

STATE OF INDIANA
BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 25-2026

**AN ORDINANCE APPROVING TEXT AMENDMENTS TO THE
UNIFIED DEVELOPMENT ORDINANCE (“UDO”) ON RECOMMENDATION
BY THE CLARK COUNTY PLAN COMMISSION**

WHEREAS, the Board of Commissioners of Clark County, Indiana (the “Board”), is the executive body of Clark County Government pursuant to the provisions of Ind. Code § 36-2-2-2; and,

WHEREAS, the Board is also the legislative body of Clark County Government pursuant to the provisions of Ind. Code 36-1-2-9; and,

WHEREAS, the Clark County Plan Commission has advisory authority regarding zoning pursuant to Ind. Code 36-7-4, *et al*; and,

WHEREAS, on the 12th day of August, 2026, the Clark County Plan Commission passed PC Resolution 2026-15 (see the said PC Resolution 2026-15 attached hereto as **Exhibit “A”**) to amend the text of the Unified Development Ordinance (“UDO”) as identified in the said Resolution.

NOW, THEREFORE, BE IT ORDAINED by the Board of Clark County Commissioners as follows:

1. That the Clark County Plan Commission Resolution 2026-15, dated August 12, 2026, as attached hereto, is hereby approved, and the text of the Unified Development Ordinance (“UDO”) is amended pursuant to the attached Resolution (**Exhibit “A”**).

2. This Ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Board.

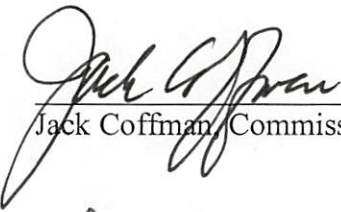
3. That the moratorium pertaining to Data Centers as set forth in the attached PC Resolution 2026-15 shall take effect on 8-27, 2026 and expire twelve (12) months later on 8-27, 2027, unless terminated earlier or superseded by a UDO amendment adopted to regulate Data Centers.

So Ordained this 27 day of August 2026.

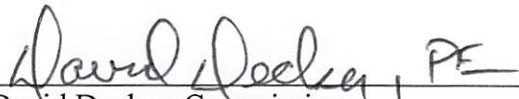
Members voting "YES":



Bryan Glover, Commissioner



Jack Coffman, Commissioner



David Decker, Commissioner

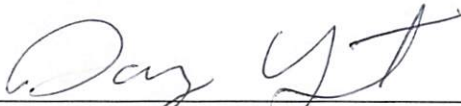
Members voting "NO":

Bryan Glover, Commissioner

Jack Coffman, Commissioner

David Decker, Commissioner

Attested by:



Danny Yost, Clark County Auditor

BY THE CLARK COUNTY PLAN COMMISSION

PC RESOLUTION 2026-15

A RESOLUTION FOR A TEXT AMENDMENT TO THE 2020 UNIFIED DEVELOPMENT ORDINANCE ("UDO") TO CLARK COUNTY BOARD OF COMMISSIONERS

WHEREAS, the Clark County Plan Commission (Plan Commission) pursuant to Indiana Code 36-7-4-600 et seq., has identified a need to amend the text of the current Clark County Unified Development Ordinance (UDO) and,

WHEREAS, the Plan Commission is an advisory plan commission, and its certification of this proposed text amendment to the County Commissioners is governed by IC 36-7-4-607.5; and

WHEREAS, the Plan Commission, caused to amend the text of the Clark County UDO drafted for consideration in an effort to make the development laws of the county more efficient and streamlined for the general public; and

WHEREAS, new technologies, including data centers, server farms, and facilities for artificial intelligence training, processing, or cloud computing, present possible impacts on the public health, safety comfort, morals, convenience and general welfare of the citizens of Clark County that were not reasonably foreseen during the formulation of the Comprehensive Plan or the UDO, warranting a temporary moratorium to allow the Plan Commission and County Commissioners to study such impacts and formulate appropriate provisions; and

WHEREAS, the proposed UDO text amendments were properly noticed pursuant to Indiana law on July 31, 2026 and were available for inspection until the public hearing;

WHEREAS, on the 12th day of August, 2026, the Plan Commission conducted a public hearing, for which the public was invited, to consider certification of the UDO text amendment to the County Commissioners.

