

Data Center Zoning Regulations

Range of Local Approaches: Least Restrictive to Most Restrictive

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Indiana status: As of August 2026, 13 Indiana counties have adopted data-center-specific ordinances, 24 have enacted temporary moratoria, and 3 prohibit data centers (Indiana University Environmental Resilience Institute). Marshall County (Ord. 2026-11) and Cass County (Ord. 2026-08) removed data centers from all zoning districts pending further study. Indianapolis/Marion County has a binding moratorium through December 31, 2027.

How to read this table: Least Restrictive is the lowest level of regulation in use. Typical reflects what most adopting communities have adopted or are pursuing. Most Restrictive represents the high bar among adopted and proposed standards. **Indiana caution** rows identify standards that may exceed local zoning authority under Indiana law.

Category / Why It Is Regulated	Least Restrictive	Typical (Most Common)	Most Restrictive
CONSTRUCTION PHASE			
Construction Hours <i>Hyperscale construction runs 18–36 months, often with night concrete pours and multiple shifts.</i>	Defer to the general noise ordinance.	Work limited to 7 a.m.–7 p.m. weekdays, limited Saturday hours, no Sundays or holidays.	Daytime work only; night pours by advance permit only, with 72-hour notice to neighbors.
Construction Noise <i>Pile driving, rock breaking and heavy equipment far exceed the noise of the finished facility.</i>	Construction exempt from noise limits (Albemarle Co., VA exempts demolition).	Hour limits only; no decibel cap.	Decibel cap at nearest receptors, construction noise management plan, temporary sound barriers.
Construction Vibration <i>Pile driving, vibratory compaction and blasting can crack foundations and damage wells.</i>	No standard.	Peak particle velocity cap at the nearest structure, scaled to building type.	Pre-construction condition surveys of foundations and wells within a set radius, continuous monitoring during high-vibration work, developer-funded repair process.
Construction Traffic & Haul Routes <i>Thousands of concrete and steel loads travel rural roads not built for them.</i>	Standard traffic study thresholds.	Traffic impact study with construction routing and emergency-access plan (Lycoming Co., PA model).	Designated haul routes, delivery hours restricted around school bus schedules, flaggers or temporary signals at specified intersections.
Road Damage & Road Use Agreements <i>The county absorbs repair costs for roads damaged during construction.</i>	No requirement; repairs handled after the fact.	Road use agreement with pre-construction video survey (common in Indiana wind and solar ordinances).	Bond for full reconstruction cost of haul routes; developer-funded pre-construction upgrades; release after post-construction inspection.
Land Disturbance, Erosion & Sediment Control <i>Hundreds of acres of bare soil can wash into ditches, streams and regulated drains.</i>	IDEM Construction Stormwater General Permit only.	Local erosion and sediment control plan reviewed by the county.	Phased disturbance limits capping acres open at one time, third-party inspections, stop-work trigger.
Indiana caution: IDEM's Construction Stormwater General Permit governs; local requirements are strongest in MS4 communities with their own stormwater ordinance.			

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Dust <i>Mass grading adjacent to homes and farmsteads.</i>	IDEM fugitive dust rule only.	Dust control plan with watering and stabilized construction entrances.	Wind-speed shutdown triggers and particulate monitoring at the property line.
Agricultural Drainage Tile & Regulated Drains <i>Grading can sever field tile and flood neighboring farmland.</i>	No requirement.	Locate and reroute tile; county surveyor sign-off on regulated drains.	Site-wide pre-construction tile survey, multi-year post-construction repair obligation, bonding (drawn from Indiana wind and solar ordinances).
Indiana caution: Regulated drains fall under County Drainage Board authority (IC 36-9-27). Zoning can require coordination but cannot substitute for Drainage Board approval.			
Dewatering & Neighboring Wells <i>Excavation dewatering can draw down private wells.</i>	No requirement.	Dewatering plan disclosed at site plan review.	Baseline testing of wells within a set radius, monitoring during construction, developer-funded well replacement.
Indiana caution: DNR regulates significant water withdrawals (IC 14-25-7), and IC 14-25-4 provides a remedy for small-well failures caused by high-capacity wells. Local well-replacement obligations are most secure as written commitments.			
Tree Clearing <i>Loss of woodlots and screening before buffers are installed.</i>	No requirement.	Preserve existing vegetation within required buffers.	Replacement ratios for removed trees; buffer planting completed before vertical construction.
Construction Lighting <i>24-hour work sites light rural night skies.</i>	No requirement.	Shielded, downward-directed temporary lighting.	No overnight lighting except security; zero light trespass at residential property lines.
Staging, Laydown & Worker Parking <i>Large temporary lots and worker traffic spill onto roads and neighboring properties.</i>	No requirement.	Staging on-site only, shown on the site plan.	Off-site park-and-ride for workers; temporary lots restored by a set deadline.
OPERATIONS PHASE			
Use Classification & Approval Process <i>Data centers fit no traditional use category and are often approved as generic industrial uses without specific review.</i>	Permitted by right in industrial districts.	Special exception or conditional use in industrial districts only (Lake Co., IN; Loudoun Co., VA since 2025).	Not permitted in any zoning district (Marshall Co., IN Ord. 2026-11; Cass Co., IN Ord. 2026-08).
Indiana caution: A countywide prohibition of a lawful use is exposed to exclusionary-zoning and substantive due process challenges. The General Assembly rejected a statewide “permitted use” preemption provision in HB 1333 (2026).			
Size Thresholds <i>A server room and a million-square-foot campus carry very different impacts.</i>	No size distinction.	Size tiers, e.g., Tippecanoe Co., IN: 10,000 sq ft or less permitted in multiple districts; larger by special exception in one industrial district only.	Maximum building floor area and campus acreage caps (under study in Indianapolis during its moratorium through 2027).

