

Permitted Uses



Use Matrix

P = Permitted Use S = Special Exception Use	A1	A1 R	A2	A3	A4	R1	R2	R3	R4	MH	B	C	I1	I2	DT	IS	Minimum Parking Requirements
Winery or Microbrewery	S		S			S					S	P	S		P	S	2.5 spaces/1000 SF GFA
INDUSTRIAL MANUFACTURING AND WHOLESALE PRIMARY USES																	
Airport or Heliport			S		S									S		S	0.1 spaces/1000 SF GFA
Automobile Parts Recycling Business													S	P			0.3 spaces/1000 SF GFA
Automobile Towing Service Storage Yard												S	P	P			0.3 spaces/1000 SF GFA
Bottled Gas Storage and Distribution														S			0.3 spaces/1000 SF GFA
Bus Transit Facility											P	S			S	S	0.5 spaces/1000 SF GFA
Chemical Manufacturing and Storage														S			0.3 spaces/1000 SF GFA
Communication Services		S	P		P						P	P	P	P	S	S	0.5 spaces/1000 SF GFA
Composting Facility			S	S													No requirement
Contractors– General			S		S									P	P		0.3 spaces/1000 SF GFA
Contractors– Heavy/Contractor Yard														S	P		0.3 spaces/1000 SF GFA
Data Center – Tier 1					S									P	P		0.2 spaces/1000 SF GFA
Data Center – Tier 2					S								S	PS			0.2 spaces/1000 SF GFA
Food Preparation and Sales, Commercial												S	P	P			0.3 spaces/1000 SF GFA
Laboratory, Research, and Development Services													P	P			0.3 spaces/1000 SF GFA
Manufacturing or Refinement of Asphalt, Cement, Gypsum, Lime, or Wood Preservatives														S			No requirement
Manufacturing, Fabricating, & Assembly – General			S		P								P	P			0.3 spaces/1000 SF GFA
Manufacturing, Fabricating, & Assembly – Heavy			S		S								S	P			0.3 spaces/1000 SF GFA
Mineral Extraction				S									S	P			No requirement
Rail Distribution Yards					S									P		S	No requirement
Recycling Center			S		S								S	P			0.3 spaces/1000 SF GFA
Recycling Drop-Off Facilities	S	S	S	S	S	S	S	S	S	S	P	P	P	P	S	S	0.1 spaces/1000 SF GFA
Recycling Plant, Scrap Processor			S		S								S	P			0.1 spaces/1000 SF GFA
Salvage or Junk Yards													S	S			0.3 spaces/1000 SF GFA
Sanitary Landfill or Incineration				S													No requirement
Self-Storage Facilities			S		P						S	S	P	P			0.1 spaces/1000 SF GFA
Small Cell Facility						S	S	S	S	S	S	S	S	S	S	S	No requirement
Small Modular Reactor														S			0.1 spaces/1000 SF GFA



Bottled Gas Storage and Distribution: A facility where compressed gas is stored in pressurized portable tanks and is the origin or destination point of tanks being transported.

Chemical Manufacturing and Storage: An establishment used for the manufacture or storage of any chemical or chemically reactive products.

Communication Services: Establishments primarily engaged in the provision of broadcasting and other information relay services accomplished using electronic and telephonic mechanisms. This use excludes telecommunication facilities. Typical uses include television studios, radio studios, or film and sound recording facilities.

Composting Facility: A commercial or public solid waste processing facility where yard or garden waste is transformed into soil or fertilizer by biological decomposition. A composting facility must be located at least 500 feet from any residential district. This requirement may be reduced by the Administrator if the applicant can show a smaller separation will have no significant effect on the nearby residential district.

Contractors—General: An establishment providing general contracting and/or building construction services for residential, farm, industrial, or commercial uses, and which typically does not involve outdoor storage of machinery or equipment. This definition includes: general building contractors; plumbing, heating, air-conditioning; painting and paper hanging; electrical work; masonry, stonework, and plastering; carpentry and floor works; roofing, siding, and sheet metal work; glass and glazing work; installing building equipment; and special trade contractors. Building materials and company vehicles must be screened or located so not visible from a perimeter street or adjacent residential use.

Contractors—Heavy/Contractor Yard: Establishments providing general contracting and/or construction services other than for buildings, such as for highways and streets, bridges, sewers, and flood control projects, and which may involve outdoor storage of machinery or equipment, or a contractor yard for vehicles, equipment, materials and/or supplies. A Contractors, Heavy/Contractor Yard must be located at least 500 feet from any residential district. This requirement may be reduced by the Administrator if the applicant can show a smaller separation will have no significant effect on the nearby residential district.