WHEREAS, the Plan Commission heard the presentation and relevant evidence presented by the general public and the objections, comments, remonstrations and other relevant information presented by those in attendance at the hearing, if any, and deliberated on such evidence in a public hearing; and

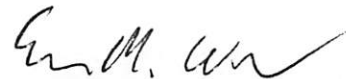
WHEREAS, after considering and paying reasonable regard to the matters set forth in IC 36-7-4-603 and all public comments, the Plan Commission has given a recommendation for those amendments attached and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission a X favorable recommendation _____ unfavorable recommendation _____ no recommendation and certification of the Clark County UDO text amendments, attached hereto and incorporated herein, to the County Commissioners for the amendment of the current Clark County UDO is hereby made.

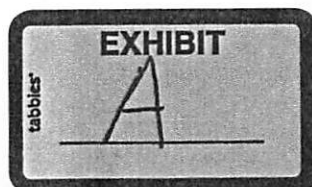
I hereby certify that this is a true and correct copy of the Resolution passed by the Clark County Plan Commission on August 12, 2026.



Bryan Glover, Vice President



Eric M. Wise Executive Director



RESOLUTION 2026-15 attachment (2 pages)

UDO amendment no. 1

Amend Chapter 8: ZONING ADMINISTRATION AND PROCEDURES is amended by adding a new subsection H as follows:

H. MORATORIUMS: In order to allow this UDO as well as the Comprehensive Plan to be more responsive to possible impacts on the public health, safety, comfort, morals, convenience and general welfare of the citizens of Clark County, that result from new technologies, improvements and/or expansion of infrastructure or from any other factor not reasonably been foreseen during the formulation of the Comprehensive Plan or UDO, the use of moratoriums is hereby established as follows:

a. Use and Limitations

1. A moratorium is the temporary suspension of the acceptance and processing of applications for special exceptions, use variances, development plans or improvement location permits for specified use(s), amendments to the zoning map within a specified area or special exceptions for a specified type of land use for the purpose of allowing diligent study and the adoption of provisions addressing the subject of the moratorium.

2. A moratorium shall remain in full force and effect until expiration or adoption of an ordinance and/or Plan amendment, which is designed specifically to address the subject for which the moratorium was enacted. The duration of the moratorium shall be the minimum necessary to allow sufficient study and adoption of provisions to address the subject of the moratorium.

Moratoriums may be extended for cause.

3. A moratorium shall be established, extended or terminated following the same procedure for an amendment to the text of the UDO and shall be described in Section H.b. List of Moratoriums.

b. List of Moratoriums: The following moratoriums have been determined to be necessary to allow the Plan Commission and County Commissioners to study the identified subject, determine potential impacts associated with the subject and formulate provisions that promote the public health, safety, morals, convenience, order, and general welfare and the efficient and economical development within the County.

UDO amendment No.2

Amend Chapter 8: ZONING ADMINISTRATION AND PROCEDURES Section H.b. is amended by adding a new subsection H.b.1 as follows:

H.b.1 Moratorium on Data Center Applications.

(A) Definition. For the purposes of this moratorium, "Data Center" means a facility or structure used primarily to store, manage, process, or transmit digital data, and that houses computer or network equipment, servers, or related systems. The term includes data storage facilities, server farms, facilities for artificial-intelligence training or processing, cloud-computing facilities, and their appurtenant facilities.

(B) Moratorium. A moratorium is imposed, in all zoning districts within the unincorporated areas of Clark County and the Town of Borden, on the acceptance and processing of any application, petition, determination, or permit necessary to establish a Data Center, including without limitation the actions listed in Subsection H.a.1. as applied to a Data

Center.

(C) Pending and Vested Applications. This moratorium applies only to applications made on or after its effective date and does not reach any complete application on file as of the effective date, or any application or project in which rights have vested under IC 36-7-4-1109.

(D) Duration. This moratorium takes effect on 8-27, 2026 and expires twelve (12) months later on 8-27, 2027, unless earlier terminated or superseded by a UDO amendment adopted to regulate Data Centers.

End of amendments.