

**DATE:** March 3, 2026

**DOCUMENT TITLE:** Community Fact Sheet

**REFERENCE:** Draft - Data Center Regulations - Version 2.0

**PRELIMINARY DOCUMENT:** This document is a Working Draft intended for deliberative and discussion purposes only. The standards, measurements, and requirements contained herein have not been finalized, legally vetted, or formally adopted by the governing body.

**NON-BINDING:** This draft does not constitute a final agency action or a binding ordinance. All provisions are subject to significant modification, addition, or deletion following staff review and public testimony.

### **Public Guidance Statement**

**PURPOSE OF THIS DOCUMENT:** This summary is provided by the Franklin County Area Plan Department as a simplified guide to the proposed Data Center Regulations Ordinance. It is intended to help the public, residents, and stakeholders understand the key protections and physical requirements being considered.

**LIMITATION:** This summary is for **informational purposes only** and does not replace the full technical text of the draft ordinance. In the event of a conflict between this summary and the formal legislative draft, the formal draft shall govern.







**FEEDBACK:** Public comments regarding these standards are encouraged and may be submitted to The Data Center Work Group, which meets weekly at:

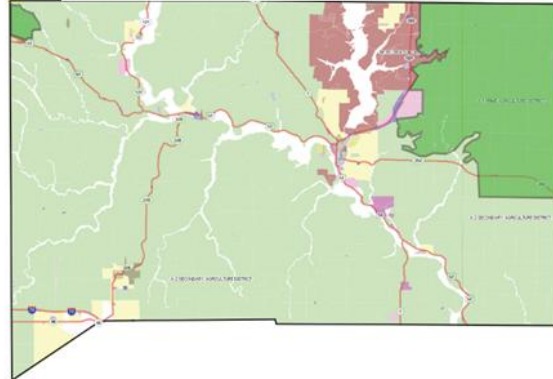
<https://www.franklincounty.in.gov/department/area-planning-zoning-and-building/>

**Section A) Regulations**

This section establishes Data Centers as a Class 3 Conditional Use in the Enclosed Industrial (I-1) district. Current zoning provides that (I-1) Enclosed Industrial uses are permitted uses in the (I-2) Open Industrial district.

**Franklin County Zoning Map**

-  A-1 Prime Agriculture
-  A-2 Secondary Agriculture
-  R-E Recreation District
-  I-1 Enclosed Industrial
-  I-2 Open Industrial
-  R-1 Single Family Residential



**Current Industrial Uses in Franklin County**

**I-1 Enclosed Industrial**

There are approximately (1,340) acres of land zoned for enclosed industrial use with districts ranging in size from about 5 to 730 acres. There are (4) larger areas including; (83) acres in Southgate, (830) non-contiguous acres north of Brookville along State Route 101, (160) acres south of Brookville along US 52, and (225) acres south of Laurel along State Route 121.

**I-2 Open Industrial**

There are approximately (675) acres zoned as open industrial ranging in size from about 10 acres to 450 acres. Currently uses include an airport, water utilities, a concrete plant, roofing manufacturing, commercial construction and materials storage.

## Section B) Site Development Standards

This section of the ordinance establishes the **physical footprint and spatial requirements** for a data center. Its primary objective is to create a "buffer zone" that physically separates industrial operations from the community, ensuring the facility remains visually and acoustically unobtrusive.

### 1. Setback Requirements (The "Empty Space")

The ordinance mandates significant distance between the facility and its neighbors to dissipate noise and reduce visual bulk.

- **Standard Setback:** A **300-foot** no-build zone is required from all public streets and non-industrial property lines.
- **Industrial Exception:** Reduced to **200 feet** when neighboring another industrial site.
- **NGE Setback:** High-noise equipment (chillers, generators) must be at least **500 feet** from the property line unless an acoustic study proves it can be closer without breaking noise rules.
- **Residential Protection:** Even if a data center is in an industrial zone, any neighboring **existing house** is treated with the stricter 300-foot/500-foot protections.

### 2. Buffer Yard & Screening

Within the setback, the developer must install "layers" of protection to hide the facility.

