

**ORDINANCE NO. 2026-08  
BOONE COUNTY BOARD OF COMMISSIONERS**

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

WHEREAS, the Board of Commissioners of Boone County, Indiana ("County") adopted the Boone County Zoning Ordinance ("Zoning Ordinance"), which provides for the administration of zoning regulations within the County;

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

WHEREAS, the majority of unincorporated Boone County is zoned AG (Agricultural), and Boone County's Comprehensive Plan, which serves as a guide for future growth and development, aspires to, "strike a balance between future growth and economic development with a plan that focuses on agriculture and economic development, industry, and maintains the rural character and quality of life that so many Boone County residents enjoy and cherish";

WHEREAS, neither the Boone County Comprehensive Plan, as adopted in 2009, nor the Boone County Zoning Ordinance, as adopted in 1998, contemplated or considered data centers and their impacts on unincorporated Boone County;

WHEREAS, on May 6, 2026, the APC discussed, as part of its regular meeting, and voted unanimously 6-0 to make a favorable recommendation to the Board of Commissioners to adopt a development moratorium on new data center facilities in unincorporated Boone County for a period of one (1) year;

WHEREAS, on June 3, 2026, the APC held a public hearing, in accordance with Indiana Code, to ratify their request and certify a favorable recommendation on the proposed moratorium by voting 6-0. The APC acknowledged its continued work towards a revised and updated Comprehensive Plan;

WHEREAS, the APC defines data centers for the purposes of this development moratorium as a physical facility that houses computing infrastructure, including servers, storage, networking equipment, and power systems, to store, process, and manage digital data which are not located within the business campus for which it provides internal IT needs;

WHEREAS, the Board of Commissioners believes 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 one (1) year is in the best interests of the

citizens of Boone 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 Zoning Ordinance and allow for adoption of an updated Comprehensive Plan.

**NOW, THEREFORE, BE IT ORDAINED** that, pursuant to I.C. 36-7-4, *et seq.*, the Board of Commissioners of Boone County, Indiana, hereby states as follows:

1. The above recitals are incorporated herein by reference.
2. A moratorium shall be enacted within Boone County, commencing June 16, 2026 for the filing, processing, review, and/or acceptance of all applications related to data center facilities;
3. Said strategic moratorium shall remain in place for one (1) year, until June 15, 2027.
4. Any prior Ordinances that conflict with this Ordinance and its incorporated Exhibits are hereby repealed and replaced.
5. If any portion of this Ordinance is 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.
6. This Ordinance shall take effect in accordance with state law.

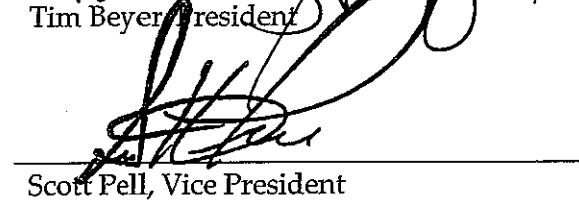
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ADOPTED this 19<sup>th</sup> day of June, 2026.

**BOARD OF COMMISSIONERS OF BOONE COUNTY, INDIANA.**

  
Tim Beyer, President

  
Donnie Lawson, Commissioner

  
Scott Pell, Vice President

ATTEST:

  
Debbie Crum, Auditor

This instrument was prepared by Nicole M Schell, Executive Director of the Boone County Area  
Plan Commission.