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RESOLUTION NO. 2026-PC-___

A RESOLUTION OF THE STARKE COUNTY PLAN COMMISSION ADOPTING WRITTEN FINDINGS OF FACT REGARDING THE REGULATION AND RESTRICTION OF COMMERCIAL DATA CENTERS

WHEREAS, the Starke County Plan Commission ("Commission") is tasked with the preparation, review, and recommendation of zoning ordinances and amendments thereto for Starke County, Indiana, pursuant to Indiana Code § 36-7-4-600 *et seq.*; and

WHEREAS, the rapid expansion of hyperscale Commercial Data Centers presents unprecedented industrial demands on local water aquifers, electrical grids, and agricultural land; and

WHEREAS, Indiana Code § 36-7-4-603 requires that in preparing and considering proposals, the Commission and the Board of County Commissioners shall pay reasonable regard to: (1) the comprehensive plan; (2) current conditions and the character of current structures and uses; (3) the most desirable use for which the land is adapted; (4) the conservation of property values; and (5) responsible growth and development;

NOW, THEREFORE, BE IT RESOLVED by the Starke County Plan Commission that the following Findings of Fact are hereby adopted to support the restriction and/or prohibition of Commercial Data Centers within the agricultural and rural residential districts of Starke County:

Section 1. Purpose and Legislative Intent

1.01. The purpose of these Findings of Fact is to document the legislative record supporting the regulation and restriction of Commercial Data Centers within Starke County's agricultural and rural residential zoning districts.

1.02. The Commission finds that the scale, infrastructure demands, and operational characteristics of hyperscale commercial data centers are fundamentally different from traditional agricultural and rural land uses and **present** substantial impacts to natural resources, infrastructure systems, and community character.

1.03. The Commission further finds that regulating such facilities is necessary to protect the public health, safety, and general welfare of the residents of Starke County.

Section 2. Public Testimony and Legislative Record

2.01. During public hearings conducted by the Starke County Plan Commission regarding large-scale energy and technology infrastructure, the Commission received extensive testimony from residents, landowners, and community stakeholders.

2.02. Public meetings, including a hearing held at the Starke County High School auditorium due to anticipated public attendance, demonstrated significant community concern

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regarding water use, electrical infrastructure expansion, agricultural land conversion, and compatibility with the rural character of the County.

2.03. The Commission finds that this testimony forms part of the legislative record supporting these Findings.

Section 3. The Comprehensive Plan

3.01. **Preservation of Rural Aesthetics:** The 2019 Starke County Comprehensive Plan establishes "rural character" and "farming" as foundational community assets. Hyperscale data centers are massive, windowless, warehouse-style industrial facilities heavily fortified with security fencing, representing a stark departure from the rural aesthetic protected by the Plan.

3.02. **Economic Misalignment and "Jobless Sprawl":** The Comprehensive Plan prioritizes the support and expansion of the local agricultural economy. Data centers require the permanent paving over of hundreds of acres of tillable soil for highly automated server storage. This "jobless sprawl" provides an exceptionally poor permanent job-to-acreage ratio (often fewer than 50 jobs per several hundred acres) compared to traditional agriculture or manufacturing, directly contradicting the county's economic development goals. **Exhibit A**

Section 4. Current Conditions and the Character of Current Structures and Uses

4.01. **Acoustic Character and Low-Frequency Noise:** Starke County's rural districts are characterized by low ambient noise levels. Data centers introduce a severe, continuous 24/7 low-frequency vibration (dBC) generated by massive wet-cooling chillers and industrial diesel backup generators. This low-frequency "industrial hum" penetrates standard residential construction, destroying the quiet enjoyment of rural life and posing documented risks of chronic sleep disturbance for nearby residents. **Exhibit B**

4.02. **Air Quality and Emissions:** The character of the agricultural district relies on clean air for crop health and rural living. The reliance on fleets of heavy diesel generators for backup power during frequent grid-strain events introduces localized nitrogen dioxide and diesel exhaust emissions incompatible with current rural uses. **Exhibit B**

4.03. **Protection of Agricultural Drainage Infrastructure:** Starke County's agricultural productivity relies heavily on a network of regulated drains, county tile systems, and private subsurface drainage infrastructure that manage groundwater levels and protect farmland from flooding. **Exhibit C**

4.04. **Drainage Disruption:** Large-scale industrial developments involving extensive impervious surfaces and mass earth disturbance alter natural drainage patterns and disrupt subsurface drainage systems serving surrounding agricultural lands.

