

DATA CENTER ORDINANCE
ORDINANCE NO.: _____

AN ORDINANCE TO Address Data Centers, County of LaPorte, State of Indiana, adopted this ___ day of _____, 2026.

WHEREAS, companies have expressed an interest in data center projects in LaPorte County, Indiana.

WHEREAS, the LaPorte County Advisory Plan Commission, herein after "Plan Commission," by and through their ordinances and regulations are duly charged with regulating land use for the purpose to protect the health, safety, morals, and general welfare of land owners, residents and the general public.

WHEREAS, the purpose of this ordinance is to regulate the establishment and operation of data centers within LaPorte County to ensure that such facilities are compatible with local land use, minimize environmental impacts, protect natural resources, contribute positively to the community, and encourage transparency, efficiency, and public accountability.

WHEREAS, the Plan Commission desires to implement the following regulations governing the sitting, design and operation of data centers in LaPorte County, Indiana.

WHEREAS, data centers are not currently defined in the LaPorte County Joint Zoning Ordinance

BE IT ORDAINED by the Plan Commission of the County of LaPorte, State of Indiana adopts the following:

- 1) The following definition is established:

Data Center - A facility, used primarily for the storage, management, processing, and transmission of digital data and that houses computer or network equipment, systems, servers, appliances, and other associated components related to digital data storage, processing, and related operations. Data center uses include data storage facilities, server clusters, artificial intelligence training, image processing, cloud computing, email servicing and similar uses.

This definition excludes:

- a) General office buildings,
 - b) Telecommunication towers, or
 - c) Small-scale server rooms accessory to another permitted use
- 2) A project or development consisting of a Data Center shall be considered by LaPorte County under the following conditions:
- a) A Data Center project or development shall only be considered by LaPorte County on property that is zoned with the classifications of "M1 Light Industrial District" or "M2 Heavy Industrial District" as defined in the LaPorte County Joint Zoning Ordinance.
 - b) For purposes of the Joint Zoning Ordinance, Data Centers shall be treated as a Special Exception use within M1 and M2 districts, subject to this Ordinance.
- 3) The review and approval standards for any proposed Data Center project or development shall be subject to the following in addition to all other applicable provisions of the Joint Zoning Ordinance:
- a) The Plan Commission may consider cumulative impacts of existing and approved data centers in evaluating infrastructure capacity and compatibility. This review can include Data Center projects that exist or are proposed in LaPorte County (including incorporated areas) and surrounding counties.
 - b) All applications for special exception approval for a Data Center may, at the discretion of the Board of Zoning Appeals, include, in addition to standard special exception submittals, the following submittals for review by the Board of Zoning Appeals prior to the commencement of construction:
 - i) Site Plans Identifying:
 - (1) Subject property including property lines, setback lines, and right-of-way lines;
 - (2) Existing and proposed buildings on the site to be developed;
 - (3) Existing buildings within 500 feet of the property line of the proposed development;
 - (4) Soil types on the site including any identified wetland or areas of environmental sensitivity;
 - (5) Cooling equipment, generators, transformers, substations, and other mechanical equipment that will be ground mounted;
 - (6) Proposed utility routes, including transmission lines and substations;
 - (7) Landscaping, fencing, buffering, topographic features and stormwater facilities.
 - ii) Construction and Access Plan, including:
 - (1) Proposed construction schedule;
 - (2) Construction haul routes;
 - (3) Emergency response access routes;
 - (4) A letter of coordination from the LaPorte County Highway Department;
 - (5) A traffic study reflecting impacts of construction traffic;

- (6) Details for any environmental remediation to be completed;
 - (7) Comprehensive dewatering plan, including methods and schedule prior to the commencement of any dewatering activities, if necessary;
 - (8) Lighting plan for construction activities, including methods and schedule.
- iii) A traffic study of the final completed development and any planned intermediate stages of development, should the site be planned to be developed in phases;
- iv) Electric Utility Service and Power Demand Disclosure
- (1) A letter from the serving electric utility identifying:
 - (a) Total requested electrical load (in megawatts) for the full project;
 - (b) Proposed interconnection point(s);
 - (c) Required substation or transmission upgrades;
 - (d) Proposed routing of new transmission lines.
 - (2) If any on-site overhead utility feeds are proposed the applicant shall provide a report outlining feasibility considerations evaluated for underground electrical service feeds.
 - (3) Description of anticipated energy demand, including:
 - (a) A phasing plan for the onsite electrical service load requirements;
 - (b) Identification of proposed energy efficiency measures
 - (c) Projected Power Usage Effectiveness (PUE), if available;
 - (d) Any proposed strategies for on-site, non-emergency, power generation;
 - (e) Any considerations made for co-generation or energy cooperative agreements;
 - (f) Any proposed renewable energy integration.
- v) Water Use and Management Plan
- (1) Projected peak and average daily water use;
 - (a) Breakdown of projected water usage for domestic and cooling operations;
 - (b) Projected Water Usage Effectiveness (WUE) for cooling operations.
 - (2) Source of water supply and documentation of capacity approval from the serving utility or applicable agency;
 - (3) Description of cooling methods proposed for the facility and data center equipment;
 - (4) Wastewater discharge method and documentation of approval from all applicable agencies.
- vi) Noise Impact Study
- (1) Prepared by a qualified acoustical professional;
 - (2) Identify all major noise-producing equipment;
 - (3) Model projected sound levels at all property boundaries and at any dwelling within 500 feet of the property line;
 - (4) Evaluate potential low-frequency noise impacts;
 - (5) Describe proposed mitigation measures, including but not limited to sound walls, berms, equipment enclosures, silencers, or site orientation adjustments.

