

ORDINANCE NO. 2026-18
AN ORDINANCE TO AMEND
THE WARRICK COUNTY COMPREHENSIVE ZONING ORDINANCE OF
WARRICK COUNTY, INDIANA

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WARRICK COUNTY, INDIANA, THAT THE WARRICK COUNTY COMPREHENSIVE ZONING ORDINANCE IS HEREBY AMENDED AS FOLLOWS:

WHEREAS, the Board of County Commissioners of Warrick County, Indiana (“**Board**” and “**County**”) adopted and has amended from time to time the Warrick County Comprehensive Zoning Ordinance (“**Zoning Ordinance**”), which provides for the administration of zoning regulations within the County;

WHEREAS, neither the current Warrick County Comprehensive Plan adopted in 2024 (the “**Comprehensive Plan**”) nor the Zoning Ordinance contemplate or address data center facilities and their potential impacts on the County;

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

WHEREAS, the Board believes that it is in the best interests of the citizens of Warrick County to defer 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 hundred and eighty (180) days, 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 Zoning Ordinance.

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

1. The above recitals are incorporated herein by reference.
2. Article XXIV, Section 1.5 is hereby added to the Comprehensive Zoning Ordinance as follows:

SECTION 1.5 STRATEGIC DEFERRAL

Commencing at the time of enactment of this Section, the filing, processing, review, and/or acceptance of all applications related to data center facilities shall be deferred for a period of one hundred and eighty (180) days from the date of adoption, or until such time as the Board of Commissioners formally adopts comprehensive text amendments regulating data center facilities, whichever occurs first (the “**Strategic Deferral Period**”);

During the Strategic Deferral Period, data center facilities shall not be permitted or approved as a principal use under the Zoning Ordinance.

Any application for a zoning permit, approval, or other authorization related to the development, establishment, or operation of a data center facility as a principal use that is submitted during the Strategic Deferral Period shall be reviewed but shall not be approved during the Strategic Deferral Period.

The Strategic Deferral Period shall commence upon the effective date of this Section and continue for one hundred and eighty (180) days, or until an ordinance permitting and regulating data center facilities becomes effective, whichever occurs first.

3. This Ordinance shall not apply to computing infrastructure that is accessory and incidental to another lawful principal use of the premises and is used primarily to support that principal use;
4. The Strategic Deferral Period may be extended by subsequent ordinance; *- can be done by commissions -*
5. Any prior Ordinances or provisions of the Comprehensive Zoning Ordinance that conflict with this Ordinance are hereby superseded by the provisions of this Ordinance.
6. 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.
7. This Ordinance shall take effect from and after its passage.

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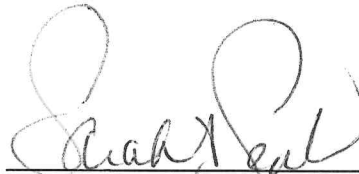
(Adopted and Passed) (~~Denied~~) by the Board of Commissioners of Warrick County, Indiana this 11th day of August, 2026.

VOTE:

Aye

Aye

Aye



SARAH SEATON



STACEY FRANZ



TERRY PHILLIPPE

Approved and Recommended by the Warrick County Area Plan Commission this 10th day of August, 2026.



Jeff Valiant, President.



Molly Barnhill, Executive Director