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Setbacks & Separation <i>Distance is the most reliable, lowest-cost mitigation for noise, visual mass and light.</i>	100–200 ft from residential property lines (typical industrial district standard).	200–500 ft from residential property or districts (NACo); Lake Co., IN: 200 ft.	1,000 ft from residential or agricultural zoning (Valparaiso, IN recommendation); 1,250 ft from schools, nursing homes, hospitals, day cares and places of worship (Cumberland Co., NC proposed).
Operational Noise <i>Cooling equipment produces a constant 24-hour hum, including low-frequency sound that carries.</i>	65–75 dBA at the property line.	55 dBA at the property line (Lake Co., Valparaiso, Indianapolis draft); 60 dBA day / 55 dBA night (Albemarle Co., VA).	55 dBA day / 45 dBA night (Linn Co., IA); both A- and C-weighted limits to capture low-frequency sound.
Operational Vibration <i>Large rotating mechanical equipment.</i>	General performance standard.	No vibration perceptible at the property line without instruments.	0.05 inches per second peak particle velocity at the property line (Valparaiso, IN recommendation).
Building Height, Massing & Architecture <i>Very large, windowless buildings with little visual relief.</i>	Underlying district height; no design standards.	Façade articulation every 100 ft on façades visible from streets or residential zones; vinyl and aluminum siding prohibited (Albemarle Co., VA).	35-ft height cap, 50 ft only with added setback (King George Co., VA); architectural renderings and sight-line studies (Fairfax Co., VA).
Buffering, Landscaping & Equipment Screening <i>Visual screening and partial noise attenuation along residential edges.</i>	50-ft landscaped transitional screening yard (Fairfax Co., VA).	Berms with evergreen planting; ground and rooftop mechanical equipment screened from roads and residential property (Prince William Co., VA).	Certified sound wall atop berm where needed; all chillers, exhaust fans and generators 500 ft from any property line (Franklin Co., IN draft).
Lighting <i>Security lighting operates all night.</i>	Existing UDO lighting standards (Valparaiso, IN).	Full-cutoff, shielded fixtures; near-zero light trespass at residential lines.	Dark-sky compliant fixtures, color-temperature cap, after-hours dimming.
Security Fencing <i>High-security perimeters produce a compound appearance.</i>	Standard industrial fence rules.	About 7 ft with anti-climb features, located inside the landscaped buffer.	Fence placed on the building side of the berm, screened from public view (Franklin Co., IN draft).
Backup Generators (Operation & Testing) <i>Campuses house dozens to hundreds of diesel generators; routine testing generates noise.</i>	Emergency operation and testing fully exempt.	Testing limited to 10 a.m.–4 p.m. (Albemarle Co., VA).	Limit on units tested simultaneously; annual cap on non-emergency run hours; emergency operation remains permitted.
Air Emissions <i>Diesel exhaust from generators and combustion emissions from any on-site power plant.</i>	Defer to IDEM and EPA permits.	Disclosure of generator inventory and copy of air permit.	EPA Tier 4 emission standards; annual testing with reports to the municipality (Chester Co., PA model).
Indiana caution: IDEM holds air permitting authority, and engine emission standards are federal. Standards stricter than state or federal requirements are more secure as written commitments (IC 36-7-4-1015) than as ordinance text.			

