

Resolution to amend Section 9.57 to implement a one (1) year moratorium on data centers.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, Oneida County's zoning regulations are adopted to protect public health, safety, comfort, convenience, and general welfare; manage growth and the impacts of land development; protect water and other natural resources; preserve rural character; preserve property values; and facilitate adequate provision of transportation, water, sewerage, and other public services and facilities; and

WHEREAS, the Planning & Development Committee finds that an interim moratorium is necessary to allow adequate time for County staff and the Planning & Development Committee to evaluate potential data center-related impacts and to consider whether amendments or clarifications to the Oneida County Zoning and Shoreland Protection Ordinance are needed to ensure consistent administration of permits and protections for the public; and

WHEREAS, the purpose of this Ordinance is to establish a temporary moratorium on specified data center-related activities and approvals in order to protect the public health, safety, and welfare while the County conducts necessary review and considers appropriate regulatory standards; and

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hearing and there were 0 public comments received, 15 people spoke in favor, 0 people spoke against, and 0 people spoke in ambiguity of the proposed changes; and

WHEREAS, the Planning and Development Committee has carefully studied the proposed changes after listening to comments made at the public hearing and recommends approval.

NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Chapter 9 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

9.57 ~~INTERIM MORATORIUM ON DATA CENTERS MORATORIUM ON LIVESTOCK FACILITIES LICENSING (2-2020,2-2021,9-2021) Removed from ordinance as moratorium expired March 1, 2022)~~

A. Purpose & Intent

1. Intent

- a. Oneida County's zoning regulations are adopted to protect public health, safety, comfort, convenience, and general welfare; manage growth and the impacts of land development; protect water and other natural resources; preserve rural character; preserve property values; and facilitate adequate provision of transportation, water, sewerage, and other public services and facilities.
- b. Where property is affected by the regulations imposed by the zoning chapter and by the other governmental regulations, the more restrictive regulations apply, and the zoning chapter is intended to be liberally construed in favor of the County for the promotion of public health, safety, comfort, convenience, and general welfare.
- c. Data centers and similar high-intensity computing facilities may create land use impacts that can include, but are not limited to, high electrical demand, need for supporting utility infrastructure, substantial cooling and mechanical systems, noise and vibration, emergency power and fuel storage, lighting and security features, traffic during construction and periodic operations, and potential compatibility concerns with nearby residential, agricultural, and rural land uses.
- d. The County Board finds that an interim moratorium is necessary to allow adequate time for County staff and the Planning and Development Committee to evaluate potential data center-related impacts and to consider whether amendments or clarifications to the Oneida County Zoning and Shoreland Protection Ordinance are needed to ensure consistent administration of permits and protections for the public.

- 101 e. During the moratorium period, the County intends to evaluate potential zoning
102 texts, amendments, application requirements, performance standards, or use
103 classifications to address data centers in a manner consistent with the overall
104 purpose and intent of the zoning ordinance.
105

106 2. Purpose

- 107 a. It is the purpose of this ordinance is to establish a temporary moratorium on
108 specified data center-related activities and approvals in order to protect the
109 public health, safety, and welfare, while the County conducts necessary review
110 and considers appropriate regulatory standards.
111

112 B. Authority

113
114 The Oneida County Board of Supervisors has the authority under Wisconsin statutes,
115 including but not limited to, ss. 59.02(2) and 59.69, Wis. Stats.
116

117 C. Applicability and Jurisdiction

118
119 This Ordinance applies to all territory located within the portions of the unincorporated
120 areas of Oneida County where Chapter 9 of the Oneida County Zoning and Shoreland
121 Protection Ordinance applies.
122

123 D. Definitions

124
125 For the purposes of this Ordinance:
126

- 127 1. Data Center means a facility, or a portion of a facility, whose primary purpose is to
128 house computer systems and associated components, including servers, network
129 equipment, and data storage systems, together with supporting mechanical,
130 electrical, power generation, cooling, ventilation, and security systems, where the
131 facility is designed for or operates as follows:
132 a. enterprise data processing;
133 b. colocation services;
134 c. cloud computing infrastructure; and/or
135 d. other large-scale digital data storage, processing, or transmission operations.
136 2. Data Center Expansion means any physical expansion or intensification of an
137 existing Data Center, including, without limitation, building additions; new principal
138 or accessory structures; installation or expansion of generators, fuel storage,
139 substations, transformers, cooling equipment, or similar infrastructure; or other
140 changes that increase the facility's operational capacity or intensity.
141 3. New Data Center Development means establishment of a new Data Center on a
142 parcel where a Data Center did not lawfully exist prior to the effective date of this
143 Ordinance.
144

145 E. Moratorium and Prohibited Actions During Moratorium

- 146
147 1. Moratorium Established. During the effective period of this Ordinance, the County
148 shall not accept, process, approve, or issue approvals, permits, or authorizations
149 for New Data Center Development or Data Center Expansion in the unincorporated
150 area of Oneida County.

