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RECORDED AS PRESENTED ON

10/21/2025 01:48:56 PM

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LORI L. AUSTIN

WHITE COUNTY RECORDER

ORDINANCE NO. 2025-10-20-02

WHITE COUNTY BOARD OF COMMISSIONERS

**AN ORDINANCE ESTABLISHING A DEVELOPMENT MORATORIUM ON
DATA CENTERS**

WHEREAS, the Area Planning Law of the State of Indiana (I.C. 36-7-4, *et seq.*) empowers the White County Area Plan Commission ("APC") to make recommendations to the Board of Commissioners of White County, Indiana concerning the land use, zoning, or districting of lands within the unincorporated areas of White County, Indiana; and

WHEREAS, the White County Comprehensive Plan, as adopted in 2017, did not contemplate or consider Data Center projects and their impacts on unincorporated White County; and

WHEREAS, the White County Zoning Ordinance, as adopted in 2008 and amended over time, has incorporated standards and regulations pertaining to Data Center projects; and

WHEREAS, the White County Board of Commissioners recognizes the importance of regulating land use and development to protect public health, safety, and welfare; and

WHEREAS, on October 14, 2025, the White County APC as part of its regular meeting, received comments from the public regarding a moratorium on the development of data centers and this matter was properly advertised and published; and

WHEREAS, on October 14, 2025, the White County APC, board members properly moved and passed a recommendation to be submitted to the Board of Commissioners to adopt a development moratorium on data centers in unincorporated White County for a period of six (6) months for the specific purpose of updating the White County Comprehensive Plan and Zoning Ordinance. During discussion, the APC acknowledged its continued work toward updating the White County Comprehensive Plan and recognized that the Board of Commissioners recently approved the funding for an updated Comprehensive Plan and Zoning Ordinance Audit, which will regulate responsible growth in unincorporated White County; and

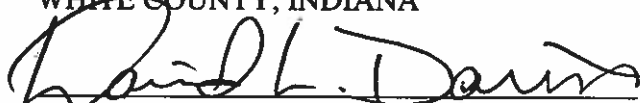
WHEREAS, the Board of Commissioners believe that a moratorium on the acceptance, processing, and approval of all applications, permits, and approvals related to the development, construction, or operation of data centers, for a period of six (6) months is in the best interests of the citizens of White County, is necessary to allow adequate time to study and address the potential impacts of data centers and to develop appropriate regulations to ensure their responsible development and operation. It will also provide sufficient time for such considerations to be incorporated into revisions to the Comprehensive Plan and Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED that, pursuant to IC 36-7-4, et seq., The Board of Commissioners of White County, Indiana, hereby state as follows:

1. A moratorium shall be enacted within White County, commencing on October 20, 2025 for the acceptance, processing, and approval of all applications, permits, and approvals related to the development, construction, or operation of data centers; and
2. Said strategic moratorium shall remain in place for six (6) months, up to and including April 20, 2026 or until the White County Comprehensive Plan and Zoning Control Ordinance are amended and adopted to reflect the aforementioned considerations, whichever occurs first; and
3. Any prior Ordinances that conflict with this Ordinance and its incorporated Exhibits are hereby ineffective during the period of the moratorium;
4. If any portion of this Ordinance determined to be unconstitutional or in violation of state law by a court of competent jurisdiction, the remaining portions of the Ordinance shall continue in full force and effect; and
5. This Ordinance shall become effective in accordance with state law.

All of which is Ordained and Adopted this 20th day of October, 2025.

BOARD OF COMMISSIONERS OF
WHITE COUNTY, INDIANA


DAVID DAVIS, President

Attest:


ELIZABETH BILLUE
White County Auditor

MICHAEL R. SMOLEK


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