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On-Site Power Generation <i>Long grid-connection queues push developers toward their own turbines, fuel cells or reactors, effectively placing a power plant on site.</i>	Treated as an accessory use.	Separate special use approval for on-site generation (Shenandoah Co., VA proposed).	Prohibition of specified generation types, e.g., nuclear (Cumberland Co., NC proposed); prohibition of all behind-the-meter generation.
Indiana caution: State energy policy favors large-load self-supply and small modular reactors, and generation falls within IURC jurisdiction. Local prohibitions carry significant preemption risk.			
Substations <i>Large new utility structures and associated transmission lines.</i>	Treated as an accessory use.	Accessory-use setbacks and screening (Chester Co., PA model).	Separate approval, residential-scale setbacks, full screening.
Indiana caution: Utility-owned substations may be subject to state utility oversight that limits local zoning control.			
Battery Energy Storage (BESS) <i>Thermal-runaway fire risk and specialized fire response needs.</i>	Treated as an accessory use.	Setbacks plus a plan coordinated with the local fire department.	1,320-ft setback from the nearest adjoining property line (Marshall Co., IN BESS ordinance).
Indiana caution: Setbacks are within zoning authority; fire-safety standards beyond the state-adopted fire code conflict with IC 22-13.			
Electrical Capacity & Grid Impact <i>Concern over rate increases and grid reliability.</i>	No requirement.	Utility will-serve confirmation and energy efficiency plan (Lake Co., IN).	Energy use plan covering peak demand, redundancy and curtailment commitments (Lycoming Co., PA model).
Indiana caution: Rates, service and curtailment are IURC matters. A will-serve requirement is a standard land-use condition; curtailment mandates exceed zoning authority.			
Water Supply <i>Competition with private wells and municipal supply.</i>	Disclosure of water source.	Water management plan (Lake Co., IN) and water feasibility study.	Public water supply required, no private wells (Jones Co., GA); drought response plan (Lycoming Co., PA model).
Indiana caution: DNR regulates significant withdrawals (IC 14-25-7); Lake Michigan-basin communities fall under the Great Lakes Compact (IC 14-25-15). A public-water siting requirement is more defensible than a flat well prohibition.			
Cooling Method <i>Evaporative cooling consumes large volumes of water; closed-loop systems recirculate it.</i>	No requirement.	Closed-loop cooling prioritized; water reclamation and reuse required for water-cooled equipment (Floyd Co., GA).	Closed-loop mandatory; evaporative cooling and cooling towers prohibited (Jones Co., GA; Henry Co., VA); no net consumptive water use (Morris Twp., PA).
Indiana caution: IC 22-13 vests building and equipment standards in the Fire Prevention and Building Safety Commission; a mandated mechanical system resembles a building standard. A performance standard (cap on annual consumption or net-zero consumptive use) avoids this conflict.			
Wastewater <i>Chemically treated cooling-system discharge.</i>	Defer to IDEM discharge permits.	Disclosure of wastewater volumes and treatment method.	Connection to public sewer required; on-site treatment prohibited (Jones Co., GA).
Stormwater (Post-Construction) <i>Very large impervious surface area.</i>	Standard drainage ordinance.	Post-construction stormwater management plan (Lycoming Co., PA model).	Volume reduction and infiltration requirements beyond peak-rate control; green roofs and permeable parking.

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Fire, Emergency Response & Hazardous Materials <i>Fuel storage, batteries and coolant chemicals; rural departments may lack equipment and training.</i>	Building and fire code only.	Emergency response plan (Linn Co., IA).	Developer-funded training and equipment for the local fire department through a development agreement.
Indiana caution: Requirements take the form of plans and commitments; added fire-code provisions conflict with IC 22-13.			
Operational Traffic <i>Small staffing; impacts center on fuel deliveries.</i>	Standard review.	Access, parking and road capacity review within special use evaluation.	Fuel delivery routes and hours restricted.
Decommissioning <i>Site restoration when an operator closes the facility.</i>	No requirement.	Decommissioning plan plus full-cost financial guarantee, released after inspection (Floyd Co., GA).	Security no less than 125% of third-party cost estimate (Bradford Co., PA); cost re-evaluation at least every 3 years (Henry Co., VA).
Abandonment <i>Operator exit or bankruptcy leaves a stranded shell.</i>	General nuisance and unsafe-building provisions.	Decommissioning required after 15 months of inactivity (Lake Co., IN).	Decommissioning begins within 12 months of inactivity and is completed within 24; county may draw on security (Henry Co., VA).
MONITORING & ENFORCEMENT (BOTH PHASES)			
Monitoring & Reporting <i>Performance standards require verification data.</i>	No post-approval requirement.	Pre-construction sound modeling; post-construction sound study within 60 days of occupancy (Albemarle Co., VA).	Permanent on-site acoustic monitors (Chester Co., PA model); annual reports on energy, water, noise and generator testing (Indianapolis draft).
Indiana caution: Energy and water data may be claimed as trade secrets under Indiana's public records law; the ordinance should specify public versus confidential data.			
Enforcement <i>Complaint-driven enforcement is ineffective against continuous, low-level impacts.</i>	Complaint-driven, under general zoning enforcement.	Mitigation required when post-construction limits are exceeded (Albemarle Co., VA); per-day fines.	Developer-funded escrow for independent review and enforcement (Morris Twp., PA); special exception revocation for uncured violations; operational reductions until compliance.
Indiana caution: Ordinance fines are capped by IC 36-1-3-8. Primary tools are injunctive relief (IC 36-7-4-1014) and conditions recorded as written commitments (IC 36-7-4-1015); revocation requires notice and hearing.			