

ORDINANCE NO. 26- _____

**AN ORDINANCE OF THE CITY OF PORTAGE, INDIANA AMENDING
CHAPTER 90, ARTICLE II AND ARTICLE III OF THE CITY OF PORTAGE
MUNICIPAL CODE ENTITLED “ZONING”**

WHEREAS, the City of Portage, Indiana, has adopted a comprehensive Zoning Ordinance pursuant to Indiana Code 36-7-4, regulating the use of land within the city limits; and

WHEREAS, the City of Portage, Indiana, seeks to encourage high-quality economic development that diversifies the local tax base, creates skilled employment opportunities, and complements existing industrial, commercial, and residential uses; and

WHEREAS, emerging and evolving industries, including advanced manufacturing, research and development, data-driven enterprises, clean technology, and related office and support uses, require specialized development standards distinct from traditional industrial or commercial zoning districts; and

WHEREAS, the creation of a Technology Campus zoning district will provide a regulatory framework to accommodate such uses in a planned and orderly manner while protecting surrounding land uses and land owners while ensuring high standards in the development or design of such uses; and

WHEREAS, the establishment of a new zoning district by text amendment does not rezone or apply to any specific parcel of land and therefore does not alter existing zoning classifications or permitted uses of property within the City at this time; and

WHEREAS, Indiana Code 36-7-4 authorizes the Common Council to amend the Zoning Ordinance after consideration of a recommendation from the City Plan Commission to regulate land use and development within the City; and

WHEREAS, Indiana Code 36-7-4-602(b) permits amendments to the text of a zoning ordinance, including the creation of new zoning districts, following review and recommendation by the Plan Commission; and

WHEREAS, the City of Portage Plan Commission provided proper notice and conducted a public hearing on the proposed zoning amendment on _____ 2026 in accordance with Indiana law; and

WHEREAS, following the public hearing and consideration of the evidence presented, the Portage Plan Commission voted to recommend approval of the proposed Technology Park zoning district to the Common Council; and

WHEREAS, the Common Council has reviewed the recommendation of the Plan Commission, and finds that the proposed textual amendment to the zoning ordinance is consistent with the City’s Comprehensive Plan, promotes the orderly development of the community, and serves the public health, safety, and welfare;

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
THE CITY OF PORTAGE, INDIANA, AS FOLLOWS:**

Section 1: Findings. The foregoing recitals are incorporated herein as the findings of the Common Council and are adopted as true and correct.

Section 2: Amendment to Zoning Ordinance. This Ordinance shall amend Chapter 90, Article II Section 90-2.1 and 2.3, and add Article III Sections 90-3.47 and 90-3.48 of the City of Portage Municipal Code, in the following manner:

Additions:

90-2.1 Establishment of districts.

Add – “TC - Technology Campus. This district is established for technology-focused business, light manufacturing, and data service usage. TC is the only zoning classification where data centers, as defined in this chapter, may be constructed.”

90-2.3 – Planned development districts.

Add - “The provisions of the Chapter allow the R1, R2, R3, M1, M2, MW, OC, C1, C2, HC, BP, LI, IS, and TC districts to be rezoned into a planned development district.”

Add - “On the official zoning map a planned development district, once rezoned, shall be labeled as PD followed by the district it was created from. The following are the appropriate and corresponding labels for planned development districts: PD-R1, PD-R2, PD-R3, PD-M1, PD-M2, PD-MW, PD-OC, PD-C1, PD-C2, PD-HC, PD-BP, PD-LI, IS-PD, and PD-TC.”

Add - “The provisions that regulate planned developments can be found in article VII.”

90-11.2 - Defined Words.

Add – “ Data Center. A Data Center is defined as a facility primarily designed and used to house computer systems, servers, and associated equipment that store, process, or transmit digital data, including supporting electrical, mechanical, cooling, and backup power infrastructure, but excluding ordinary office uses. Per Section 3.47 of this chapter, a data center may only be built or developed on a parcel zoned as TC – Technology Campus.”

Add – “Hyperscale Data Center. A Data Center is a Hyperscale Data Center if it requires or is designed to support a total electrical load of greater than 50 megawatts (50 MWs), or the proposed campus contains 500,000 square feet or more (single or multiple buildings) of aggregate floor area. Per Section 3.47 of this chapter, a Hyperscale Data Center must utilize a planned development (PD) within the TC zoning district.”

Add – “Closed Loop System. A system to cool industrial components and processes that utilizes the recirculation of water and returning water back to the process rather than the taking in of new water and then discharging it after use.”

New Sections:

90-3.47 – Intent and permitted uses.

District Intent: The TC district (Technology Campus District) is intended to provide a land use category for the development and regulation of large-scale, capital-intensive technology businesses and light manufacturing and distribution of technology components including data-based storage and usage. This is the only district where data centers, as defined in this chapter at section 11.2, may be constructed. Any Data Center that qualifies as a Hyperscale Data Center per Section 11.2 of this chapter, must utilize a Planned

Development and follow the Planned Development procedure, after the TC zoning is applied to the land.”