2. Specific Actions Covers. The moratorium applies to, without limitations, the following:
- a. land use permits/zoning permits for new development or change in use;
 - b. approvals related to conditional uses, where applicable;
 - c. zoning map or text amendment requests that are submitted primarily to allow New Data Center Development or Data Center Expansion; and
 - d. any other County Zoning approval that, if granted, would authorize New Data Center Development or Data Center Expansion.

F. Exemptions

1. The moratorium shall not apply to the following:
- a. Previously Issued and Lawfully Established Approvals. Work for which a land use permit or other County zoning approval has been lawfully issued prior to the effective date of this Ordinance, provided that the permit remains valid under applicable time limits and has not expired, become void, or been revoked.
 - b. Ordinary Maintenance/Repair. Ordinary maintenance and repair activities that do not constitute Data Center Expansion as defined herein.
 - c. County/Utility Emergency Actions. Emergency work necessary to protect public health and safety or to restore utility service, as determined by the Zoning Administrator or designee.

G. Duration of the Moratorium

This moratorium shall remain in effect for twelve (12) months from the date of adoption, unless it is replaced or extended by the Oneida County Board of Supervisors.

H. Severability

If any provision of this Ordinance is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect the validity of other provisions.

I. Repeal of Conflicting Provisions

All ordinances of parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment #02-2026 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to the Town Clerks of Oneida County and the Wisconsin Department of Natural Resources.

Vote Required: Majority = ✓ 2/3 Majority = _____ 3/4 Majority = _____

The County Board has the legal authority to adopt: Yes ✓ No _____ as reviewed by the Corporation Counsel, [Signature], Date: 8/14/26

Approved for presentation to the County Board by the Planning and Development Committee this 22nd day of July, 2026.

Consent Agenda Item: ____ YES ____ X NO

Fiscal Impact

Offered and passage moved by:

☐ Included in Resolution

☐ Attached

☐ N/A

Scott Holewinski
Supervisor (Scott Holewinski)

Daniel L. Hess
Supervisor (Dan Hess)

Bob Almekinder
Supervisor (Bob Almekinder)

Billy Fried
Supervisor (Billy Fried)

Michael Tautges
Supervisor (Michael Tautges)

Aye Nay Abstain

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☒ ☐ ☐

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☒ ☐ ☐

20 Ayes

0 Nays

1 Absent

0 Abstain

X Adopted

by the County Board of Supervisors this 18 day August, 2026.

____ Defeated

Heidi Nehls
Heidi Nehls, Chief Deputy Clerk

Scott Holewinski
Scott Holewinski, County Board Chair

Resolution # 56-2026

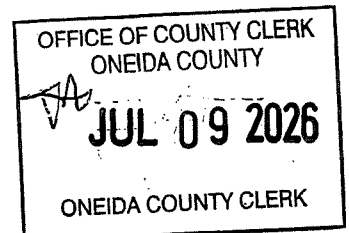
Supervisors	AYE	NAY	ABS	ABSTAIN
Hess	X			
Kilbourn	X			
Fried	X			
Newman	X			
Burns	X			
Fisher	X			
Jensen	X			
Sorgel	X			
Lopez				
Condado	X		X	
Oettinger	X			
Tautges	X			
Almekinder	X			
Hamburg	X			
Campbell	X			
Cushing	X			
Briggs	X			
Timmons	X			
Sheppard	X			
Schultz	X			
Holewinski	X			
Totals	20		1	
TAGS	20		1	

Resolution # 56 – 2026 / Ordinance Amendment # 02 – 2026:
 Offered by the Supervisors of the Planning and Development Committee to Amend Section 9.57 of the Oneida County Code to Implement a One (1) Year Moratorium on Data Centers.

ORDINANCE AMENDMENT #02-2026 (6/10/26)

CHAPTER 9

ARTICLE 5, SECTION 9.57



Additions noted by underline; deletions noted by ~~strikethrough~~

Section 9.57 remains the same except:

9.57 INTERIM MORATORIUM ON DATA CENTERS ~~MORATORIUM ON LIVESTOCK FACILITIES LICENSING (2-2020,2-2021,9-2021) Removed from ordinance as moratorium expired March 1, 2022)~~

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- e. During the moratorium period, the County intends to evaluate potential zoning texts, amendments, application requirements, performance standards, or use classifications to address data centers in a manner consistent with the overall purpose and intent of the zoning ordinance.

2. Purpose

- a. It is the purpose of this ordinance is to establish a temporary moratorium on specified data center-related activities and approvals in order to protect the public health, safety, and welfare, while the County conducts necessary review and considers appropriate regulatory standards.

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3. New Data Center Development means establishment of a new Data Center on a parcel where a Data Center did not lawfully exist prior to the effective date of this Ordinance.

E. Moratorium and Prohibited Actions During Moratorium

1. Moratorium Established. During the effective period of this Ordinance, the County shall not accept, process, approve, or issue approvals, permits, or authorizations for New Data Center Development or Data Center Expansion in the unincorporated area of Oneida County.
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