- **100-foot Buffer Yard:** A dedicated strip of land within the setback that must feature a **staggered, multi-tier** landscape screen (trees/shrubs) for year-round coverage.
- **No "Clutter" in Buffers:** Parking lots, sheds, and substations are **prohibited** within the buffer to ensure the trees and acoustic screens remain effective.
- **Fence Placement:** Security fences must be placed **behind** the trees (closer to the building) so the public sees a landscape, not a prison-style fence.
- **Sound Walls:** If trees and dirt berms aren't enough to block the noise, the developer must install certified sound walls.

### 3. Height and Shadow Limits

- **60-Foot Cap:** The total height of the building—including all rooftop screens and mechanical "hats"—is strictly limited to **60 feet**.
- **Agricultural Shadowing:** The facility must be positioned so that its height does not cast shadows on adjacent farms, which could interfere with crop growth.

### Summary Table of Site Standards

Category	Requirement	Exception
Primary Setback	300 Feet	200 Feet (Industrial-to-Industrial)
Noise Equipment	500 Feet	Can be reduced with Acoustic Study
Buffer Width	100 Feet	Not required for Industrial neighbors
Max Building Height	60 Feet	Includes all rooftop equipment
Fence Location	Interior to Buffer	Exterior allowed at Industrial boundaries

## Section C) Design and Installation Standards

This section of the ordinance establishes strict technical and environmental performance mandates for data center development. Its primary focus is on protecting neighboring properties from the "spillover" effects of industrial-scale computing operations—specifically noise, heat, light, and vibration.

### 1. Acoustic & Vibration Controls

This is a "high-standard" noise policy that goes beyond simple volume levels.

- **Dual-Band Monitoring:** Requires measuring both **dBA** (human hearing) and **dBC** (low-frequency bass).
- **The 15 dB Rule:** A violation occurs if low-frequency noise is significantly higher than ambient noise, preventing "structural rattle" in nearby homes.
- **Tonal Penalties:** If the facility produces a high-pitched "whine" or hum, the allowable noise limits are automatically lowered by 5 decibels.
- **Strict Scheduling:** Maintenance and generator testing are restricted to **weekdays, 9:00 AM – 5:00 PM** only.
- **Vibration:** Mandates a "Peak Particle Velocity" limit and requires an engineer to certify that all rotating machinery is on anti-vibration mounts.

### 2. Thermal & Lighting Standards

Addresses how the facility physically impacts the air and sky around it.

- **Thermal Discharge:** Prohibits the facility from raising the air temperature at the property line by more than **5°F** on average, or **10°F** instantaneously (Heat Blast Events).
- **BUG & Dark Sky:** Mandates **U0** (zero uplight) and specific ratings for backlight and glare based on the neighbor's zone (Residential vs. Agricultural).
- **Visual Glare:** Requires "warm" 3000K lighting and non-reflective building materials (LRV 40 or less) to prevent daytime blinding.

### 3. Rooftop & Equipment Screening

Ensures that the industrial "look" and "sound" of the facility are contained.

- **Opaque Screening:** Any equipment higher than 30 feet must be hidden by sound-attenuating parapet walls or shrouds.
- **Vertical Discharge:** All exhaust fans must point **straight up** to prevent blowing hot air or noise sideways toward neighbors.

### 4. Safety & Environmental Hazards

Strict adherence to state and national safety codes for backup power systems.

- **Fuel Storage:** Requires double-walled tanks or 110% secondary containment to prevent soil/water contamination, plus a certified EPA Spill Prevention (SPCC) plan.
- **Battery Safety (BESS):** Mandates **NFPA 855** compliance and **UL 9540A** testing, which specifically evaluates the risk of "thermal runaway" or fire spread in lithium-ion arrays.

#### Key Regulatory Limits

Impact Category	Metric / Limit	Enforcement Point
Residential Noise (Night)	50 dBA / 65 dBC	Property Line
Low-Frequency Delta	< 15 dB (dBC - dBA)	Adjacent Parcel
Vibration	0.005 in./sec. (PPV)	Habitable Structures
Heat Increase	Max 5°F avg increase	Property Line
Light Uplight	U0 (Full Cutoff)	At Fixture

## Section D) Water Supply & Resource Management

Water Supply & Resource Management details how Franklin County safeguards its groundwater and utility infrastructure. By shifting the burden of proof and the cost of protection to the developer, the ordinance ensures that data center cooling needs do not compete with the water security of local residents and farmers.

### 1. The Conservation Strategy: Technology over Consumption

To prevent the permanent "consumption" of the local water supply, the ordinance mandates high-efficiency cooling technologies.