Permitted Uses	Permitted Accessory or Temporary Uses
- Technology Manufacturing facilities including semiconductor manufacturing - Research and Development laboratories and facilities - Technology product testing and validation facilities - Telecommunications switching facilities - Cloud Storage facilities - Data Centers and Server Farms - Utility infrastructure facilities including electrical substations and distribution facilities - Renewable energy generation and storage facilities - Advanced materials processing and manufacturing - Biotechnology and pharmaceutical manufacturing and research facilities - Corporate headquarters and administrative offices ancillary to permitted technology uses - Training and educational facilities ancillary to permitted technology uses - Other similar technology uses as determined by the Director of Community Development	- Temporary buildings for uses incidental to construction work, which building shall be removed on the completion of the construction work - Emergency generators and backup power systems - Cooling towers, chillers, and related HVAC equipment - Security facilities including guard stations and perimeter monitoring equipment - Fences, walls and hedges as regulated by Section 90-3.48 - Parking and loading as regulated by Section 90-3.48 - Fuel storage facilities for emergency generators - Accessory buildings or structures customarily incidental to permitted uses - Utility equipment and infrastructure including transformers, switching gear, and telecommunications equipment - Employee amenity facilities including cafeterias, fitness centers, childcare centers serving employees of the permitted uses - Other similar uses as determined by the Director of Community Development

90-3.48 – Development Standard Basics

The following Development and Design standards shall apply to all structures, parcels, lots, buildings, and development within this zoning district. The standards set out in this section shall supersede any conflicting standards found in other sections of the zoning ordinance. Development Standards not addressed in this section shall be governed by the applicable standards found in the zoning ordinance. No site plan within the TC zoning shall be approved unless the site plan contains the following development standards:

Development Category	Standard to be Applied
TC zoning bordering a Residential zoning district	- Visual barrier consisting of an earthen berm or landscape mound that is a minimum of eight feet in height with additional landscaping that is a minimum of two feet in height. - Additional landscaping and screening requirements to include: - 1) a landscaped buffer zone of not less than 25 feet in width shall be established and maintained - 2) Such buffer zone shall be planted with clusters of trees, of which a

	minimum of 70% must be evergreens - 3) Evergreens shall be offset and planted not less than 20 feet on center, with a minimum planted height of 8 feet - 4) At least 2 species of evergreens shall be planted to minimize tree mortality and all trees shall carry a 2 year warranty for replacement - 5) All deciduous trees must be native to Northern Indiana - 6) All landscaped areas must be sodded at the time of tree planting, and an automatic irrigation system may be required when deemed necessary by the Plan Commission - 7) No evergreen or dense deciduous trees shall be planted within 30 feet of any street intersection to prevent sight problems for motorists.
General Perimeter standards for borders with all zoning districts	- Security fencing of not less than eight feet in height may be installed around the perimeter of the site or around individual facilities, provided that decorative screening is provided along any shared border with a residential district as outlined in this section. - No noise for any operation conducted on the premises, either continuous or intermittent, shall exceed 65 decibels (db) at the boundary line except that emergency generators shall be exempt from noise regulations during brief testing, maintenance, or emergency operation. - Any emission of smoke or other air pollutants shall not violate the standards and regulations of the IDEM and EPA, as applicable. Dust and other type of air pollution borne by the wind shall be kept to a minimum by appropriate landscaping, paving, or other acceptable means. - There shall be no emission of odors or odor-causing substances that can be detected without the use of instruments at or beyond the boundary lines. - There shall be no vibration that can be detected without the use of instruments at or beyond the boundary lines. - All exterior lighting shall be designed to minimize light trespass and glare on adjacent properties and shall comply with applicable dark sky preservation requirements. - All activities involving the use and/or storage and/or disposal of flammable liquids or materials which produce flammable or explosive vapors or gases shall be provided with adequate safety and

	protective devices against hazards of fire and explosion, as well as with adequate firefighting and suppression equipment and devices standard to the industry involved. - The storage and utilization of flammable liquids or materials that produce flammable or explosive vapors or gases shall be permitted in strict conformance with the applicable regulations set forth in State and Federal regulations for the manufacture, storage, handling, sale and transportation of flammable and combustible liquids. - The handling of radioactive materials, the discharge of such materials into air and water and the disposal of radioactive wastes shall be in strict conformance with: (A) The applicable regulations of the EPA or other Federal regulatory agencies. (B) The applicable regulations of any instrumentality of the State of Indiana. - Material or merchandise stored or stockpiled in unsheltered storage bins or outside storage piles shall not exceed a height limit of 20 feet above normal ground level at that point and said storage area shall not be located closer than 200 feet from any property zoned for residential purposes.
Height Regulations	No structure shall exceed 75 feet in height.
Maximum lot coverage	No lot or subdivision of parcels within this zoning district shall have buildings totaling greater than 70% of the parcel or lot.
Set-Back	500 feet from campus boundary line for any campus border adjacent to a residential district. 200 feet from campus boundary line for any campus border adjacent to any other zoned district.
Water Management	Water used for cooling of industrial processes must utilize a closed-loop system.

Section 3: Conflicting Ordinances. Any ordinance or provision of any Ordinance of the City of Portage in conflict with the provisions of this ordinance is hereby repealed.

Section 4: Severability. The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

Section 5: Effective Date. This Ordinance shall be in full force and effect from and after its passage and adoption by the Common Council and approval by the Mayor of the City of Portage, Indiana.

PASSED AND ADOPTED by the Common Council of the City of Portage, Indiana
This _____ day of _____, 2026.

PRESIDING OFFICER

ATTEST:

ELIZABETH MODESTO,
CLERK-TREASURER

Presented by me to the Mayor of the City of Portage, Porter County, Indiana, this
_____ day of _____, 2026.

ELIZABETH MODESTO,
CLERK-TREASURER

Approved by me, the Mayor of the City of Portage, Porter County, Indiana, this
_____ day of _____, 2026.

AUSTIN H. BONTA, MAYOR

This is to certify that the preceding Ordinance was considered and voted upon, after a public hearing, by the Plan Commission to send a favorable recommendation to the Common Council for a Text Change of the Zoning Ordinance as presented, on the ____ day, of _____ 2026.
___ yes ___ nays

TOM CHERRY,
EXECUTIVE SECRETARY