURE AND SEQUESTRATION (CCS) FACILITIES AND ASSOCIATED PIPELINES WITHIN STARKE COUNTY

WHEREAS, the Board of Commissioners of Starke County, Indiana ("Board") is the legislative body of the County with the authority to adopt zoning ordinances and regulations pursuant to Indiana Code § 36-7-4 et seq.; and

WHEREAS, the Starke County Plan Commission adopted Resolution No. ____ on 22 April 2026, officially recommending that the Board enact a temporary moratorium on Carbon Capture and Sequestration (CCS) projects to allow time for the study and drafting of appropriate zoning regulations; and

WHEREAS, maintaining the status quo is necessary to protect the public health, safety, and welfare, and to prevent the establishment of nonconforming uses while the County develops proper regulatory frameworks.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Starke County, Indiana:

SECTION 1: DEFINITIONS

For the purposes of this Ordinance, "Carbon Capture and Sequestration (CCS) Facilities" shall include, but is not limited to, any commercial or industrial facilities, infrastructure, injection wells (including Class VI wells), testing sites, and associated pipelines designed for the capture, transportation, injection, and permanent or temporary underground storage of carbon dioxide.

SECTION 2: DECLARATION OF MORATORIUM

A temporary moratorium is hereby established on the submission, acceptance, processing, review, and approval of any zoning changes, variances, special exceptions, development plans, building permits, or right-of-way use agreements relating to the development, construction, or operation of CCS Facilities and associated pipelines within the zoning jurisdiction of Starke County.

SECTION 3: DIRECTIVE TO STAFF

The Building Commissioner and the Director of Planning and Building are hereby directed to refuse to accept or process any applications or issue any permits described in Section 2 during the term of this moratorium. Furthermore, the Plan Commission is directed to diligently proceed with the study and drafting of comprehensive regulations concerning CCS operations.

SECTION 4: TERM

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This moratorium shall become effective immediately upon its passage and publication as required by law, and shall remain in full force and effect for a period of twelve (12) months, or until such time as the Starke County Zoning Ordinance is amended to address CCS Facilities, whichever occurs first. The Board reserves the right to extend this moratorium if additional time is required.

SECTION 5: SEVERABILITY

If any section, subsection, or clause of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED by the Board of Commissioners of Starke County, Indiana, this ____ day of _____, 2026.

Mike VanDeMark
President

Donny Binkley
Member

Charles Chesak
Member

ATTEST:

Michaelene Houston
Starke County Auditor