Data Center. A facility designed or primarily used to house computer servers, data storage systems, and associated equipment for the primary purpose of data processing, storage, and distribution. Accessory uses include on-site administrative offices, equipment maintenance areas, power supply and distribution equipment (including electrical substations, transformers, and backup generators), cooling systems and equipment, fire suppression systems, and security facilities. For the purposes of this ordinance, data centers are classified into the tiers noted below based on scale of operations. All Data Centers must comply with the following:

1. Letters from the appropriate utilities that sufficient water, electric, and fiber optic capacity exists and the utilities are willing to provide service.
2. All utility costs are the sole responsibility of the data center developer.
3. maximum noise level measured at the property line cannot exceed 60 dBA during the day (7:00 AM – 10:00 PM) and 45 dBA at night.



4. Back-up generators must comply with IDEM permitting under 326 IAC 2. Back-up generator use is limited to emergency use and required testing. Testing can only occur on weekdays between 9:00 AM – 5:00 PM with ~~48-hour~~48-hour advance notice to adjacent property owners.
5. –All mechanical equipment, including power generators or other power supply equipment, must be enclosed or screened from public view.
6. All on-site utility lines must be placed underground to the extent feasible and as permitted by the serving utility, except for 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.
7. Perimeter security fencing or other county-approved barriers must comply with federal requirements and be designed to prevent unauthorized entry. Fences or other barriers must be at least 6 feet in height.
8. Data center operators must offer annual training sessions to fire departments responsible for providing fire protection services in the area in which the data center is located. The first such training session must occur within 6 months of the date that the facility begins operation and each calendar year thereafter. 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 or 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.
- 4.9. The primary fire department for the data center location must be provided with initial funding to battle a fire at the data center.

Tier 1 Data Center. A data center facility with a gross floor area of less than 50,000 square feet and/or an aggregate electrical power capacity of less than 5 megawatts (MW). A Tier 1 Data Center must comply with the following:

1. At least 200-foot setback where abutting a residential use or residential zoning district.
2. A 100-foot landscape buffer is required where the use abuts a residential use or residential zoning district. The buffer must be planted with 4 shade trees and 6 evergreen trees per 100 linear feet.

Tier 2 Data Center. A data center facility with a gross floor area of 50,000 square feet or greater and/or an aggregate electrical power capacity of 5 megawatts (MW) or greater. A Tier 2 Data Center must comply with the following:

1. At least 300-foot setback where abutting a residential use or residential zoning district.
2. A 150-foot landscape buffer is required where the use abuts a residential use or residential zoning district. The buffer must be planted with 4 shade trees and 6 evergreen trees per 100 linear feet.



3. In addition to the materials required for a Special Exception application, the following elements must be included in the application:
 - a. An Environmental Impact Analysis (EIA) in accordance with **IC 13.2-4**. The EIA must document the anticipated carbon emissions and impacts on any agricultural, historic, and cultural resources in the area. The EIA should include a Phase I ESA report completed to comply with American Society for Testing and Materials (ASTM) E1527-13. Applicants must demonstrate compatibility with the Rush County Comprehensive Plan, especially regarding land conservation and emission reduction goals.
 - b. Environmental Impact Statements that include the projected power and water usage of the facility at full operating capacity. An assessment to determine the possible impacts of the data center on water usage in the area and the ability of the electrical grid to adequately serve both the data center and the residents in the area without service disruptions.
 - c. The required public notice for the Special Exception hearing must include certified mailing of the notice to the Rush County Commissioners, Rush County Council, Rush County Soil and Water Conservation District, Rush County 911, Rush County Sheriff, the Township Trustee of the township in which the proposed data center will be located, and any participating fire department or fire district.
4. Prior to issuing an Improvement Location Permit, the applicant must provide a Road Use and Maintenance Agreement approved by the County Commissioners or their designees. The Road Use Agreement should specify provisions to remedy any road damage caused by the data center construction or operation.
5. Decommissioning Plan. An application for a data center must include a decommissioning plan prepared by a qualified professional containing:
 - Timeline and procedures for the complete removal of all equipment.
 - Waste disposal and recycling procedures for batteries and hazardous materials.
 - Site restoration plan (grading, topsoil replacement, revegetation, etc.)
 - A cost estimate by third-party professional that includes 25% contingency.
 - a. Financial Surety Required. A surety bond or cash escrow in an amount 125% of decommissioning cost estimate and naming the Rush County Commissioners as beneficiary must be posted prior to building permit issuance.
 - d. The Decommissioning Plan and financial surety must be updated regularly with a maximum of 5 years between updates.
 - e. Decommissioning Triggers. A data center shall be decommissioned within 12 months of the date on which:
 - Operations cease for 12 consecutive months,
 - Special Use approval expires or is revoked, or
 - The Rush County Commissioners determine the facility poses a safety hazard.