

INTRODUCED: 7/6/2026

REFERRED TO: Metropolitan and Economic Development Committee

SPONSOR: Councilor Lewis

DIGEST: amends Chapter 740-202 (Definitions), 742-109 (Special Use Districts) and Table 743-208-1 of the Consolidated Zoning and Subdivision Control Ordinance of Indianapolis-Marion County, Indiana, concerning data center development

SOURCE:

Initiated by: Department of Metropolitan Development

Drafted by: Department of Metropolitan Development

LEGAL REQUIREMENTS FOR ADOPTION:

Subject to approval or veto by Mayor

PROPOSED EFFECTIVE DATE:

Adoption and approvals

GENERAL COUNSEL APPROVAL: _____

Date: July 2, 2026

CITY-COUNTY GENERAL ORDINANCE NO. , 2026

PROPOSAL FOR A GENERAL ORDINANCE to amend Chapter 740-202 (Definitions), 742-109 (Special Use Districts) and Table 743-208-1 of the Consolidated Zoning and Subdivision Control Ordinance of Indianapolis-Marion County, Indiana, concerning data center development.

WHEREAS the City of Indianapolis-Marion County Consolidated Zoning and Subdivision Ordinance establishes definitions of terms as well as Special Use Districts and development standards; and

WHEREAS there is a need to create a Special Use District specifically for Data Center development; and

WHEREAS, therefore, the creation of a new Special Use District for Data Center development will require the addition of certain definitions and development standards;

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. Section 740-202 of the Consolidated Zoning and Subdivision Control Ordinance of Indianapolis-Marion County, Indiana is hereby amended by adding the language that is underlined and deleting the language that is stricken-through, to read as follows:

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 farms, artificial intelligence training or processing, image processing, cloud computing, email servicing, and similar uses. This definition does not include information technology (IT) services and equipment which are incidental and subordinate to a primary, permitted use.

SECTION 2. Section 742-109 of the Consolidated Zoning and Subdivision Control Ordinance of Indianapolis/Marion County, Indiana is hereby amended by adding the language that is underlined and deleting the language that is stricken-through, to read as follows:

Section 742-109(B) Permitted uses and developments standards

Table 742-109-1: SU Districts Permitted Use and Development Standards Summary Table		
Zoning District Symbol	Applicable District for Development Standards Review	Permitted Use
<u>SU-47</u>	<u>I-3</u>	<u>Data Center facilities</u>

Section 742-109(L) Additional standards for SU-47 district (Data Center)

In addition to the regulations of subsections B. through G. above, the following regulations apply to the SU-47 district:

1. Land use restriction. Land use permitted in the SU-47 district is limited to data center facilities as defined. Whenever the applicable standards or requirements of any other ordinance, or governmental unit or agency thereof are higher or more restrictive, the latter shall control land use permitted in the SU-47 district.

2. Existing Structures. When a data center facility occupies a legally established, legally non-conforming structure, the change of use shall require compliance with all the standards of the current Ordinance.

3. Protected District separation. Minimum separation of 400ft. is required between any portion of the primary building of the data center facility and the property line of a Protected District (pertaining to industrial development).

4. Sound levels. Maximum sound levels associated with any component of a data center may not exceed 65 decibels (dBA), measured at or beyond the data center facility property line.

5. Mechanical equipment. All mechanical and electrical equipment will be screened from the view of the public right-of-way and adjoining properties.

- All backup generators are subject to compliance with Indiana Department of Environmental Management permitting under 326 Indiana Administrative Code (IAC) 2 and limited to emergency use only. Any and all testing of equipment or generators is prohibited between 5:00 p.m. and 7:00 a.m. and on Knozone action days.

6. Screening. All mechanical equipment, including but not limited to generators, HVAC systems, and cooling/chilling systems shall be screened from the view of the public right-of-way and adjoining properties by the following standards:

- A fence or wall that is a minimum of 10 feet in height and 100% opacity shall be provided to screen the equipment from abutting properties. Roof-mounted equipment shall be limited to 10 feet above the maximum building height;
- An undulating earthen berm shall be constructed to provide a continuous buffer strip along a lot line that is adjacent to a Protected District. An earthen berm shall be built to a minimum height of eight (8) feet above the natural surface of the ground. In no instance shall the peak height of an earthen berm be less than three (3) feet measured from the established street grade;

- A vegetated buffer strip shall be planted and maintained consisting of two (2) staggered rows of evergreen trees, each row planted 15 feet on center, with a height of five (5) feet at time of planting in all yards that are adjacent to a Protected District.

