

Date	July 14, 2026
To	Town of Clayton
From	Krista Kamke, Planner
Subject	Data Center Use, Winnebago County Code Changes, Impacts to Clayton

Winnebago County is having public discussions regarding the lack of regulations within the County Town Zoning Ordinance, Chapter 23 of the County Code, for data center uses. The County Planning and Zoning Committee met earlier this week to hear public comments about the topic, and have recommended the County Board adopt a temporary 12-month moratorium on receiving and processing County zoning permits for this use. The time would allow County staff to craft and implement language and standards for this style of development. While no official applications have been received by the County, there have been inquiries, and a comprehensive regulatory structure for this does not exist in County code.

It was noted by the Committee members that Winnebago County's Code Chapter 23 only applies to a small percentage of land (<20%) within the County. The Town of Clayton is not regulated by the County's chapter 23, but the Town's ordinance mirrors the County's code, since the 2013 adoption of Town Zoning used the County code as its basis. The same gaps in development standards exist in the Town Code as are in the County Code. County Planning & Zoning department staff said they will be looking to work with the other jurisdictions to present a united front on standard development criteria. The Town would need to adopt our own language into the Town of Clayton Zoning Ordinance if we wish to guide this type of development.

The Town will look to adopt our own moratorium. That will allow us time to review the County's code revisions, determine Clayton code definitions and matching zoning districts, and determine if Comprehensive Plan amendments are needed.

Generally, Wisconsin communities receiving the most requests and permit applications for data center uses have a few things in common, and substantial areas within Clayton match many of those criteria. Statewide trends for data center uses have prioritized developing in communities with:

1. Available sewer and water utility connections with expansion capacity
2. Structured economic development incentives (TIF)
3. Reliable and diverse utility options for energy and internet (Internet provider options, and electric/natural gas availability)
4. Proximity to high-voltage transmission lines (existing or likely sites for future construction)
5. No or minimal environmentally sensitive areas or other protected spaces and features that would create additional layers of permitting and review (wetlands, floodplains, shorelands)
6. Large tracts of undeveloped land adjacent to municipal infrastructure (i.e. water, sewer)