

THE WABASH COUNTY PLAN COMMISSION

**PROPOSAL TO IMPOSE A TEMPORARY MORATORIUM
ON THE ISSUANCE OF IMPROVEMENT LOCATION PERMITS FOR
THE DEVELOPMENT OF DATA CENTERS**

Background

On December 5, 2022, the Board of Commissioners of Wabash County adopted Ordinance No. 2022-85-14, a Zoning Ordinance for the Unincorporated Areas of Wabash County, Indiana, and the Towns of LaFontaine, Lagro, and Roann, Indiana (“Zoning Ordinance”).

The Zoning Ordinance currently fails to provide any regulations related to data center projects within Wabash County, which omission constitutes a defect in the Zoning Ordinance that should be corrected before any improvement location permits for data center projects in any zoning district are issued.

The Wabash County Plan Commission now proposes an ordinance to impose a temporary moratorium on the acceptance, processing, and approval of all applications and permits, including the issuance of improvement locations permits, in all zoning districts for any structure related to a data center project, including any construction or operation of data centers and all appurtenant facilities, in order to amend the Zoning Ordinance to address issues related to data center projects, as follows:

BEFORE THE BOARD OF COMMISSIONERS OF WABASH COUNTY, INDIANA

ORDINANCE NO. _____

**AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON
THE ISSUANCE OF IMPROVEMENT LOCATION PERMITS FOR
THE DEVELOPMENT OF DATA CENTERS**

WHEREAS, on December 5, 2022, the Board of Commissioners of Wabash County adopted Ordinance No. 2022-85-14, a Zoning Ordinance for the Unincorporated Areas of Wabash County, Indiana, and the Towns of LaFontaine, Lagro, and Roann, Indiana (“Zoning Ordinance”)

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

WHEREAS, the Wabash County Plan Commission initiated a proposal to adopt an ordinance to impose a temporary moratorium on the acceptance, processing, and approval of all applications and permits, including the issuance of improvement locations permits, in all zoning districts for any structure related to a data center project, including any construction or operation of data centers and all appurtenant facilities, in order to amend the Zoning Ordinance to address issues related to data 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. 36-7-4-605, thereby recommending its adoption.

NOW, THEREFORE, IT IS ORDAINED AS FOLLOWS:

1. “Data center” shall mean a structure used primarily for the storage, management, processing, and transmission of digital data and that houses computer or network equipment, systems, servers, appliances, and other associated components related to digital data storage, processing, and related operations. Data center uses include data storage facilities, server farms, artificial intelligence training or processing, image processing, cloud computing, email servicing, and other similar uses.
2. There is now imposed a temporary moratorium on the acceptance, processing, and/or approval of all applications and permits, including the issuance of improvement locations permits, for any structure related to a data center project, including any construction or operation of data centers and all appurtenant facilities, in all zoning districts in the unincorporated areas of Wabash County.

3. This Ordinance shall be effective in the unincorporated areas of Wabash County subject to the jurisdiction of the Wabash County Zoning Ordinance upon its adoption. This Ordinance shall be effective in the incorporated areas of the Towns of LaFontaine, Lagro, and Roann, Indiana upon its adoption by the appropriate legislative body.
4. This Ordinance shall remain in effect until the Zoning Ordinance is amended to provide regulations related to data center projects within Wabash County, or for a period of eighteen (18) months from the date of adoption, whichever occurs sooner.
5. If any portion of this Ordinance is determined to be unconstitutional, void, ineffective, or otherwise in violation of any state or federal law by a court of competent jurisdiction, the remaining portions of this Ordinance shall continue to be in full force and effect.

ADOPTED this _____ day of _____, 2026.

BOARD OF COMMISSIONERS OF WABASH COUNTY

Tyler Niccum, Chairman

Cheryl Ross

Jeff D. Dawes

ATTEST:

Shelly Bauccho, Wabash County Auditor