- Closed-Loop Mandate: New facilities must utilize Closed-Loop or Air-Cooled systems that recycle the same fluid in a sealed environment.
- Prohibited Evaporation: The use of "Once-Through" cooling or open-evaporative towers—which lose millions of gallons to the atmosphere—is strictly banned.
- Stormwater Harvesting: Developers are required to treat and reuse internal cycle water and capture on-site precipitation for non-potable needs.
- Continuous Leak Detection: Mandatory real-time monitoring of all infrastructure to prevent massive, undetected water loss.

### 2. Utility Priority & Aquifer Protection

The County prioritizes the use of regional water systems over private wells to minimize the impact on the local water table.

- Mandatory Connection: If a facility is within a specified distance of a municipal service line, they must connect.
- The "Letter of Inability": A private well is only permitted if the local utility provides written proof that they lack the physical capacity to serve the project.
- Scientific Modeling (MODFLOW): For projects using wells, developers must use 3D modeling to map the Zone of Influence (ZOI)—the physical area where the water table will drop.
- 1-Foot Drawdown Inventory: Every domestic, agricultural, or livestock well within the area where the water table drops by even one foot must be identified and monitored.

### 3. Absolute Accountability: Mitigation & Discharge

This section establishes a "Zero-Risk" environment for neighbors regarding their water access and quality.

- **Strict Liability:** The developer is legally responsible for restoring service (e.g., deepening a well or replacing a pump) for any neighbor in the ZOI found to be impacted.
- **Rapid Response Water Fund:** Developers using wells must fund a cash escrow. If a neighbor's water stops, this fund pays for temporary potable water delivery within 24 hours, regardless of whether the investigation is complete.
- **Real-Time Wastewater Monitoring:** All discharge is monitored for pH, temperature, and mineral concentration.
- **Automatic Fail-Safe:** The system must include an automated shut-off valve that halts all discharge instantly if water quality falls outside permitted limits.

## Section E) Project Lifecycle and Benefits Agreements

### 1. Project Lifecycle Agreement (PLA)

The PLA acts as the "Master Contract" that governs the entire existence of the data center. It ensures that the project is managed not just by zoning code, but by binding contract law.

- **The Enforcement:** Execution of this agreement is a mandatory "Condition of Approval." If the contract is breached, the County can revoke the facility's right to operate.
- **Third-Party Oversight:** The developer must fund an Escrow Account used by the County to hire independent engineers. These experts act as the "County's eyes" on-site to verify that all noise, water, and construction rules are being followed.

### 2. Construction Management & Traffic (TIA)

This section mitigates the 24-month disruption window during the building phase.

- **Construction TIA:** A specific traffic analysis is required to prevent heavy machinery from destroying local bridges or idling in front of residential driveways.
- **Haul Route Enforcement:** All trucks must stay on pre-approved paths. We require GPS geofencing or physical signage to prevent "shortcuts" through narrow rural roads.
- **On-Site Staging:** Parking and equipment storage are strictly prohibited on public shoulders; all activity must stay within the 300-foot interior setback.
- **Dust and Mud:** Mandatory tire-wash stations and water trucks prevent mud "track-out" and dust from settling on neighboring crops.

### 3. Road Use and Repair Agreement (RUMA)

Franklin County roads were not designed for industrial-scale construction loads.

- **The Baseline:** A pre-construction video survey documents the exact state of the roads before work begins.
- **The Road Bond:** The developer posts a cash-backed bond. Any damage caused by the project must be repaired to **"as-good or better"** condition at the developer's sole expense.

#### 4. Decommissioning & Site Restoration

This prevents the facility from becoming a "Digital Ruin" if the technology becomes obsolete.

- Financial Surety: A bond covering 100% of demolition costs must be posted.
- The 5-Year Reset: Every five years, the bond is re-evaluated by an independent engineer to account for inflation, ensuring the fund is always sufficient.
- Agricultural Return: The plan mandates the removal of all deep concrete footings and the remediation of soil so the land can return to productive use.

#### 5. Mandatory Insurance Suite

This shifts the liability for "high-consequence" events from the County to specialized insurers.

- Environmental & Pollution: Covers the total cost of cleaning up diesel spills or chemical leaks.
- Cyber & Network: Protects the County's liability if a facility breach impacts the local power grid.
- Excess Umbrella: Provides multi-million dollar coverage layers appropriate for high-voltage industrial sites.