- vii) Lighting Plan
 - (1) Demonstrating use of full cut-off fixtures;
 - (2) Showing that illumination levels at property lines will not exceed limitations prescribed by the Joint Zoning Ordinance;
 - (3) Design elements to minimize “sky glow”;
 - (4) Providing lighting curfew or dimming strategies where feasible.
- viii) Emergency Response and Safety Plan
 - (1) Including fire protection coordination;
 - (2) Battery storage safety protocols;
 - (3) Hazardous materials handling procedures.
- ix) Air Emissions Disclosure
 - (1) Identification of all combustion equipment;
 - (2) Documentation of required IDEM, state, or federal air permits;
 - (3) Description of emissions control technology.
- 4) The following site design and ongoing operational standards shall apply to Data Centers:
 - a) All principal buildings and mechanical equipment associated with the facility shall be set back:
 - i) A minimum of 500 feet from any residential-zoned property or dwelling existing on the date of application;
 - ii) A minimum of 200 feet from agricultural-zoned property;
 - iii) Greater setbacks may be required by the Plan Commission based on site-specific conditions
 - b) Maximum Sound Levels
 - i) Continuous operational sound generated by the Data Center shall not exceed the following:
 - (1) 60 dBA between 7:00 a.m. and 10:00 p.m.;
 - (2) 55 dBA between 10:00 p.m. and 7:00 a.m.;
 - (3) Limitations do not apply during emergencies or life-safety events.
 - ii) Measurements shall be taken at the property line of the receiving property unless otherwise approved in writing by the Plan Commission.
 - iii) Measurement Standards
 - (1) Sound levels shall be measured in A-weighted decibels (dBA);
 - (2) Measurements shall be taken at or near the property line at a height of approximately four (4) to five (5) feet above grade;
 - (3) Sound levels shall be based on the average sound level during representative operating conditions.
 - (4) The required noise study shall evaluate potential low-frequency and tonal noise impacts.
 - iv) If post-construction testing demonstrates exceedance of the standards in this section, or documented sound measurements confirm persistent tonal or low-frequency noise characteristics that create material disturbance beyond the property line, the operator shall implement mitigation.

- v) Emergency Generator Testing
 - (1) Routine generator testing shall be limited to daytime hours and reasonable frequency and duration as specifically approved in the special exception.
 - (2) This provision shall not apply during actual emergency operations.
- vi) Post-Construction Verification
 - (1) Within six (6) months of commencing operations, the operator shall conduct post-construction sound and lighting testing to verify compliance with the approved plan.
 - (2) If testing demonstrates non-compliance, corrective mitigation shall be implemented.
 - (3) Operator shall conduct additional sound and lighting testing to verify compliance with this section:
 - (a) Every 24 months following the initial post-construction study;
 - (b) Following the completion of any expansion or renovation on the property that impacts the overall site layout;
 - (c) Following the replacement of any major sound producing equipment or exterior light fixtures on the site.
- vii) Ongoing Compliance and Enforcement
 - (1) The data center shall provide verification of compliance with approved noise, lighting, water use, wastewater discharge and operational standards on an annual basis, or on a schedule approved by the Plan Commission.
 - (2) Failure to maintain compliance shall constitute a zoning violation subject to enforcement.
- viii) Emergency & First Responder Training
 - (1) Data center operators must offer annual training sessions to fire departments in all adjacent townships and any municipal fire department who could reasonably be expected to be called in response to an emergency responsible for providing fire protection services in the area in which the data center is located.
 - (2) The first such training session must occur within 6 months of the date that the facility begins operation and each calendar year thereafter.
 - (3) Required training must provide participating members of the fire department with information regarding the installation and operation of the data center that is reasonably necessary to allow the fire department to safely and effectively respond to a fire at the facility, or a discharge or threatened discharge of environmental contaminants by the data center. An annual written report of such training sessions must be provided to the Plan Commission no later than January 31st of each calendar year.
 - (4) If any special equipment is required or reasonably expected to be required by local emergency services to respond to an emergency at the Data Center development, the Data Center operator shall either provide the required special equipment, or reimburse the county for the purchase, maintenance and replacement of the special equipment.

- 5) In the event of conflict between this Ordinance and the Joint Zoning Ordinance, the more restrictive provision shall apply.
- 6) The Board of Zoning Appeals may waive specific requirements of this ordinance if deemed not relevant or necessary for the approval of the special exception.
- 7) This Ordinance shall be codified and maintained as a supplement to the LaPorte County Joint Zoning Ordinance.

This ordinance shall take effect immediately upon its passage according to law.

PASSED AND ADOPTED this ____ day of _____, 2026.

LAPORTE COUNTY PLAN COMMISSION

By: _____ **Rita Beaty, President**

DRAFT 04-16-2026