4.05. **Infrastructure Preservation:** The Commission finds that protecting agricultural drainage infrastructure is essential to maintaining farmland productivity and preventing adverse impacts to neighboring properties.

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Section 5. The Most Desirable Use for Which the Land is Adapted

5.01. **High-Yield Soil Sterilization:** Starke County's prime agricultural land, featuring highly productive loamy sand and muck soils, is uniquely adapted for crop cultivation. Data centers permanently sterilize this land through mass excavation, deep foundations, and total impervious surface coverage, ensuring the soil can never be returned to the county's agricultural ecosystem.

5.02. **Highest and Best Use:** Utilizing highly productive, prime farm acreage as an impermeable, automated storage facility for out-of-state tech companies is not the most desirable economic or practical use of the land.

Section 6. The Conservation of Property Values Throughout the Jurisdiction

6.01. **Eminent Domain and Transmission Sprawl:** Hyperscale data centers require massive new high-voltage transmission lines and substations. Permitting these facilities introduces the severe threat of eminent domain, where non-participating Starke County farmers and landowners could have their property forcefully acquired or devalued by utility companies to build transmission corridors serving a single corporate entity.

6.02. **Agricultural Land Speculation:** The aggressive acquisition of land by tech companies artificially inflates the speculative value of tillable acreage, pricing out multi-generational Starke County farmers from acquiring land to expand traditional operations and driving up local cash rent prices.

6.03. **Residential Depreciation:** The introduction of continuous low-frequency noise, heavy transmission lines, and massive industrial structures poses a direct threat to the marketability and appraised value of adjoining, non-participating rural residential properties.

Section 7. Responsible Growth and Development

7.01. **The "Soda Straw" Aquifer Threat:** Hyperscale evaporative cooling systems consume up to 5 million gallons of water per day. This water is converted to steam and permanently exits the local watershed, failing to recharge the aquifer. Allowing this level of industrial extraction threatens to severely deplete Starke County's shallow surficial aquifers and the Kankakee River basin, directly jeopardizing the drinking water of rural residents who rely on private wells and the irrigation capacity of local farmers.

7.02. **Electrical Grid Strain and Ratepayer Subsidization:** Hyperscale data centers consume vast amounts of electricity, frequently requiring up to 1 gigawatt of continuous power. Accommodating this demand requires massive capital upgrades to the regional grid (MISO) and local utilities (NIPSCO/REMCs). In regulated utility markets, these infrastructure costs are frequently socialized, actively driving up monthly electricity rates for Starke County residents to subsidize a single corporate user.

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7.03. **Wastewater Burden:** Data center cooling systems generate massive amounts of concentrated wastewater (blowdown) containing scale inhibitors, biocides, and high concentrations of salts. Starke County's rural septic systems and local municipal wastewater facilities are not engineered to safely process millions of gallons of industrial chemical discharge.

Section 8. Legislative Determination and Rational Basis

8.01. The Starke County Plan Commission finds that the foregoing Findings of Fact are based upon the legislative record before the Commission, including the Starke County Comprehensive Plan, public testimony, planning considerations, infrastructure capacity concerns, and the Commission's legislative judgment regarding the long-term health, safety, and general welfare of the residents of Starke County.

8.02. The Commission further finds that these Findings, individually and collectively, establish a rational basis supporting the regulation and restriction of Commercial Data Centers within agricultural and rural residential districts.

8.03. The Commission determines that protecting agricultural land, groundwater resources, rural infrastructure capacity, and the established rural character of Starke County constitutes a legitimate governmental interest supporting such regulation.

Section 9. Severability

9.01. The provisions and findings of this Resolution are severable. If any section, subsection, paragraph, sentence, clause, or finding herein is determined by a court of competent jurisdiction to be invalid, void, or unenforceable, such determination shall not affect the validity or enforceability of the remaining portions of this Resolution.

9.02. The Starke County Plan Commission hereby declares that it would have adopted this Resolution and each section, subsection, paragraph, sentence, clause, and finding herein, irrespective of the fact that any one or more of the foregoing **are** declared invalid, and that the remaining findings independently provide a sufficient rational basis for the regulatory actions directed herein.

BE IT FURTHER RESOLVED, that the Director of Planning and Building is hereby directed to utilize these Findings of Fact as the foundational rationale for drafting and processing ordinance amendments that rigorously define, restrict, or prohibit Commercial Data Centers within Starke County's zoning jurisdiction.

ADOPTED by the Starke County Plan Commission this ____ day of _____, 2026.

STARKE COUNTY PLAN COMMISSION

Mike VanDeMark,

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President

ATTEST:

John McCurrie III
Secretary / Director of Planning and Building

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