#### 6. Community Benefit Agreement (CBA)

Because data centers utilize massive resources while providing low employment density, the CBA ensures a fair exchange.

- Emergency Service Grants: Mandates annual contributions for Volunteer Fire/EMS to purchase specialized gear (thermal cameras, foam) and fund industrial-response training.
- Education & STEM: Requires annual grants for local school robotics, computer labs, and scholarships for Franklin County students pursuing tech careers.
- The "Utility Firewall": A legal guarantee that residential utility rates will not increase to subsidize the data center's massive infrastructure needs.

#### 7. Public Accountability & Conclusions

- Transparency: The CBA and all insurance certificates are Public Records.

## Section F) Preliminary Plan

This outlines the "Scientific Audit" required of any developer. It shifts the burden of proof to the applicant, requiring them to mitigate all impacts on paper before construction is authorized.

### 1. Water Security & Stewardship

The ordinance mandates a circular resource model to protect the local aquifer.

- Closed-Loop Mandate: Certified proof that cooling water is recycled in a sealed system to eliminate evaporative loss.
- Stormwater Harvesting: Capture of rain in on-site cisterns for non-potable needs like irrigation.
- Leak Protection: Use of high-sensitivity acoustic sensors and automatic shut-off valves to prevent undetected water loss.

### 2. Comprehensive Impact Evaluation (CIE)

A "Net-Impact" audit to identify hidden costs property taxes may not cover.

- Public Safety: Funding for specialized training and gear (thermal cameras, foam) for Volunteer Fire Departments.
- Fiscal & School Audit: A neutral study weighing tax revenue against road wear and impacts on Franklin County Schools.
- Infrastructure: Verification that industrial demand won't "crowd out" future residential or small business growth.

### 3. Transportation & Construction Management

Protects the daily commute and structural integrity of rural roads during the 24-month build.

- Level of Service (LOS) C: Developers must fund turn lanes or signals if intersections fail to maintain flow.
- Sequencing: Staggered truck arrivals to avoid school bus hours and agricultural harvest peaks.
- Road Integrity (RUMA): A baseline survey and bond ensuring roads are repaired to "as-good or better" condition.

#### 4. Utility Demand & "Firewall" Disclosure

Requires absolute transparency to ensure resident utility rates are never compromised.

- Peak Load (MW/GPD): Disclosure of total Megawatts and Gallons-per-Day with utility "Will-Serve" confirmation.
- Wastewater (Blowdown) Chemistry: Disclosure of cooling chemicals and a certified plan for safe disposal.
- E-Waste Compliance: Proof that servers and batteries will be managed per IDEM and EPA regulations.

#### 5. Environmental & Acoustic Modeling

The developer must use 3D simulations to prove they meet "Good Neighbor" standards.

- Shadow Protection: Proof of zero shadow encroachment on adjacent crops (9 AM–3 PM) to protect the growing season.
- Thermal "Chimney Effect": Mandatory Vertical Discharge to blow heat upward, preventing lateral plumes from drying out cornfields.
- Noise Isopleths: Color-coded 3D "Heat Maps" proving compliance with dBA and dBC (low-frequency) noise limits.

#### 6. NGE Placement & Setback Exceptions

The 500-foot setback for Noise Generating Equipment (NGE) is the default. Exceptions require:

- Extraordinary Proof: 3D mapping showing that sound walls or shrouds make the impact identical to a 500-foot setback.
- Line-of-Sight Rule: Cross-sections proving zero direct line-of-sight between the noise source and the neighbor.

## Section G) Final Development Plan

This section of the ordinance establishes the "Financial Fail-Safe" for Franklin County. It ensures that before a single shovel hits the ground, the developer has moved beyond mere promises and has physically secured the funds and insurance necessary to protect the county's infrastructure and residents.

### 1. The "Cash-Before-Construction" Mandate

The county will not issue an Improvement Location Permit (ILP)—the final "green light" to build—until the developer deposits liquid funds into several county-managed escrow accounts.

- RUMA (Road) Escrow: Cash on hand for immediate repairs to collapsed culverts or road damage caused by heavy construction traffic.
- Rapid Response (Water) Escrow: A 24-hour emergency fund to provide potable water to neighbors if their wells fail within the facility's "Zone of Influence."
- Decommissioning Surety: The first payment toward a bond that covers 100% of the future cost to tear down the building and restore the land to farming standards.
- Technical Review Escrow: Ongoing payment for the independent engineers hired by the county to inspect the site.

