



**Planning & Zoning Commission Meeting Agenda
Followed immediately by a Special Study Session**

August 12, 2026, 6:00 pm
Council Chambers, City Hall, 201 S. Franklin St.

Online viewing location:

<https://www.youtube.com/user/KirksvilleCity>

Call Meeting to Order

Roll Call

Order of the Agenda:

Staff Report of additions or changes
Motion (and Second) to approve the order of the agenda
Vote – Ayes / Nays / Abstain

Minutes:

Minutes of the regular meeting on June 24, 2026
Motion (and Second) to approve minutes
Chair asks for corrections
Vote – Ayes / Nays / Abstain

Old Business:

None

New Business:

1. **Public Hearing** – An application to rezone the vacant property along the 2000 and 2100 blocks of South Franklin Street, Parcel ID 13-05.0-16-001-11-08.001000, from OP-1, Planned Office District, to C-3, Extensive Business District.
 - a. Chair Declares Public Hearing Open
 - b. Staff Report

- c. Public Input
 - i. In Favor
 - ii. Opposed
 - d. Chair Declares Public Hearing Closed
- 2. Public Hearing** – An application to rezone the vacant property adjacent to the property located along the 2000 and 2100 blocks of South Franklin Street, Parcel ID 13-05.0-16-001-11-07.000000, from OP-1, Planned Office District, to C-3, Extensive Business District.
 - a. Chair Declares Public Hearing Open
 - b. Staff Report
 - c. Public Input
 - i. In Favor
 - ii. Opposed
 - d. Chair Declares Public Hearing Closed
- 3. Public Hearing** – An application to rezone vacant property adjacent to the property located along the 2000 and 2100 blocks of South Franklin Street Parcel ID 13-05.0-16-001-11-08.000000, from R-3, Multifamily Residential District, to C-3, Extensive Business District.
 - a. Chair Declares Public Hearing Open
 - b. Staff Report
 - c. Public Input
 - i. In Favor
 - ii. Opposed
 - d. Chair Declares Public Hearing Closed
- 4. Rezone** - A request to rezone the vacant property along the 2000 and 2100 blocks of South Franklin Street, Parcel ID 13-05.0-16-001-11-08.001000, from OP-1, Planned Office District, to C-3, Extensive Business District.
 - a. Recommended Motion – To recommend City Council approve a request to rezone the vacant property along the 2000 and 2100 blocks of South Franklin Street, Parcel ID 13-05.0-16-001-11-08.001000, from OP-1, Planned Office District, to C-3, Extensive Business District.
 - b. Staff Report
 - c. Commission Discussion
 - d. Citizen Questions/Input
 - e. Vote – Roll Call
- 5. Rezone** - A request to rezone the vacant property adjacent to the property located along the 2000 and 2100 blocks of South Franklin Street, Parcel ID 13-05.0-16-001-11-07.000000, from OP-1, Planned Office District, to C-3, Extensive Business District.
 - a. Recommended Motion – To recommend City Council approve a request to rezone the vacant property along the 2000 and 2100 blocks of South Franklin Street, Parcel ID 13-05.0-16-001-11-07.000000, from OP-1,

- Planned Office District, to C-3, Extensive Business District
- b. Staff Report
- c. Commission Discussion
- d. Citizen Questions/Input
- e. Vote – Roll Call

- 6. Rezone** - A request to rezone the vacant property along the 2000 and 2100 blocks of South Franklin Street, Parcel ID 13-05.0-16-001-11-08.000000, from R-3, Multifamily Residential District, to C-3, Extensive Business District.
- a. Recommended Motion – To recommend City Council approve a request to rezone the vacant property along the 2000 and 2100 blocks of South Franklin Street, Parcel ID 13-05.0-16-001-11-08.000000, from R-3, Multifamily Residential District, to C-3, Extensive Business District.
 - b. Staff Report
 - c. Commission Discussion
 - d. Citizen Questions/Input
 - e. Vote – Roll Call

Staff Comments:

Citizen Participation

(Time Limit of Five Minutes) Citizen participation is for suggestions and comments on items affecting the Planning & Zoning Commission and the City, but are not on the agenda. Action by the Commission other than acknowledgment is not expected at the same meeting. Citizens may address the Commission on topics which are part of the regular agenda when these items are discussed by the Commission. Citizens must add their signature to the Citizen Participation Sign-In Sheet and announce their name before they begin speaking. The Commission does like to follow up with citizens and request citizens willing to leave a form of contact.

Adjournment

Motion (and Second) to adjourn

Vote – Ayes / Nays / Abstain

A Study Session will be held immediately following adjournment.

Notice of Nondiscrimination:

All persons within the City of Kirksville are free and equal and shall be entitled to the following equal use and enjoyment within the city at any place of public accommodation without discrimination or segregation on account of age, ancestry, color, disability, gender, gender identity, marital status, national origin, race, religion, sexual orientation or on any other basis that would be in violation of any applicable federal, state, or local law.

Notice of Disability Accommodations:

Any person with a disability desiring reasonable accommodation to attend this meeting may contact the City Clerk at 660.627.1225 to make such arrangements.

PLANNING & ZONING COMMISSION
MINUTES OF June 24, 2026

PRESENT:

Dan Martin, Chair
Chuck Heckert
William Robb

Patricia Sexton
Bruce Thompson
Ashley Young, Community & Economic Development Director

ABSENT:

Jason Chrisman
John Hanley, Council Representative
Jeremy Hopkins, Vice Chair
Betty McLane-Iles

CALL TO ORDER

Chair Martin called the meeting of the Planning & Zoning Commission in the City Council Chambers to order at 6:02 p.m.

ORDER OF THE AGENDA

Chair Martin asked if there were any changes to the agenda. Mr. Young responded there were no changes. Dr. Sexton made a motion to approve the agenda. Mr. Heckert seconded the motion. The agenda was approved with the following vote: Aye: Heckert, Robb, Sexton, Thompson, Martin. Nay: none. Abstain: none. Absent: Chrisman, Hanley, Hopkins, McLane-Iles.

APPROVAL OF MINUTES

Chair Martin asked for a motion to approve the minutes of May 13, 2026. Mr. Thompson made a motion to approve the minutes. Mr. Heckert seconded the motion. Chair Martin asked if there were any corrections to the minutes. With no changes, the minutes were approved as published with the following vote: Aye: Heckert, Robb, Sexton, Thompson, Martin. Nay: none. Abstain: none. Absent: Chrisman, Hanley, Hopkins, McLane-Iles.

OLD BUSINESS

None

NEW BUSINESS

1. Public Hearing – *An application to rezone a property at 3006 N. Baltimore St. (specifically Lot 2 of Shandy Farms subdivision, if approved) from R-1, Single-Family Residential District, to C-3, Extensive Business District.* Chair Martin opened the public hearing at 6:03 p.m.

Mr. Young explained that the rezoning request and the major subdivision would both be addressed during the public hearing because they involved the same property. However, only a portion of the property would be rezoned to C-3, Extensive Business District. He stated that the subdivision must be approved before the rezoning of the proposed Lot 2 could occur. He identified Lot 2 as the southernmost parcel located south and southeast of United Rentals.

Mr. Young stated that the rezoning was consistent with the Future Land Use Map and was located within a commercial corridor. He shared that city staff recommended the request be approved.

PUBLIC INPUT

Sam Rhodes, Cape Girardeau, MO – Mr. Rhodes stated that he represented Rhodes Development Company, the developer, and Plaza Tire Service, the prospective tenant. He explained that Plaza Tire Service would provide light automotive services, including oil changes, tire services, alignments, and fluid exchanges, and emphasized that it would not be a heavy-duty automotive operation. He described the business as a low-impact use with minimal outdoor activity and noise. He said that approval of the plat was necessary before the property could be rezoned.

Mr. Robb asked how used fluids would be handled. Mr. Rhodes responded that the fluids would be stored in a waste oil container until collected by the company's oil vendor during routine deliveries.

With no further input, Chair Martin closed the public hearing at 6:07 p.m.

2. Major Subdivision – *The proposed preliminary plat for Shandy Farms, a Major Subdivision to the City of Kirksville, Missouri.* Dr. Sexton recommended that City Council approve the preliminary plat for Shandy Farms, a Major Subdivision to the City of Kirksville, Missouri. Mr. Thompson seconded the motion.

Mr. Young stated that the preliminary plat met all applicable requirements and had been reviewed by the subdivision review team, which included the Codes Enforcement Director, Fire Chief, former City Planner, and himself. He explained that the review team worked with the developer to ensure continued access to Lot 1, located northeast of the subdivision. He stated that City staff recommended approval of the preliminary plat to the City Council.

Chair Martin asked whether the proposal would become a major subdivision. Mr. Young responded that, due to the property's development history, it was considered a major subdivision. However, it was not a typical subdivision seen before that showed home lots. He explained that the Future Land Use Map identified the property as mixed use and noted that Lot 1 would remain zoned R-1, Single-Family Residential District.

Mr. Thompson noted that the proposed building would generally align with the existing United Rentals building, with the remainder of the lot serving as a stormwater detention area. It was clarified that approval of the request would establish a major subdivision and was not an existing subdivision.

Mr. Robb asked about the High-Density Corridor Zoning. Mr. Young explained that it was an overlay district with additional development requirements beyond the C-3 zoning. He explained that corridor zones had a point system and made it difficult for the development and real estate community to know a properties use. He stated it needed to be very clear through zoning, codes, and policies what could be done with a property.

Mr. Robb commented that the area appeared primarily residential and asked whether the existing United Rentals development had required a variance. Mr. Young responded that it had most likely been approved through a rezoning rather than a variance.

Mr. Robb asked about future access to the remaining undeveloped property. Mr. Young stated that access to Lot 1 would be from Baltimore Street and that future access to the undeveloped property was identified on the preliminary plat, as required.

With no further input, the motion was approved with the following vote: Aye: Heckert, Robb, Sexton, Thompson, Martin. Nay: none. Abstain: none. Absent: Chrisman, Hanley, Hopkins, McLane-Iles.

3. Rezone – *An application to rezone a property at 3006 N. Baltimore St. (specifically Lot 2 of Shandy Farms subdivision, if approved) from R-1, Single-Family Residential District, to C-3, Extensive Business District.* Mr. Thompson made a motion to recommend City Council approve a request to rezone a property at 3006 N. Baltimore St. (specifically Lot 2 of Shandy Farms subdivision, if approved) from R-1, Single-Family Residential District, to C-3, Extensive Business District. Dr. Sexton seconded the motion.