7. Buried utilities. All on-site utility lines must be placed underground, as permitted by the serving utility, with the exception of the main service connection at the utility company right-of-way and any new interconnection equipment including, without limitation, any poles with new easements and right-of-way.

8. Sidewalks, multi-use paths and greenways. The construction of sidewalks is required along all rights-of-way adjacent to the SU-47 parcel. If a segment of a multi-use path and/or greenway is proposed adjacent to the SU-47 parcel, it shall be constructed within three (3) years of the issuance of an Improvement Location Permit.

- The SU-47 parcel owner will also be responsible for multi-use path and/or greenway enhancements that are enumerated in the Comprehensive Plan, including but not limited to: proposed trail heads, restrooms, benches and other amenities.

9. Emergency Contact Information. All data centers shall provide signage with 24-hour emergency contact information that is visible at each access entrance. Signs shall include the company name (if applicable), the name and telephone number of a representative of the operator, and web address or other available identifier (i.e. Quick Response QR code) to the required publicly available online dashboard identified in Section 742-109(L).11.

10. Required site and operational plan(s)

1. All data centers shall be subject to an approved Site Plan, and Plan of Operation, with utility consumption and capacity reports which identify:

a. The Subject property including the property lines, setback lines, and right-of-way lines; and

b. Physical features including but not limited to roads, special flood hazard areas, wetlands, existing and proposed buildings, parking areas, equipment, proposed locations of underground or overhead electric lines and utility poles, landscaping, and fencing.

c. Proposed access routes for emergency response vehicles.

d. A facility security plan that provides, at a minimum, the location and specifications for perimeter security fencing, security gates and exterior building and parking lot lighting.

e. Visual screening report that includes at least the following:

1. An area map showing all properties and principal buildings within 600 feet of the proposed data center site;

2. Locations and types of existing vegetation that may provide screening of views of the data center and associated improvements;

3. Any topographic features that provide screening of the facility;

4. A proposed landscape and screening plan.

5. Heritage Tree assessment and mitigation plan.

f. A water management plan detailing water use associated with the facility, including how the facility will meet their cooling needs. The plan shall provide, at a minimum for both initial and full site build out:

1. Average and peak water use associated with facility operations.

2. Average and peak water use associated with energy generation.

3. Discharge location of used water including frequency, velocity, quality, and amount; a discharge location other than a sanitary sewer requires written approval from the administrator and/or designee, as assigned by the department of public works deputy director of the engineering division.

4. Measures taken to minimize water use in the initial facility design and planned efforts to monitor and minimize water consumption at the facility during operation.

g. An electricity capacity plan that details the electrical load requirements for the primary building and all accessory buildings and/or structures on-site.

h. A noise study and mitigation plan prepared by an acoustics engineer describing the facility's anticipated noise levels and all proposed mitigation efforts (e.g., sound walls, baffles, ventilation silencers, landscaping) that will be employed to ensure compliance with the maximum sound level standard. Prior to issuance of an ILP, a report that describes the methodology on how the property owner/operator shall measure and monitor decibel levels at the property line shall be submitted to ensure compliance with all rules and regulations related to permitted level of noise. The noise study and mitigation plan shall provide, at a minimum:

1. Existing ambient sound levels measured prior to construction at the property line and at adjacent protected districts.
2. Projected sound levels during normal operation of the facility;
3. Projected sound levels during peak operating conditions, including generator testing, simultaneous equipment operation, emergency backup operation, and other reasonably anticipated high-noise events;
4. The proposed locations, times, duration, weather conditions, equipment, and methodology for all sound measurements;
5. Identification of the applicable maximum sound level standard and an analysis demonstrating whether the facility is expected to comply with that standard at and beyond the property line and; and
6. All proposed mitigation measures, including but not limited to sound walls, enclosures, baffles, ventilation silencers, acoustic louvers, equipment orientation, building placement, operational limitations, landscaping, berming, or other noise attenuation measures necessary to ensure compliance.

i. A decommissioning plan that provides, at a minimum:

1. Definition of the scope of the decommissioning process: full or partial decommission.
2. Anticipated timeline for the decommissioning process.
3. Identification of the required compliance measures with local, state and federal building code and environmental regulations.
4. Inventory Removal Plan including asset disposition, e-waste tracking reports and hazardous materials handling.
5. Identification of the required documentation for the destruction of inventory.
6. Facility Restoration Plan including the removal of all equipment, restoration of the building ensuring that it is a building code compliant structure, and remediation of any environmental impacts and hazardous materials associated with the operation of the data center, up to contemporary standards defined by the environmental regulatory authority.