### 2. The Mandatory Insurance Suite

The developer must name Franklin County as an "Additional Insured" on specialized high-limit policies. This shifts the financial risk of a "worst-case scenario" away from taxpayers and onto global insurers.

- Environmental/Pollution: Covers total cleanup costs for diesel spills or cooling chemical leaks.
- Cyber & Network: Protects the county's liability if a facility breach impacts local infrastructure like the power grid.
- Excess/Umbrella: Provides multi-million dollar "backup" coverage for high-voltage industrial incidents.

### 3. Community & Safety Activation

Before the build begins, the developer must finalize their "Good Neighbor" commitments:

- Signed Contracts: The Community Benefit Agreement (CBA) and Project Lifecycle Agreement (PLA) must be notarized and active.
- Fire Department Funding: An initial payment is made to the Emergency Services Fund. This allows local volunteers to purchase specialized gear (like thermal cameras and electrical fire foam) *before* the hazard arrives on site.

#### Summary of Financial Safeguards

Protection	Form of Security	Rationale
Road Damage	Cash Escrow + Road Bond	Immediate repairs for rural infrastructure.
Dry Wells	Rapid Response Escrow	24-hour water delivery for impacted residents.
Pollution	Environmental Insurance	Zero-cost cleanup for soil/water contamination.
Abandonment	Decommissioning Surety	Prevents "Digital Blight" and restores farmland.
Emergency Prep	CBA Initial Contribution	Equips fire/EMS before the high-voltage risk exists.

## Section H, I and J) Occupancy, Post-Construction and Enforcement

This phases of the ordinance ensures that the facility's theoretical promises transition into actual, verified performance through a rigorous testing period and 24/7 automated oversight.

### 1. The Occupancy Sequence (The "Test Drive")

Completion of the building does not grant the right to operate. Franklin County uses a multi-step sequence to verify technical compliance under real-world conditions.

- Temporary Certificate of Occupancy (TCO): Issued for 180 days solely to allow for "Commissioning and Load Testing." The facility is authorized to reach Full Operational Load to prove it meets noise and heat standards.
- The Verified Audits: Within the 180-day window, a third-party engineer (independent of the design firm) must submit:
  - Noise Audit: Precision testing of dBA, dBC, and specific tones at the property lines during day and night.
  - Thermal Audit: Measurements taken 10 feet above ground level at the boundary to verify heat impact on crops, livestock, and residents.
- As-Built Mapping: Before the final permit, the developer must provide emergency responders with an exact map of shut-offs, high-voltage gear, and chemical storage.

### 2. Continuous "Smart" Monitoring

To prevent "compliance drift" or equipment degradation over time, the facility must maintain permanent, real-time monitoring equipment accessible to the County.

- Automated Arrays: Permanent, all-weather microphones (ANSI S1.4) and NIST-traceable thermal sensors with cellular uplinks provide continuous data.
- Monthly Compliance Reporting: The operator must submit logs showing daily maximum/average noise, thermal deltas, and maintenance logs (generator testing) to the Executive Director.
- Substantiated Complaints: The County reserves the right to trigger an independent audit at the owner's expense if neighbors file credible, substantiated complaints.

### 3. Enforcement & Civil Penalties

Franklin County utilizes a tiered penalty system to ensure that violations are corrected immediately. Each day an uncorrected violation remains is a separate and distinct offense.

<b>Class</b>	<b>Violation Type</b>	<b>Examples</b>	<b>Penalty / Action</b>
Level 1	Administrative	Late monthly logs or utility reports.	\$500 per day
Level 2	Operational	Exceeding noise/thermal limits; "Heat Blast" drift.	\$2,500 (Day 1) / \$7,500 (Thereafter)
Level 3	Critical/Safety	NFPA 855 failure; unauthorized water draw.	Immediate Cease & Desist + \$7,500/day

### 4. Legal Remedies: Revocation & Liens

- **14-Day Rule:** If a Level 2 violation (Operational) persists for more than 14 consecutive days, the APC may initiate a public hearing to revoke the facility's permit entirely.
- **Immediate Shutdown:** The Executive Director is authorized to issue a Cease-and-Desist Order for any system posing a risk to public health or safety, including shutting down cooling arrays.