Chair Martin asked if there was any additional information for staff to present. Mr. Young stated there was none. Chair Martin asked if anyone had any other questions or comments.

With no further input, the motion was approved with the following vote: Aye: Robb, Sexton, Thompson, Heckert, Martin. Nay: none. Abstain: none. Absent: Chrisman, Hanley, Hopkins, McLane-Iles.

CITIZEN / STAFF / COMMISSION INPUT

None.

ADJOURNMENT

With no further business, Chair Martin declared the meeting adjourned at 6:18 p.m.

Teresa Dorris
Recording Secretary



Planning and Zoning Commission Staff Report

Meeting Date: 08/12/2026

Report Prepared by: Diane Albrecht

Recommended Action: To approve the rezoning of three vacant lots located on South Franklin Street

Background: The property owner of a vacant lot located in the 2000 and 2100 blocks of South Franklin Street and two adjacent lots has requested they be rezoned to C-3. More specifically, Parcel ID 13-05.0-16-001-11-08.001000 (located along the 2000 and 2100 blocks of South Franklin Street) and Parcel ID 13-05.0-16-001-11-07.000000, from OP-1, Planned Office District, to C-3, Extensive Business District, and adjacent, vacant lot with Parcel ID 13-05.0-16-001-11-08.000000, from R-3, Multifamily Residential District, to C-3, Extensive Business District. If rezoning is successful, the property owner will request a lot combination to enable promotion and future development.

Zoning regulations “shall be made in accordance with a comprehensive plan” per RSMo Section 89.040. The Future Land Use Map within the City’s THINK Kirksville 2040 Comprehensive Plan indicates that this property should be “Public/Semi-Public/Non-Profit,” and the property was previously owned by a church. Unfortunately, the Future Land Use Map does not contemplate if and (in this case) when a public / semi-public / non-profit entity makes the decision to sell property, which they are obviously within their right to do. However, allowing the requested C-3 zoning would be in keeping with the adjoining properties to the south and on the opposite side of Franklin Street. Additionally, allowing development on this unutilized land will provide infill development.

Citizen Impact: If rezoning is approved, and the property is developed commercially, the community will benefit through economic growth.

Staff Recommendation: Taking into consideration the lot combination – if rezoned – will allow utilization of two tracts that have no street frontage, as well as the existing C-3 zoning around this property, staff recommends these rezones be approved.

Respectfully submitted,

Diane Albrecht
City Planner



PROJECT INQUIRY FORM

Owner's Information (Please list all owners)

Name(s): _____

Owner's Address: _____

City: _____ State _____ Zip _____

Phone Number: _____ Email Address: _____

Owner's Address: _____

City: _____ State _____ Zip _____

Phone Number: _____ Email Address: _____

Agent's Information (if applicable)

Name: _____

Phone Number: _____ Email Address: _____

Engineer / Architect's Information (if applicable)

Name: _____

Phone Number: _____ Email Address: _____

Street address, or general location of site if no address. Include closest street intersection.

Size of tract: (expressed in acres) _____ **Present Zoning Classification:** _____

Current Use(s) of Property: _____

Project Information and Summary of Request (please circle):

Rezone / **Lot Combination** / Variance / Lot Split / Special Use Permit /
Site Plan Review / Other (specify): _____

Timeline: (Desired start / completion date) _____

Include a description of your project and a full and specific reason for your request. Additional space may be needed.

By signing this application form, I hereby acknowledge that the information I have provided is complete and accurate to the best of my knowledge. Furthermore, I acknowledge my responsibility to conform to the applicable federal, state and local regulations pertaining to the project described on this form and attachments.

Matt Covington
Owner Signature

Date

Owner Signature

Date

Applicant/Agent Signature

Date

For Internal Use Only: File # _____

REV. 05/07/2026



Codes and Planning
201 S. Franklin St.
Kirksville, MO 63501
Phone: 660.627.1272
Fax: 660.627.1026
kirksville.gov

Rezoning Application

Owner's Name:

Applicant's Name (if different):

Street address, or general location of site if no address. Include closest street intersection.

Size of tract: (*expressed in acres*) _____

Present Zoning Classification: _____ **Requested Zoning Classification:** _____

Current Use(s) of Property: _____

Project Information and Summary of Request:

Include a description of your project and a full and specific reason for requesting a zoning change.
Additional space may be needed.

Rezoning Application

IMPORTANT: To move forward with this request, please ensure the following items are completed.

I have attached a warranty deed, trustee's deed, or other official document that includes a **DETAILED LEGAL DESCRIPTION** of property.

I have contacted an Abstract Company to provide notification of a public hearing to property owners whose properties are within 185 feet. The cost for this service is the responsibility of the applicant.

I have paid an application fee of \$250 required at the time of submission.

By signing this application form, I hereby acknowledge that the information I have provided is complete and accurate to the best of my knowledge. Furthermore, I acknowledge my responsibility to conform to the applicable federal, state and local regulations pertaining to the project described by this application and attachments. And further that my signature acknowledges acceptance and full responsibility for the payment to the City of Kirksville for all fees and charges incurred from a third party for the completion of the Rezoning, whether this Rezoning Request is approved or denied.

Matt Covington
Owner's Signature

Date

Matt Covington
Applicant / Agent Signature

Date

Submit completed form to:
City Planner
City of Kirksville
201 S. Franklin St.
Kirksville, MO 63501

For internal use:

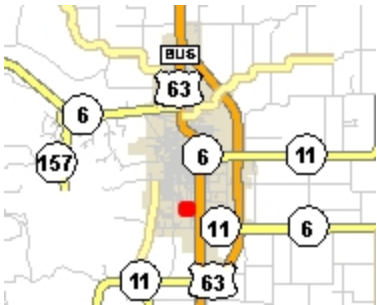
Date reviewed by City Planner: _____

Date approved by Planning & Zoning Commission: _____

Date approved by City Council: _____

File#: _____

S Franklin St. Rezoning



Legend

Zoning

- Unknown
- C-1
- C-3
- CBD
- CBDP
- CP-1
- CP-3
- H-C-1
- H-C-3
- H-CBD
- H-CP-1
- H-M-1
- H-M-2
- H-R-1
- H-R-2
- H-R-2-S
- H-R-3
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- HDCZ
- LDCZ
- M-1
- M-2
- MDCZ
- MP-1
- OP-1

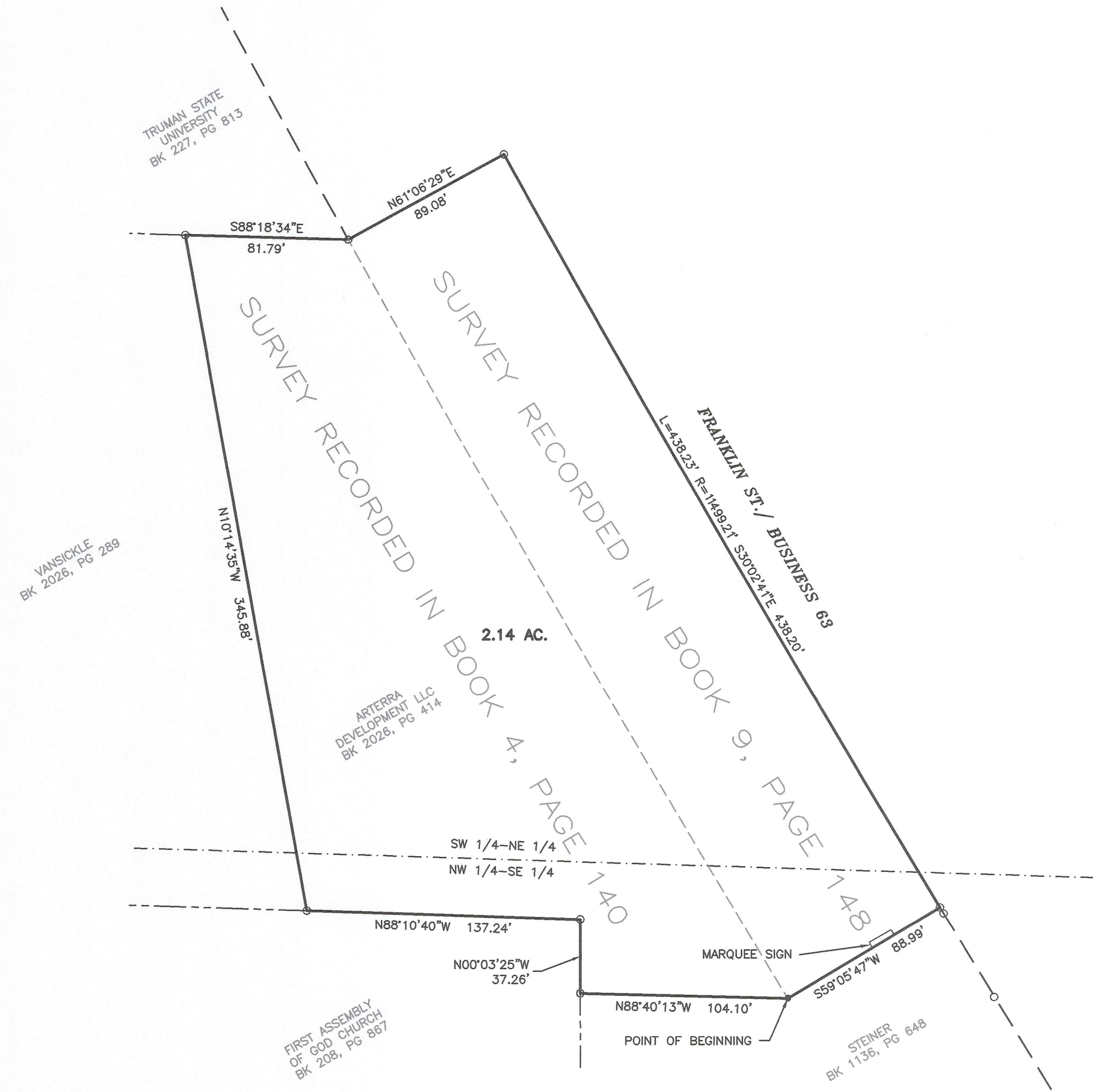
Notes

S Franklin Rezoning

316.1 0 158.04 316.1 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



DESCRIPTION: A TRACT OF LAND SITUATED IN THE SOUTHWEST FOURTH OF THE NORTHEAST QUARTER, THE NORTHWEST FOURTH OF THE SOUTHEAST QUARTER, ALL IN SECTION 16, TOWNSHIP 62 NORTH, RANGE 15 WEST, CITY OF KIRKSVILLE, ADAIR COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD SET AT THE CORNER COMMON TO SURVEY RECD BOOK 4, PAGE 14 & SURVEY RECORD BOOK 9, PAGE 148 ON THE SOUTH SIDE OF SAID SURVEYS;
THENCE ALONG SAID SURVEY IN BOOK 4 AS FOLLOWS: N88°40'13"W A DISTANCE OF 104.10' TO AN IRON ROD FOUND;
THENCE N00°03'25"W A DISTANCE OF 37.26' TO AN IRON ROD FOUND;
THENCE N88°10'40"W A DISTANCE OF 137.24' TO AN IRON ROD FOUND;
THENCE N10°14'35"W A DISTANCE OF 345.88' TO AN IRON ROD FOUND;
THENCE S88°18'34"E A DISTANCE OF 81.79' TO AN IRON ROD FOUND AT THE NORTHERLY COMMON CORNER TO SAID SURVEYS;
THENCE ALONG THE SURVEY IN BOOK 9 AS FOLLOWS: N61°06'29"E A DISTANCE OF 89.08' TO AN IRON ROD FOUND;
THENCE 438.23' ALONG A NON-TANGENT ARC TO THE LEFT, WITH A RADIUS OF 11499.21', AND A CHORD THAT BEARS S30°02'41"E, A DISTANCE OF 438.20' TO AN IRON ROD FOUND;
THENCE S59°05'47"W A DISTANCE OF 88.99' TO THE POINT OF BEGINNING.