2. All proposed data centers shall provide written verification in the form of a will serve letter from the utility provider(s) and agencies serving the site. At a minimum, the utility provider(s) and agencies shall verify that:

a. Adequate electrical capacity is available to meet the current customer electrical load and the expected electrical load for the proposed data center.

b. Utility supply equipment, including supply lines, substations and related electrical infrastructure, are sufficiently sized and can safely accommodate the proposed data center;

c. The proposed data center will not cause electrical interference or fluctuations in line voltage.

d. Adequate water supply is available to meet the current customer demand and the expected demand of the data center facility and whether serving the data center is in alignment with the utility's most recent integrated water resource plan.

e. Adequate means of providing sanitary sewer and the management of waste and wastewater for the project are available.

f. Compliance with the Airspace Secondary Zoning District regulations and all applicable Federal Aviation Administration (FAA) guidelines.

11. Minimum Commitments

1. At a minimum the following commitments shall be included with the approval of each SU-47 district and/or data center facility: "The property owner and/or designated operator shall (1) submit an annual report to the Metropolitan Development Commission no later than January 31 of each calendar year for the duration of the facility's operation from the previous year. The annual report must be signed and notarized by the property owner and designated operator. (2) provide a publicly available online dashboard within six months of operation, and (3) resubmit water management plan and electricity capacity plan for review if facility operations change such that the originally submitted values will be exceeded. Revised operations are not to be initiated until the revised plans are approved."

- a. The annual report shall include the following:

- i. Annual Energy Consumption Report including total annual electrical demand, peak energy demand data, summary of any on-site renewable energy generation systems serving the facility, documentation of any renewable energy offsets, renewable energy credits, power purchase agreements, or other renewable energy sourcing mechanisms utilized to offset facility consumption, general summary of any measures implemented to reduce operational energy impacts or improve energy efficiency during the reporting year, and confirmation of compliance with any approved local utility, state and/or federal requirements and commitments.
- ii. Annual Water Consumption Report including annual water consumption of the facility, specific water consumption for cooling systems including cooling system storage units, water consumption associated with energy generation; water conservation or reuse measures implemented in the last year and corresponding impact on water use, and confirmation of compliance with any approved local utility, state and/or federal requirements and commitments.
- iii. Annual Noise Compliance Report prepared by a qualified acoustic engineer documenting compliance of max decibel limits at and beyond the property line, including methodology of measurement. The report shall be prepared in accordance with the approved Noise Study and Mitigation Plan and shall include sound measurements conducted under the operating conditions identified in the approved plan, including normal operations and peak operations such as generator testing.
- iv. Annual Emergency Generator Testing Report which documents the frequency of generator testing, the duration of testing for each generator unit, testing schedule, and confirmation of compliance with all IDEM regulations
- v. A statement confirming that the facility continued to operate in substantial conformance with the approved development plan, commitments, and all applicable Special Use District standards.

- b. The publicly available online dashboard shall include at a minimum the following information:

- i. Dates of upcoming planned generator testing.
- ii. Notice of other temporary changes that may impact the public.
- iii. The following information updated monthly with the data posted by the 15th day of the following month. A minimum of three years of data shall be maintained, allowing for trends to be identified:

1. Electrical
 - a. Monthly total electrical use and peak use
 - b. Breakdown of electricity source (i.e. purchased from grid, renewable, etc.)
2. Water
 - a. Monthly total facility water consumption and peak facility consumption
 - b. Monthly total energy water demand and peak energy water demand

12. Existing Uses. Existing, constructed, or previously approved use and development that falls under the definition of data center facility set forth in the adopted ordinance amendment, effective the final approval date, remain in compliance with existing base zoning district.

SECTION 3. Table 743-208-1 of the Consolidated Zoning and Subdivision Control Ordinance of Indianapolis/Marion County, Indiana is hereby amended by adding the language that is underlined and deleting the language that is stricken-through, to read as follows:

Table 743-208-1: USES PROHIBITED IN NON-SU DISTRICTS	
DISTRICT	USES
<u>SU-47</u>	<u>Data Center facilities</u>

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

The foregoing was passed by the City-County Council this ____ day of _____, 2026, at ____ p.m.

ATTEST:

Maggie A. Lewis
President, City-County Council

Yulonda Winfield
Clerk, City-County Council

Presented by me to the Mayor this ____ day of _____, 2026.

Yulonda Winfield
Clerk, City-County Council

Approved and signed by me this ____ day of _____, 2026.

Joseph H. Hogsett, Mayor