THE ABOVE TRACT OF LAND CONTAINS 2.14 ACRES MORE OR LESS, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, OR NOT OF RECORD, IF ANY.

SURVEYOR'S CERTIFICATE

CLEAVER AND ASSOCIATES L.L.C.,
29331 HWY. 63, MACON, MISSOURI, 63552

THIS IS TO CERTIFY THAT I MARK W. ROBERTSON P.L.S. 2008016665, HAVE BY ORDER OF UNDERSIGNED OWNER, EXECUTED A SURVEY AND LOT COMBINATION OF THE FOREGOING DESCRIBED TRACTS AND THAT THE RESULTS OF SAID SURVEY AND LOT COMBINATION AS SHOWN HEREON COMPLIES WITH THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

OWNER'S CERTIFICATE

I, THE UNDERSIGNED OWNER OF THE TRACT OF LAND DESCRIBED HEREON, DO HEREBY CERTIFY THAT I HAVE CAUSED THE SAME TO BE SURVEYED AND COMBINED IN THE MANNER SHOWN. THE EASEMENTS AS SHOWN ARE HEREBY DEDICATED TO THE CITY OF KIRKSVILLE FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES.

"NAME"

STATE OF MISSOURI }
COUNTY OF ADAIR } SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME PERSONALLY APPEARED

_____, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGE THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED. IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DATE AND YEAR, LAST WRITTEN ABOVE.

MY COMMISSION EXPIRES _____, 20____.

_____, NOTARY PUBLIC

APPROVAL BY PLAT OFFICER FOR THE CITY OF KIRKSVILLE, MISSOURI

I HEREBY CERTIFY THAT THE ABOVE PLATTED AND DESCRIBED WAS REVIEWED AND APPROVED BY ME THIS _____ DAY OF _____, 20____.

_____, PLAT OFFICER (SIGNATURE)

_____, PLAT OFFICER (PRINT)

CERTIFICATE OF APPROVAL OF THE KIRKSVILLE CITY MANAGER

I, _____, CITY MANAGER FOR THE CITY OF KIRKSVILLE, MISSOURI, DO HEREBY CERTIFY THAT THIS PLAT WAS ACCEPTED BY THE CITY OF KIRKSVILLE, MISSOURI, IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND.

_____, CITY MANAGER (SIGNATURE)

_____, CITY MANAGER (PRINT)

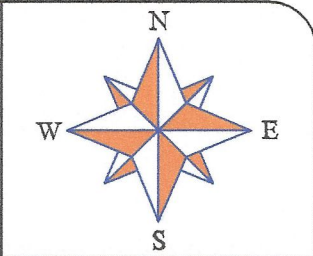
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL OF THE CITY OF KIRKSVILLE, MISSOURI THIS _____ DAY OF _____, 20____.

_____, CITY CLERK (SIGNATURE)

_____, CITY CLERK (PRINT)

I HEREBY CERTIFY THE SURVEY
PLATTED HEREON COMPLIES WITH
THE CURRENT STANDARDS FOR
PROPERTY BOUNDARY SURVEYS.

MARK W. ROBERTSON, P.L.S.
L.S. # 2008016665
CORP. # 2012023741



BEARINGS ARE ASSUMED
URBAN CLASS PROPERTY

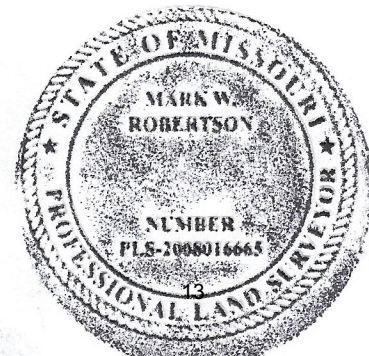
CLEAVER AND ASSOCIATES, LLC.
P.O. BOX 338, 29331 HWY 63,
MACON, MO, 63552
TELEPHONE (660) 239-4403
cleaverandassociates@gmail.com

• SET MONUMENT
○ FOUND MONUMENT
△ RIGHT OF WAY MARKER
□ STONE MONUMENT
• CORNER POST
X FENCE LINE
ONE OVERHEAD ELECTRIC

ARTERRA DEVELOPMENT LLC / MATT COVINGTON

LOT COMBINATION
SECTION 16, TOWNSHIP 62 NORTH, RANGE 15 WEST
CITY OF KIRKSVILLE, ADAIR COUNTY, MISSOURI

ORDER #: 14661 PAGE 1 OF 1 DATE: 04-17-2026



Planning and Zoning Commission Special Study Session



Dear Citizen:

Welcome to our Planning and Zoning Commission Study Session. As the name implies, Planning and Zoning Study Sessions are an opportunity for the Commissioners to study issues facing the City. It is a time for the Commissioners to receive information from the invited presenters. Study Sessions are intended to provide the Commissioners with information on current City matters, to educate on new ideas, or to address zoning, restrictions, and regulatory impacts. From time to time, Study Sessions will include discussions of mutual interest with a City partner.

It is in these meetings that the Planning and Zoning Commission listens, learns, asks questions, and formulates recommendations for the City Council regarding recommendations for zoning, restrictions, regulations and questions regarding the location of trades and industries, and the location of buildings designed for specified uses in relationship to the City's Comprehensive Plan. Citizens are welcome to attend these Sessions to learn alongside the Planning and Zoning Commission. If you have questions or would like to provide feedback on any Study Session topic, please reach out to the Planning and Zoning Staff Representative, Diane Albrecht, City Planner, at dalbrecht@kirksville.gov, or 660.627.1272. The Planning and Zoning Commission also welcomes visitors to its regular meetings, held on the second Wednesday of each month at 6:00 pm in Council Chambers at City Hall, 201 S. Franklin St., Kirksville, MO.

The Planning and Zoning Commission thanks you for your attendance and invites all citizens to listen and learn with them.

Online Viewing: <https://www.youtube.com/user/KirksvilleCity>

SESSION DATE: August 12, 2026

TIME: Immediately following the regular Planning and Zoning Commission Meeting

PLACE: Council Chambers

Tentative Agenda:

- Zoning Amendments regarding data centers

KIRKSVILLE PLANNING AND ZONING COMMISSION

STUDY SESSION ATTACHMENT

DATE: 08/12/2026

SUBJECT: Zoning Regulations for Data Centers

CITY DEPARTMENT: Community and Economic Development

PREPARED BY: Diane Albrecht, City Planner

City Council has requested the Planning & Zoning Commission to review and recommend zoning amendments regulating data centers. A Resolution was passed at the July 27, 2026, City Council Meeting declaring Council's intent to work with this Commission to determine land use standards and zoning regulations. This Study Session is intended to be a time for Commissioners to obtain additional information, listen, learn, and ask questions. This session is for learning and Commissioner discussion only; final recommendations will be formulated and presented at the Commission's September 9, 2026, meeting, following a public hearing.

Currently, data centers are not listed on the City's Permitted Use Table. This lack of definition means the use is currently unregulated, and property can be developed "by-right", regulated only by any restrictions already in place. Allowing by-right data center development, as opposed to the project coming to the legislative body, is not something Council feels is in the best interests of the community. While no developers have approached the City, this amendment proactively establishes a framework. This ensures future development aligns with the Comprehensive Plan and protects the interests of Kirksville residents.

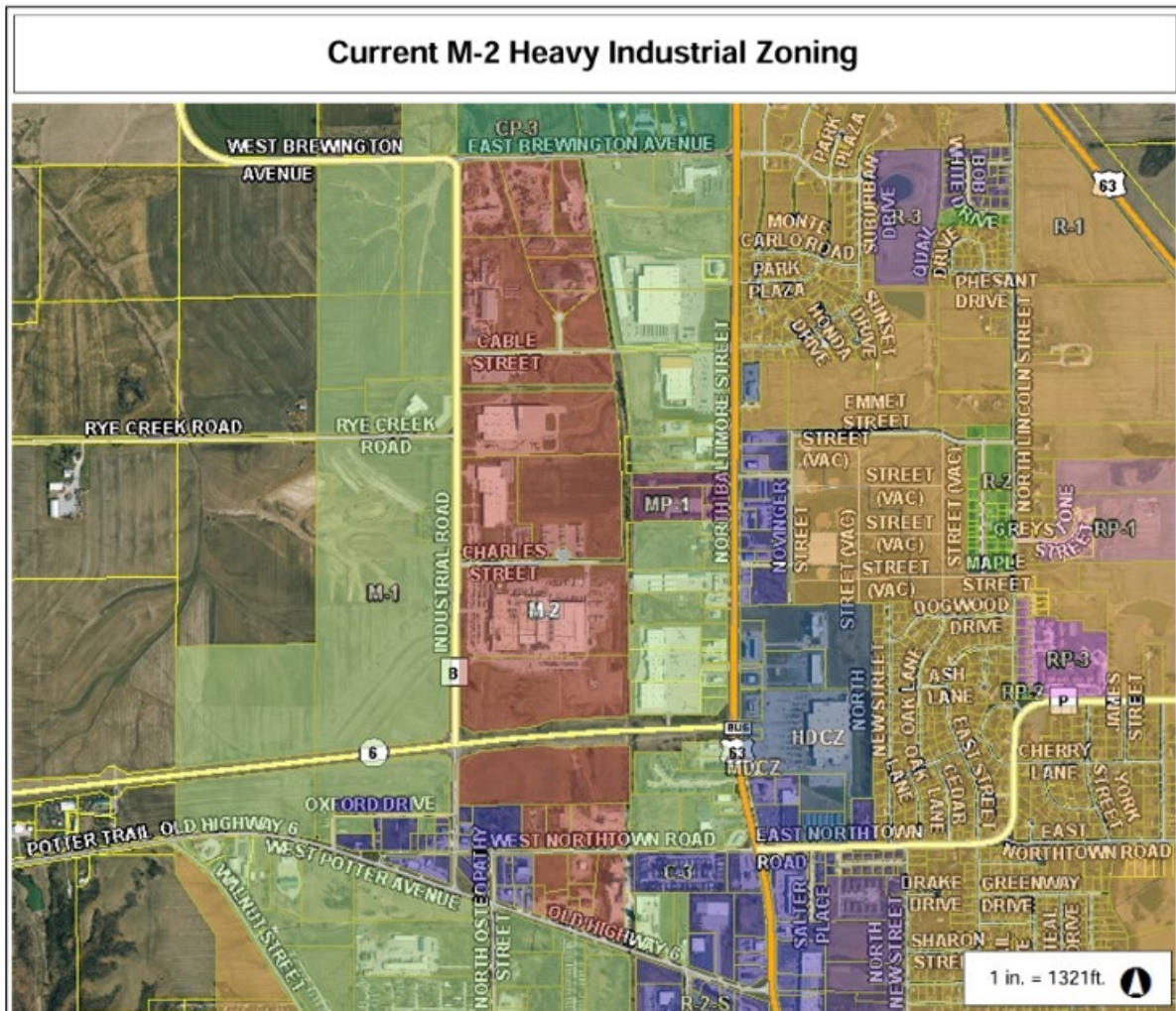
- Draft Land Use Definition: **Data center or data warehousing facility** means a secure facility whose primary service is data processing or data storage, and is used to house computer systems and associated components, such as central processing units, graphical processing units, neural networks, quantum bits, quantum processors, memory, data routing, data storage, server farm, bitcoin mining, crypto processing, virtual private networks, virtual servers, artificial intelligence training or processing, image processing, cloud computing, email servicing, a telecom hotel, telehouse co-location, or any other term applicable to facilities which are used for such purposes shall be deemed to be a data center.

During the July 13, 2026, City Council meeting, City and County residents expressed opposition to data centers. Public concerns focused on water consumption, electrical grid impacts, environmental impact, and potential health risks. Several residents requested a complete ban or a development moratorium. The Missouri Municipal League (MML) advises against a complete ban on data centers, as a total prohibition introduces legal vulnerability for the City. Another suggestion was to establish a moratorium. A moratorium would not negate the rules currently in place that allow data centers.

As the Commission considers Zoning regulations, staff suggests that data centers be permitted only in the M-2 Heavy Industrial zone, while also requiring a Special Use Permit outlining setbacks, buffers, screening, etc. Below is a list of items to consider for a Special Use Permit that would further address concerns. This list will be reviewed at the meeting and should not be construed to represent all concerns.

- Appropriate zoning districts in which data centers may be permitted;
- Minimum lot size and setbacks;
- Building height, scale, and architectural standards;
- Screening, buffering, and landscaping;
- Noise limitations and operational performance standards;
- Water consumption and conservation measures;
- Electrical infrastructure and utility coordination;
- Backup generators, fuel storage, and emergency systems;
- Environmental sustainability and energy efficiency;
- Traffic and construction management;
- Security and public safety considerations;
- Expansion of existing facilities; and
- Any other standards determined necessary to protect the public health, safety, and welfare while supporting appropriate economic development.
- Decommissioning

Also of note, Section 44-143 of the City's Municipal Code states "M-2, Heavy Industrial land uses shall be permitted only by approval of the City Council, after report from the county health department, fire department, and the planning and zoning commission," setting precedence for more stringent regulations. Following is the zoning map of the M-2 Heavy Industrial Zone in burgundy.



Zoning regulations “shall be made in accordance with a comprehensive plan” per RSMo. Section 89.040. The Current Land Use and Future Land Use Maps within the City’s *THINK Kirksville 2040 Comprehensive Plan* indicate this type of use would be appropriate for the M-2 zoned districts, being compatible with neighboring land use supporting the overall small-town feel of Kirksville. Thoughtfully crafted legislation concerning the regulation of data centers can protect the community’s resources, health and well-being, while adding to the City’s revenue and infrastructure, which aligns with Chapters 3, 5 and 6 of the Comprehensive Plan.

The City Council has been very clear of the intention to remain completely transparent throughout this process. Following tonight’s discussion, staff will prepare the proposed amendments and bring them back to the Commission at the September 9, 2026, meeting for recommendation, which will include a public hearing. The proposed legislation would then be presented to Council at the September 14, 2026, regular meeting. Council and staff have also been very mindful of informing citizens that the City has no control over any development that occurs in the County, which has no county-wide zoning or building regulations.

Council has also indicated they are not interested in offering any type of tax abatement or incentive to data center developers. Instead, the City intends to require Community Betterment Agreements, which can include infrastructure upgrades and community support such as scholarships, technical training programs, and partnerships to form community foundations.

Both Mari E. Macomber, City Manager, and Anastasia Tiedemann, K-REDI Executive Director, attended the Data Center Summit held in June at Jefferson City. This was hosted by MML in partnership with the Missouri Association of Counties and the Missouri School Board Association. Links to the summit presentations are included at the end of this report, along with links to legislation from other municipalities and information resources. These links are shared to give Commission members an opportunity to learn more about data centers before the August 12 Commission Meeting.

Resources:

Summit Presentations:

[Intro & Session 1 - Local Perspectives](#)

[Session 2 - Understanding Data Center Requirements](#)

[Session 3 - Resource Realities](#)

[Session 4 - Infrastructure, Incentives, Impact](#)

[Session 5 - Legal Infrastructure](#)

Additional Information:

Branson Ordinance

Warrensburg Ordinance

Camden County Ordinance

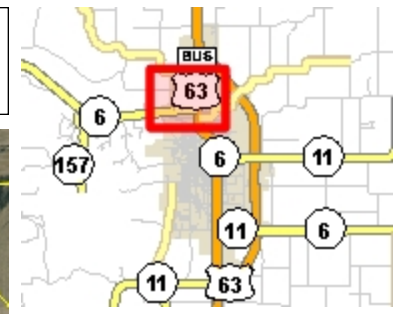
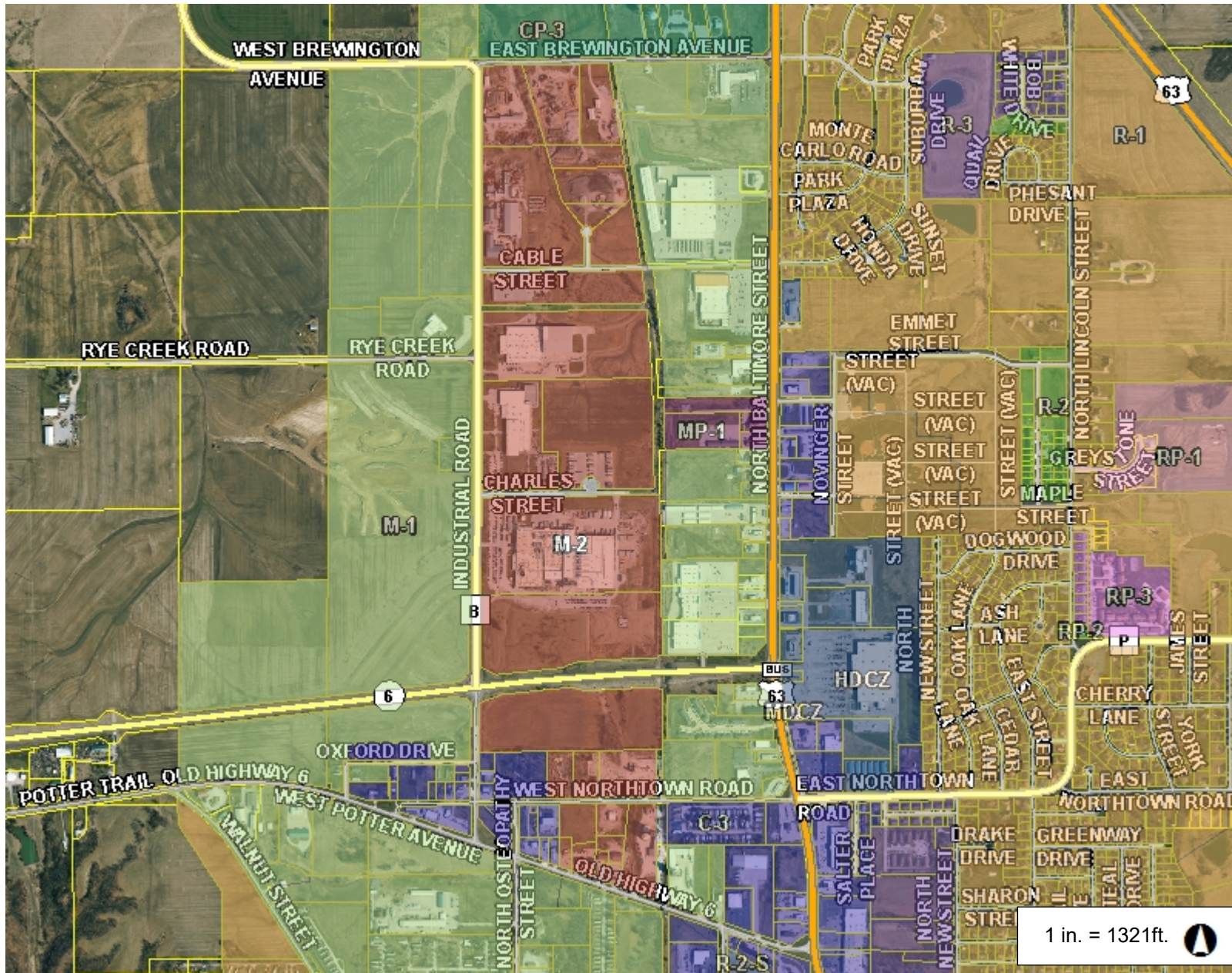
Centralia Ordinance

Ameren – Responsibly Serving Data Centers

[Ameren – Powering Growth in Missouri to Bolster Communities](#)

The National Rural Economic Developers Association (NREDA) put together a video on the technical factors for site selectors related to data centers. It is about 60 minutes in length. Here is the [link](#) to that video.

Current M-2 Heavy Industrial Zoning



Legend

Zoning

- Unknown
- C-1
- C-3
- CBD
- CBDP
- CP-1
- CP-3
- H-C-1
- H-C-3
- H-CBD
- H-CP-1
- H-M-1
- H-M-2
- H-R-1
- H-R-2
- H-R-2-S
- H-R-3
- H-R-4-S
- HDCZ
- LDCZ
- M-1
- M-2
- MDCZ
- MP-1
- OP-1

Notes

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKSVILLE, MISSOURI, DECLARING THE CITY COUNCIL'S INTENT TO REVIEW AND ASSIGN ZONING REGULATIONS PERTAINING TO THE LOCATION AND APPLICABLE STANDARDS RELATED TO DATA CENTER DEVELOPMENTS WITHIN THE CITY OF KIRKSVILLE.

WHEREAS, the City of Kirksville is committed to promoting community growth and development while protecting the health, safety, welfare, and quality of life of its residents; and

WHEREAS, advances in technology and the increasing demand for artificial intelligence, cloud computing, cryptocurrency, and digital infrastructure have resulted in increased interest in the development of data centers throughout the United States; and

WHEREAS, while data centers can provide economic development opportunities and private investment, such facilities may also present unique land use situations, and involve infrastructure, environmental, utility, public safety, and compatibility considerations that differ from traditional commercial or industrial development; and

WHEREAS, the City Council recognizes that the City's current zoning regulations were developed without consideration for large-scale facilities to meet technology needs; and

WHEREAS, the City Council believes it is in the best interests of the City to proactively evaluate its zoning regulations to ensure that future data center development occurs in a manner compatible with the City's THINK 2040 Comprehensive Plan, protects existing residential neighborhoods, preserves community character, and promotes sustainable economic development.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KIRKSVILLE, MISSOURI, AS FOLLOWS:

Section 1. Policy Direction.

The City Council hereby declares its intent to work with its Planning and Zoning Commission to review the City's current zoning regulations to determine what land use standards and zoning requirements should be considered related to data center developments.

Section 2. Staff Direction.

The City Council directs City staff to gather information to share with the Planning and Zoning Commission to understand data center requirements and best practices used by other communities, ensuring a competent understanding of land use and the zoning regulations needed for data centers.

Section 3. Planning and Zoning Commission Review.

The Planning and Zoning Commission is encouraged to hold a public hearing to gather public input on staff-recommended zoning requirements, followed by a recommendation to the City Council, in accordance with applicable Missouri law and the City's zoning procedures.

Section 4. Areas of Consideration.

The proposed zoning amendments may include, but are not limited to, provisions addressing:

1. Appropriate zoning districts in which data centers may be permitted;
2. Whether data centers should be permitted by right or require a Special Use Permit;
3. Minimum lot size and setbacks;
4. Building height, scale, and architectural standards;
5. Screening, buffering, and landscaping;
6. Noise limitations and operational performance standards;
7. Water consumption and conservation measures;
8. Electrical infrastructure and utility coordination;
9. Backup generators, fuel storage, and emergency systems;
10. Environmental sustainability and energy efficiency;
11. Traffic and construction management;
12. Security and public safety considerations;
13. Expansion of existing facilities; and
14. Any other standards determined necessary to protect the public health, safety, and welfare while supporting appropriate economic development.

Section 5. Public Engagement.

The City Council encourages meaningful public participation throughout the review process and directs staff to provide expanded public outreach to ensure that all interested individuals are given an opportunity prior to the adoption of any zoning ordinance amendments.

PASSED BY THE CITY COUNCIL AND SIGNED BY THE MAYOR ON THIS 27TH DAY OF JULY, 2026.

Zac Burden, Mayor

ATTEST:

Amanda Leach, Deputy City Clerk

AN ORDINANCE FOR MUNICIPAL CODE AMENDMENTS THROUGHOUT CHAPTER 94, INCLUDING BUT NOT LIMITED TO THE INDUSTRIAL ZONING DISTRICT, NOISE REGULATIONS, AND SPECIAL USE REQUIREMENTS FOR DATA CENTERS, DATA MINING AND SIMILAR INDUSTRIES.

WHEREAS, it is the desire of the Planning Commission and the Board of Aldermen to have zoning regulations and a Unified Development Code in the Branson Municipal Code that are clear and concise for understanding and interpretation; and

WHEREAS, the language of this Bill has been submitted to the Planning Commission, which, after conducting a public hearing on the same which was properly noticed, has recommended that the Board of Aldermen amend the Zoning Code of the City of Branson as provided herein; and

WHEREAS, a public hearing was held by the Planning Commission at City Hall in Branson, Missouri at the hour of 6:00 PM on July 29, 2024; and

WHEREAS, the Planning Commission has recommended approval of the request; and

WHEREAS, a public hearing was held by the Board of Aldermen at City Hall in Branson, Missouri at the hour of 6:00 PM on August 1, 2024; and

WHEREAS, the Board of Aldermen has determined that amendments to the Branson Municipal Code are reasonable and necessary; and

WHEREAS, the Board of Aldermen want to enable the development of data centers, to the extent possible, in areas where any potential adverse effects on the community will be minimized; and

WHEREAS, the Board of Aldermen want to ensure that data centers meet certain standards to protect the public health, safety, and welfare; to be in the best interests of the City of Branson and its citizens and guests; and to avoid unintended impacts on resources and adjacent uses; and

WHEREAS, the Board of Aldermen has conducted a public hearing on this matter in compliance with Chapter 89 RSMo.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BRANSON, MISSOURI, AS FOLLOWS:

Section 1: It is the intention of the Board of Aldermen, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Branson Municipal Code, and the sections of this ordinance may be renumbered to accomplish such intention.

Section 2: That the Branson Municipal Code, Chapter 94 – ZONING, and the corresponding chapters listed below, is hereby amended to read as follows:

- **ARTICLE 1.- IN GENERAL**

- Sec. 94-5. – Definitions.
- ARTICLE IV. USES
 - Sec. 94-60. – Table of Permitted Uses.
 - Table 94-60.1 Permitted Uses
 - Sec. 94-61. – Use and Structure Standards.
 - Sec. 94-62. – Special Use Standards.
- ARTICLE VII. – LANDSCAPING AND SCREENING
 - Sec. 94-105. – Utility and service area screening.

CHAPTER 94

ARTICLE I. IN GENERAL

Sec. 94-5. – Definitions.

For the purpose of this chapter, any words defined in the building code of the city and not specifically defined herein shall be construed as defined in the building code of the city. Any word not defined herein or in the building code of the city shall have its usual meaning unless otherwise provided in this section. For general definitions and rules of construction applicable throughout this Code, see section 1-2.

~~[Data center means a facility whose primary service is data processing, and is used to house computer systems and associated components, such as telecommunications and storage systems, including but not limited to, web hosting organizations and internet service organizations. A server farm, telecom hotel, carrier hotel, telehouse co-location center, or any other term applicable to facilities which are used for these specified purposes shall be deemed to be a data center.]~~

Data center means a facility whose primary service is data processing or data storage, and is used to house computer systems and associated components, such as central processing units, graphical processing units, neural networks, quantum bits, quantum processors, memory, data routing, data storage, server farm, bitcoin mining, crypto processing, virtual private networks, virtual servers, artificial intelligence training or processing, image processing, cloud computing, email servicing, a telecom hotel, telehouse co-location, or any other term applicable to facilities which are used for such purposes shall be deemed to be a data center.

Cryptocurrency means digital currency in which encryption techniques are used to regulate the generation of units of currency and verify the transfer of funds, operating independently of a central bank.

Cryptocurrency Data Center means a leased or owned boundaries of floor space devoted to the operating data processing equipment for Commercial Cryptocurrency Mining; excludes spaces for commercial offices, storage, shipping and receiving, warehousing, or any other space that is not electronic processing.

Commercial Cryptocurrency Mining means the commercial process by which cryptocurrency transactions are verified and added to the public ledger, known as the block chain, and also the means through which new units of cryptocurrencies are released, through the use of server farms or data centers employing data processing equipment. Any

equipment requiring a High-Density Load Service, for a server farm or data center, will constitute a commercial cryptocurrency mining operation.

Cryptocurrency Server Farm means three or more interconnected computers housed together in a single facility whose primary function is to perform cryptocurrency mining or associated data processing.

Manufactured Engineered Non-Residential Unit (MENU) means an engineered structure, non-residential in use designed for data centers.

Decibel (dB) means a decibel (dB) is ten (10) times the common logarithm of the ratio of two power terms expressed in the same units of power.

Sound Pressure Level (SPL) means the sound pressure levels stated in dB units referenced to 20 micropascals, with a C frequency weighting and measured as Leq (equivalent continuous sound level) over a 15 minute measurement period (reference ANSI S1.4/IEC 61672 and IEC 801-22-16).

Noise means any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

Noise Disturbance means any sound which: (a.) Endangers or injures the safety or health of humans or animals; or (b.) Annoys or disturbs a reasonable person of normal sensitivities; or (c.) Endangers or injures persons or real property.

CHAPTER 94 ARTICLE IV. USES

Sec. 94-60. – Table of Permitted Uses.

Table 94-60.1 Permitted Uses

Use Category	Ag/Residential					Mixed-Use/Nonresidential							Supplemental Use Standards
Subcategory	Con	A	LDR	MDR	HDR	NC	CC	MU	D	ENT	BUS	I	Note: This - reference is to use-specific standards only, other code requirements may apply
Specific Use Type													
Industrial													
Building Maintenance, Sales and Service							P				P	P	94-61(f)(1)
Construction Contractor											P	P	94-61(f)(1), 94-62(c)(1)
Data Center											[P]	[P] S	94-61(f)(1), 94-62(c)(2)
Digital Production											P	P	94-61(f)(1)
Medical Research Laboratory											P	P	94-61(f)(1)
Medical Marijuana Testing Facility												P	94-61(d)(10)
Wrecker Service											S	P	94-61(f)(1).

													94-61(f)(2)
Energy Production and Natural Resource Extraction													
Energy Production, Renewable													94-61(f)(1)
Cogeneration Facility												S	94-61(f)(1)
Solar Array		S									S	S	94-61(f)(1)
Wind Energy Commercial		S									S	S	94-61(f)(1)
Wind Energy Small		S									S	S	94-61(f)(1)
Mining and Quarrying		S										S	94-61(f)(1)

CHAPTER 94

ARTICLE IV. USES

Sec. 94-61. – Use and structure standards.

(f) *Industrial uses.*

(1) *General.* All industrial uses shall be subject to the following standards:

- a. All traffic hazards shall be minimized;
- b. Lights shall be directed away from adjoining residential areas;
- c. Off-street loading areas shall be available as needed; and
- d. No dust, smoke, fumes, gas, noxious odor, excessive noise or other atmospheric effluent shall exceed in intensity [at] **past** the boundary of the lot, [of conditions normally found in a residential neighborhood.]
- e. The operations shall not cause the dissemination of vibration or noise in excess of the maximum environmental noise level established by City Code of Ordinances Chapter 58, Article VII, Section 262 or other restrictions as contained in Chapter 94 as it relates to specific industrial uses.
- f. A minimum setback of 50 feet shall be required for all structures (except fences and walls) located on the subject property measured from the subject property lines to the property lines in question.
- g. The maximum maintained vertical footcandle at an adjoining residential property line shall be 0.5 footcandles, measured at three feet above the grade.
- h. All utility lines serving the site and located on the subject property, shall be contained underground.
- i. All parking areas, drive aisles, service areas, storage, and loading docks shall be constructed of a hard surface (i.e asphalt/concrete), conforming to the Branson Municipal code requirements.
- j. Testing of generators is prohibited between the hours of 11:00 p.m. and 7:00 a.m. If generators are located outside of an enclosed building a screening wall shall be required.
- k. The SPL attributable to infrastructure of the industrial use on the property

shall not exceed 65 dBC, as measured at every property line. For industrial uses located within 500 feet of any allowed residential use or district, place of worship, daycare, park, lodging establishment (including bed and breakfast inn, campground and recreational vehicle park, hotel and motel, nightly rental, and timeshare unit), and educational facilities, the SPL attributable to the facility shall not exceed 55 dBC at every property line.

CHAPTER 94 ARTICLE IV. USES

Sec. 94-62. – Special Use Standards.

(c) *Industrial uses.*

(2) Data Centers.

- a. Data Centers. Data Centers may be permitted with a special use permit in the Industrial (I) zoning district, or as further determined through a Planned Development (PD) approval. Modification of the conditions set out below may be specified as part of the approval of a special use permit, if noted on the application and required notification, when it is determined that the data center can be accommodated in a modified manner without adverse impacts on adjacent properties and that such data center will still meet the general intent of the limitations.
- b. Required conditions. All data centers shall comply with the following conditions:
- c. Site Requirements:
 - (i) Primary Structure: A primary structure shall be required prior to the installation of a MENU. A primary structure excludes structures such as storage sheds, non-occupied secondary or accessory structures, and MENUs.
 - (ii) Buffering: A minimum setback of 50 feet shall be required for all structures (except fences and walls) located on the subject property measured from the subject property lines to the property lines in question.
 - (iii) Distancing Requirements for Residential, Places of Worship, Daycare s, Parks, Lodging Establishments, and Educational facilities. Data Centers shall require a minimum 500 feet distance setback from a residential use or district, place of worship, daycare, park, lodging establishment (including bed and breakfast inn, campground and recreational vehicle park, hotel and motel, nightly rental, and timeshare unit) and educational facilities measured from the subject property lines to the property line in question.

- (iv) Lighting: A photometric diagram showing predicted maintained lighting levels produced by the proposed lighting fixtures shall be required. The maximum maintained vertical footcandle at an adjoining residential property line shall be 0.5 footcandles, measured at three feet above the grade.
- (v) Manufactured Engineered Non-Residential Unit (MENU). MENUs shall be screened from view by a combination of landscaping, opaque fencing, and or a decorative opaque wall that is integrated into the architecture of the structure. The fence or wall shall be of a height equal to, or greater than the height of the MENU being screened. Chain link fencing is not permitted as a screening method. On a case by case basis, a line-of-sight analysis can be submitted to assess the visual impact of the MENU on the surrounding environment. The line-of-sight analysis can consider, but not be limited to: terrain, obstructions, vegetation, buildings, and other objects.
- (vi) All utility lines serving the site and located on the subject property, shall be contained underground.
- (vii) All data centers shall be contained within a primary structure or a MENU.
- (viii) All parking areas, drive aisles, service areas, storage, and loading docks shall be constructed of a hard surface (i.e asphalt/concrete), conforming to the Branson Municipal code requirements.

d. Sound/Noise Requirements:

- (i) On site monitoring of sound: The permit holder shall provide to the city, prior to the issuance of a certificate of occupancy or completion, an affidavit that includes the following information:
 - 1. Name and qualifications of the person who measured the sound pressure levels, requiring a supervised and wet stamped report by a qualified Missouri licensed Professional Engineer.
 - 2. Equipment used. List all test results; equipment; equipment serial numbers; equipment settings; copies of National Institute of Standards (NIST) traceable calibration certificates; drawings and pictures of the test setup including pertinent distance measurements; and weather conditions during the tests including wind speed, temperature and relative humidity.
 - 3. Location of the noise measurements depicted on a scaled site plan. The points of measurement shall be at all property lines and generally at the points on those property lines most susceptible to noise from the applicable equipment.

4. Sound pressure levels (SPL) at each property line.

5. Time and duration of measurements.

6. A statement attesting to the accuracy of the information provided and a guarantee that the permit holder will not run their equipment, including generators, at a greater sound pressure level than when the measurements were made.

The city reserves the right to require independent verification of noise measurements and/or to request additional measurements at different point on the property. All measurements must comply with the noise levels established in this Section of Branson Municipal Code.

(ii) Generators:

1. Testing of generators is prohibited between the hours of 11 p.m. and 7 a.m.

2. If generators are located outside of an enclosed building a screening wall shall be required.

(iii) The SPL attributable to infrastructure of the data center property shall not exceed 65 dBC, as measured at all data center property line. For data centers located within 500 feet of any allowed residential use or district, place of worship, daycare, park, lodging establishment (including bed and breakfast inn, campground and recreational vehicle park, hotel and motel, nightly rental, and timeshare unit), and educational facilities, the SPL attributable to the facility shall not exceed 55 dBC at all data center property line.

(iv) If at any time the data center operation violates the standards as set forth in this Section, the planning and development director shall give five days' notice in writing to the owner of the building, structure, or property on which the violation is located, stating the nature of the violation and ordering the owner to cease the violation or bring the property into compliance. Notice to the owner may be by first class mail, personal delivery, or posting on the property. Notice given shall state the violation of the standards and the time within which the violation must be abated. A notice of violation and order to abate under this article may be appealed by filing a written appeal in the office of the planning and development director within five calendar days of the violation notice. The board of adjustment shall hear the appeal in accordance with its usual procedure. The board of adjustment, upon finding that a violation exists, may approve or modify the order of the planning and development director. The board of adjustment's decision may be appealed in the manner provided by law.

e. Utilities and Resources Conditions:

(i) Confirmation of utility agreement: Prior to approval of a special use permit, the applicant shall provide written verification from the utility provider stating the following:

- 1. Adequate capacity is available on the applicable supply lines and substation to ensure that the capacity availability to serve the other needs of the planning area is consistent with the normal projected load growth envisioned by the utility.**
- 2. Utility supply equipment and related electrical infrastructure are sufficiently sized and can safely accommodate the proposed use.**
- 3. The use will not cause electrical interference or abnormal in line voltage on and off the operating premises.**
- 4. An agreement that if a power outage or shortage occurs, the data center will be secondary to all other uses within the City of Branson or surrounding properties.**

(ii) Confirmation of water availability: If water is used for cooling, the source and adequacy of the supply shall be provided.

(iii) Changes in resources or data center expansion: If a change in resource occurs, a new special use permit shall be required for re-evaluation. If a data center expansion is proposed, a new special use permit shall be required for re-evaluation.

(iv) Certain foreign adversaries shall be restricted from developing data centers within the City of Branson. The determination of a foreign adversary shall be regulated on a case by case basis, as determined by the United States Department of State.

(v) All requirements relating to noise and noise disturbance shall be considered for data centers.

f. Modification of Use: Any modification to the data center site requirements; number of MUNU, location of MENU, screening, lighting, sound/noise requirements, and utilities requires an application for the special use permit.

**CHAPTER 94
ARTICLE VII. LANDSCAPING AND SCREENING**

Sec. 94-105. – Utility and service area screening.

(2) *Mechanical equipment.*

a. *Applicability.* The standards of this section shall apply to all of the following:

- (i) Electrical and gas-powered mechanical equipment;
- (ii) Ductwork and major plumbing lines used to heat, cool, or ventilate; and
- (iii) Power systems for the building or site upon which the equipment is located.

Roof or wall-mounted antennas and vent openings shall not be considered mechanical equipment for purposes of these screening standards. The standards of this section are not intended to apply to solar arrays, solar energy collection systems, or small wind energy systems, if such systems are otherwise in compliance with applicable building codes and development standards requirements.

b. *Screening standards.*

(i) *Roof-mounted mechanical equipment.* Roof-mounted mechanical equipment shall be screened by a parapet wall or similar feature that is an integral part of the building's architectural design. The parapet wall or similar feature shall be of a height equal to, or greater than the height of the mechanical equipment being screened. Roof-mounted mechanical equipment, except solar energy collection systems, is prohibited on single-family residential dwellings.

(ii) *Wall-mounted mechanical equipment.* Wall-mounted mechanical equipment, except air conditioning equipment (e.g., window AC units), that protrudes more than six inches from the outer building wall shall be screened from view by structural features that are compatible with the architecture of the subject building. Wall-mounted mechanical equipment that protrudes six inches or less from the outer building wall shall be designed to blend with the color and architectural design of the subject building.

(iii) *Ground-mounted mechanical equipment.* Ground-mounted mechanical equipment shall be screened from view by landscaping, a fence, or a decorative wall that is integrated into the architecture of the structure. The fence or wall shall be of a height equal to, or greater than the height of the mechanical equipment being screened.

(iv) *Manufactured Engineered Non-residential Unit (MENU).* Manufactured engineered non-residential units shall be screened from view by a combination of landscaping, an opaque fence, or a decorative wall that is integrated into the architecture of the structure. The fence or wall shall be of a height equal to, or greater than the height of the MENU being screened. Chain link fencing is not a permitted as a screening method. On a case by case basis, a line-of-sight analysis can be submitted to assess the visual impact of the MENU on the surrounding environment. The line-of-sight analysis can consider, but not be limited to: terrain, obstructions, vegetation, buildings, and other objects.

(iv) (v) *Alternate screening.* Alternate screening methods that meet the intent of this section may be approved by the planning and development director. Alternative screening might include, but shall not be limited to, increased setbacks, increased landscaping, grouping the equipment on specific portions of a site, architectural elements, and painting or otherwise causing the equipment to blend with the site or structure.

NOTE: LANGUAGE WHICH IS **BOLD, UNDERLINED** HAS BEEN ADDED; LANGUAGE WHICH IS [BRACKETED, STRICKEN] HAS BEEN REMOVED.

Section 3: This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

Section 4: That should any section, sentence or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences or clauses.

Section 5: That the City Clerk is authorized by this Ordinance to correct any scrivener's errors identified within this Ordinance.

Read, this first time on this 1st day of August, 2024.

Read, this second time, passed, and truly agreed to by the Board of Aldermen of City of Branson, Missouri this 13th day of August, 2024.

Larry D. Milton
Mayor

ATTEST:

APPROVED AS TO FORM:

Hillary Briand
City Clerk



City Attorney

ORDINANCE NO. 04-24-2026

AN ORDINANCE REGULATING THE LOCATION, CONSTRUCTION, AND OPERATION OF DATA CENTERS IN THE UNINCORPORATED AREAS OF CAMDEN COUNTY, MISSOURI

The purpose of this Ordinance is to protect the health, safety, and welfare of the citizens of Camden County, Missouri by regulating data centers in the County's unincorporated areas. Specifically, this Ordinance is intended to safeguard underground water aquifers, existing power supplies, and the streams, rivers, and lakes of Camden County, Missouri, including the Lake of the Ozarks, while controlling noise from data center operations and protecting property values and quality of life throughout the County.

NOW, THEREFORE, BE IT ORDAINED by the County Commission of Camden County, Missouri, as follows:

Section 1. Permits

The Camden County Commission shall have authority to require, issue, manage, and revoke all permits and agreements necessary to implement this Ordinance, including Conditional Use Permits (CUPs), Development Agreements, and any required studies or modeling reports. These requirements apply to all data centers in the unincorporated areas of Camden County, Missouri, regardless of whether the facility lies within the Camden County Planning and Zoning District. Facilities within the Planning and Zoning District may be subject to additional requirements.

A CUP may be suspended or revoked if a facility fails to comply with any permit condition or Development Agreement, halting all operations until compliance is restored and the CUP is reinstated or a new CUP is issued.

Section 2. Definition

A Data Center is a secure physical facility designed to house critical computing infrastructure, servers, and network equipment. Such facilities are classified as industrial or intensive commercial uses requiring significant power, water for cooling, and specialized infrastructure. They range from small enterprise installations to large-scale campus developments of 40 or more acres, and require appropriate zoning, typically high-density commercial or industrial, as well as Conditional Use Permits and/or Development Agreements.

Section 3. Data Center Categories

Data centers are classified into four categories based on power consumption and facility size:

1. **Micro:** Power consumption under 1 MW; server and network space under 2,000 sq. ft. Micro data centers may be co-located as an accessory use within an existing commercial, mixed-use, or industrial building. They are not permitted as standalone facilities. No special permitting, water, power, or waste requirements apply beyond standard local utility rules.
2. **Small:** Power consumption from 1 MW to 5 MW; server and network space up to 10,000 sq. ft. Requires a CUP, Development Agreement, and compliance with all applicable standards in this Ordinance.

3. **Medium:** Power consumption from 5 MW to 75 MW; server and network space up to 100,000 sq. ft. Requires a CUP, Development Agreement, and compliance with all applicable standards in this Ordinance.
4. **Large:** Power consumption exceeding 75 MW; server and network space exceeding 100,000 sq. ft. Requires a CUP, Development Agreement, and compliance with all applicable standards in this Ordinance.

Section 4. Power Requirements

The following requirements apply to all Small, Medium, and Large data centers:

1. Submit an Energy Consumption Modeling Report and a Power Generation Report as required documenting maximum power consumption and generation at peak operation.
2. Provide a tentative agreement or letter of intent from the power provider confirming their ability to serve the facility without disrupting existing residential or commercial customers.
3. If the facility intends to self-generate all required power, submit a generation plan covering: type and size of generation, noise output, infrastructure requirements, environmental considerations, and a tentative agreement with the local utility for purchase of any surplus generation.
4. Within three (3) years of commencing operations, on-site power generation requirements apply as follows: The Power Generation Report shall be a condition of both the CUP and the Development Agreement:
 - a. **Small:** No on-site generation required unless the local utility cannot reliably serve the facility without interrupting existing service. If the utility cannot certify adequate capacity, a plan for on-site generation, standalone, or combined with utility power must be submitted.
 - b. **Medium:** Must construct and continuously operate on-site generation capable of supplying a minimum of 100% of peak load power.
 - c. **Large:** Must construct and continuously operate on-site generation capable of supplying a minimum of 110% of peak load power.

Section 5. Cooling Water Requirements

1. All data centers, regardless of size, must submit a Water Consumption Modeling Report detailing all proposed water uses prior to CUP issuance.
2. Medium and Large data centers are prohibited from obtaining cooling water from on-site wells, municipal or private connections, or any surface water source including the Lake of the Ozarks and its tributaries. Cooling water, including the initial system charge and ongoing make-up water, must be collected from rainwater runoff captured from impervious surfaces (rooftops and parking/driving areas) created during construction. The minimum required enclosed storage capacity equals 2.5 gallons per gross square foot of building area (example: a 100,000 sq. ft. facility must maintain 250,000 gallons of storage; approximately four inches of rainfall on the rooftop alone, with an efficient collection system, yields that volume).

Exception: In documented drought conditions where rainwater collection is demonstrably insufficient, the jurisdictional authority may issue special monthly permits to draw supplemental make-up water from a metered municipal source. Such permits must be renewed monthly.

Potable water for human consumption must be obtained through a metered municipal or public connection and is limited to 30 gallons per employee per shift, per Missouri DHSS Table 2A (Warehouses).

3. Evaporative chillers are prohibited for all data centers, regardless of size.
4. All Small, Medium, and Large data centers must use closed-loop cooling systems. Cooling equipment must be above-ground, mechanical or ambient-type devices. Underground and geothermal cooling wells or equipment are prohibited. Mechanical chillers and similar sound-emitting devices are subject to the setback requirements in Section 7.
5. All Small, Medium, and Large data centers are limited to a monthly cooling system discharge and make-up volume equal to their gross square footage in gallons (example: a 100,000 sq. ft. facility may discharge or replenish up to 100,000 gallons per calendar month). All make-up water must come from permitted sources. Discharge treatment requirements are addressed in Section 6.

Section 6. Waste Disposal Requirements

All Small, Medium, and Large data centers must submit a Waste Discharge Modeling Report prior to CUP issuance.

1. Domestic waste (hand-washing, toilets, laundry, safety showers, etc.) must discharge to a facility approved and permitted by the Camden County Wastewater Department or the Missouri Department of Natural Resources (MDNR).
2. Industrial waste, including cooling system discharge and all other non-domestic flows, must be routed to an approved industrial evaporator or equivalent technology. All collection infrastructure must consist of concrete, watertight basins or tanks or equivalent approved structures. Surface or subsurface discharge after treatment is prohibited. As an alternative, industrial waste may be collected and hauled to an MDNR-licensed treatment facility.

Section 7. Noise, Screening, and Setback Requirements

All Small, Medium, and Large data centers must submit a Noise and Vibration Modeling Report prior to CUP issuance.

1. Chiller setbacks, all data centers utilizing chillers:
 - a. Ground-mounted chillers: 1,000 ft. minimum separation from any residential, educational, hospital, or recreational use; sound attenuation providing a minimum 12 dB noise reduction is required.
 - b. Roof-mounted chillers: 1,500 ft. minimum separation from any residential, educational, hospital, or recreational use; a sound attenuation screen or parapet providing a minimum 12 dB noise reduction is required.

2. Generator requirements, all data centers utilizing backup generators:
 - a. Roof-mounted generators are prohibited.
 - b. All generators must meet Tier 4 Final emission standards.
 - c. Ground-mounted generators: 1,000 ft. minimum setback from any residential, educational, hospital, or recreational use.
 - d. Sound attenuation providing a minimum 12 dB noise reduction is required for all ground-mounted generators.
3. Vibration limit, all data centers: Maximum 1.5 mm/s, measured at 500 ft. from any facility structure, machinery, or equipment.
4. Parking and driveways, Small, Medium, and Large data centers: Parking and driving surfaces must meet warehouse standards. Minimum driveway width: 36 ft. Required parking: 1 space per 500 sq. ft. of gross floor area.
5. Property line and waterway setbacks: No structures other than roadways, domestic wastewater septic systems (and associated tanks and controls), or perimeter fences are permitted within the following setback areas:
 - a. Micro: 500 ft. from any property line; 1,500 ft. from the Lake of the Ozarks or any classified stream, lake, or river.
 - b. Small: 1,000 ft. from any property line; 3,000 ft. from the Lake of the Ozarks or any classified stream, lake, or river.
 - c. Medium: 2,500 ft. from any property line; 4,000 ft. from the Lake of the Ozarks or any classified stream, lake, or river.
 - d. Large: 4,000 ft. from any property line; 6,000 ft. from the Lake of the Ozarks or any classified stream, lake, or river.

Section 8. Violations, Fines, and Permit Revocation

Any data center found to be out of compliance with this Ordinance, its CUP, or its Development Agreement shall be notified in writing. The operator has fourteen (14) calendar days from the date of the violation notice to correct the violation.

1. Daily fines after the 14-day cure period, each day constitutes a separate violation:
 - a. Micro: \$1,000/day
 - b. Small: \$5,000/day
 - c. Medium: \$25,000/day
 - d. Large: \$50,000/day
2. CUP suspension or revocation: Thirty (30) calendar days after the violation notice, if uncorrected, the CUP shall be suspended or revoked and a Cease and Desist order issued. All operations must cease except work necessary to restore compliance. The CUP will not be reinstated or reissued until a compliance inspection confirms all conditions are met.

Continued operation after CUP revocation or suspension incurs the following additional daily fines (cumulative with item 1 above):

- a. Micro: \$5,000/day
 - b. Small: \$25,000/day
 - c. Medium: \$125,000/day
 - d. Large: \$500,000/day
3. Probationary period: A facility returned to compliance and issued a reinstated or new CUP shall operate under a 180-day probationary period. Any violation during probation results in immediate CUP revocation and imposition of the maximum fines under item 2 above.

Section 9. Tax Incentives, Abatements, and Ownership

The following prohibitions apply to all data centers, regardless of size:

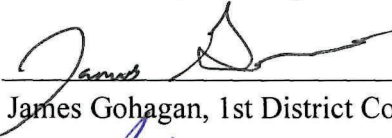
1. No data center is eligible for any tax incentive, including but not limited to Tax Increment Financing (TIF), Enhanced Enterprise Zones (EEZ), or Data Center Sales and Utility Tax Exemptions.
2. No data center is eligible for property tax abatement, rate freezing, or any other reduction from the full assessed property tax calculated under standard County formulas.
3. No data center may be included in any special taxing district, including Transportation Development Districts (TDD), Neighborhood Improvement Districts (NID), or Community Improvement Districts (CID).
4. No other entity may abate any tax lawfully due to Camden County on behalf of any data center, including Sales Tax, Use Tax, and Property Tax.
5. No data center may be owned in whole or in part by a foreign company, Port Authority, Airport Authority, Holding Company, Navigation District, or other umbrella-type corporate structure.

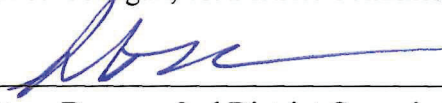
PASSED, APPROVED, AND ADOPTED on this 24 day of April, 2026.

CAMDEN COUNTY, MISSOURI

(Seal)

By: 
Ike Skelton, Presiding Commissioner

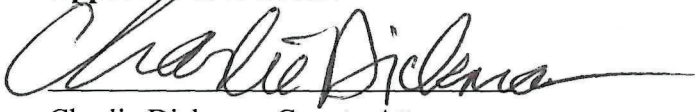
By: 
James Gohagan, 1st District Commissioner

By: 
Steve Dougan, 2nd District Commissioner

Attest:


Rowland Todd, County Clerk

Approved as to Form:


Charlie Dickman, County Attorney



BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CENTRALIA, MISSOURI, AMENDING THE ZONING PROVISIONS OF THE CODE OF ORDINANCES OF THE CITY OF CENTRALIA, MISSOURI, TO ESTABLISH DEFINITIONS, CONDITIONAL USE AUTHORIZATION, AND SUPPLEMENTAL REGULATIONS FOR DATA CENTERS; REQUIRING APPLICATION MATERIALS, NOTICE, ENGINEERING REVIEW, INFRASTRUCTURE ASSURANCES, OPERATIONAL CONDITIONS, AND CONTINUING COMPLIANCE; ALLOCATING CERTAIN INFRASTRUCTURE AND REVIEW COSTS TO DATA CENTER DEVELOPERS AND OPERATORS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Sections 77.260 and 79.110, RSMo, authorize the Board of Aldermen of the City of Centralia, Missouri, to enact ordinances necessary for the good government, health, safety, and welfare of the City and its inhabitants; and

WHEREAS, Chapter 89, RSMo, authorizes municipalities to regulate the use of land, buildings, and structures through zoning regulations to promote the public health, safety, morals, and general welfare; and

WHEREAS, the City of Centralia has adopted zoning regulations establishing zoning districts and regulating land uses within the City; and

WHEREAS, the Board of Aldermen finds that data centers are a distinct and evolving land use with unique impacts relating to electrical demand, water usage, cooling systems, sound emissions, roadway capacity and wear, traffic, lighting, security, and utility infrastructure; and

WHEREAS, the Board of Aldermen further finds that such uses warrant conditional use review and supplemental regulations to ensure compatibility with surrounding land uses and to protect public infrastructure and the health, safety, and welfare of the public; and

WHEREAS, the Planning and Zoning Commission of the City of Centralia has reviewed and considered proposed amendments regulating data centers and has made a recommendation to the Board of Aldermen following proper notice and public hearing;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CENTRALIA, MISSOURI, AS FOLLOWS:

SECTION I. Definitions.

Section 31-1 of the Code of Ordinances of the City of Centralia, Missouri, is hereby amended by adding the following definition:

DATA CENTER. A facility, or portion of a facility, the primary purpose of which is data processing, data storage, digital computation, cloud computing, colocation services, artificial intelligence training or processing, high-performance computing, cryptocurrency or digital asset

processing, telecommunications hosting, or similar high-density computing uses. A data center may include associated offices, mechanical equipment, cooling systems, backup power systems, substations, storage areas, security facilities, and other accessory improvements customarily incidental thereto. A data center shall not be housed in whole or in part within shipping containers, portable units, or other temporary or movable structures.

SECTION II. Zoning Authorization.

Data centers are hereby authorized only as a conditional use within the M-1 Industrial Zoning District, subject to approval of a Conditional Use Permit pursuant to Chapter 31, Article XVI, Section 31-65, of the Code of Ordinances of the City of Centralia, Missouri, and subject to full compliance with this Ordinance and all other applicable provisions of the City Code.

SECTION III. Supplemental Regulations for Data Centers.

The Code of Ordinances of the City of Centralia, Missouri, is hereby amended by adding a new section, to be codified as Section 31-____, to read as follows:

Sec. 31-____. Data Centers; Supplemental Regulations.

A. Purpose.

The purpose of this Section is to regulate the location, design, construction, expansion, and operation of data centers in a manner that protects surrounding property, preserves the capacity and integrity of municipal infrastructure, ensures compatibility with surrounding land uses, and safeguards the public health, safety, and welfare.

B. Conditional Use Nature of Approval.

1. No data center shall be established, constructed, expanded, materially modified, or operated except pursuant to a valid Conditional Use Permit approved by the City in accordance with Section 31-65 and in compliance with this Section.
2. Compliance with this Section, the approved application materials, the approved site plan, all required studies, all mitigation measures, any infrastructure agreement, and all conditions imposed as part of the Conditional Use Permit shall be continuing conditions of approval and operation.
3. Any material deviation from the approved application, approved site plan, required studies, mitigation measures, or conditions of approval shall constitute a violation of this Code and shall be grounds for enforcement action, including withholding of permits, issuance of stop-work orders, municipal code enforcement, suspension, or revocation of the Conditional Use Permit, and any other remedy authorized by law.
4. In approving a Conditional Use Permit for a data center, the City may impose such conditions as are reasonably necessary to protect the public health, safety, and welfare, including but not limited to conditions relating to noise, traffic, roadway improvements including roadway capacity and wear, water use, cooling systems, utilities, lighting, fencing, screening, hours of construction, generator testing, and security.

C. Location and Structure.

1. All data centers shall be located within a permanent principal building or within permanent accessory structures customarily incidental to the principal use.
2. No data center or portion thereof shall be operated from shipping containers, portable units, trailers, temporary structures, or similar movable enclosures.
3. Ancillary computing facilities serving only the internal operational needs of an otherwise lawful principal use on the same lot may be permitted as an accessory use, provided such accessory use is not used to provide services to third parties and does not exceed ten percent (10%) of the gross floor area of the principal building, unless otherwise approved through the conditional use process.

D. Application Requirements and Notice.

In addition to all application requirements otherwise imposed by the zoning code, every application for a Conditional Use Permit for a data center shall include the following:

1. A detailed site plan showing property boundaries, existing and proposed buildings and structures, setbacks, screening, fencing, access points, parking, loading, drive aisles, utility locations, stormwater facilities, lighting, outdoor equipment, generator locations, substations, transformers, and other site improvements.
2. A written project narrative describing the proposed use, anticipated phases of development, hours of construction, hours of generator testing, number of employees, anticipated truck traffic, security measures, cooling systems, backup power systems, utility demands, water use, wastewater generation, and all proposed mitigation measures.
3. A summary of expected water demand, wastewater discharge, electrical demand, and other utility needs, together with written evidence from relevant utility providers, if required by the City, regarding service availability and capacity.
4. Written notice by certified mail to all owners of property within one thousand (1,000) feet of the subject property, mailed not less than fifteen (15) days before the public hearing, describing the proposed data center use, the location of the subject property, and the date, time, and place of the public hearing or neighborhood meeting, as applicable.
5. At least one informational neighborhood meeting conducted by the applicant not less than fifteen (15) days before the public hearing, for the purpose of explaining the project scope, anticipated construction impacts, infrastructure demands, and proposed mitigation measures.
6. Such additional plans, studies, and information as the City may reasonably require to evaluate the application and the proposed impacts of the development.

E. Sound Studies and Sound Standards.

1. Prior to approval of a Conditional Use Permit, and prior to issuance of any grading permit or building permit, the applicant shall deposit with the City such funds as the City deems reasonably necessary to retain, at the applicant's sole cost, a qualified independent acoustic engineer or other appropriate professional selected by the City to review the proposed facility and prepare or review a preconstruction acoustical impact study.

2. The preconstruction acoustical impact study shall evaluate existing ambient sound levels and projected sound levels associated with the proposed data center under normal operations and reasonably anticipated peak operating conditions, including without limitation cooling equipment, rooftop equipment, mechanical equipment, transformers, substations, loading activities, and generator testing.
3. The acoustical impact study shall identify projected sound levels at the property lines of the subject site and, where reasonably necessary, at nearby affected properties, and shall identify all mitigation measures necessary to achieve compliance with this Section.
4. The data center shall be designed, constructed, and operated so that sound attributable to the facility shall not exceed:
 - a. sixty (60) dBA when measured at any property line adjacent to residentially zoned or residentially used property; and
 - b. sixty-five (65) dBA when measured at any property line adjacent to commercially or industrially zoned property.
5. The City may require post-construction sound testing, follow-up sound testing, and ongoing sound monitoring, all to be performed by a qualified professional retained by the City at the operator's expense, whenever the City determines that such testing is reasonably necessary to confirm compliance or investigate a complaint.
6. The operator shall promptly implement all mitigation measures required by the City to address sound impacts and to maintain compliance with this Section.

F. Corrective Action and Operational Compliance.

1. In the event of documented noncompliance with the sound standards of this Section, or with any other operational requirement or condition of approval, the operator shall, within the time specified by the City, submit a corrective action and mitigation plan for review and approval by the City.
2. Upon approval by the City, the operator shall timely implement the corrective action and mitigation plan at its sole cost.
3. Repeated violations, failure to submit or implement an approved corrective action plan, refusal to permit required inspections or testing, or operation in material deviation from the approved application or conditions of approval shall constitute grounds for enforcement action, including suspension or revocation of the Conditional Use Permit.

G. Backup Power Generation.

1. All generators and backup power equipment shall comply with all applicable federal, state, and local regulations.
2. Routine testing of backup generators shall be coordinated with the City and shall be limited to weekday business hours, except during emergencies, utility interruptions, or other circumstances beyond the reasonable control of the operator.
3. The City may impose reasonable conditions regarding the timing, duration, frequency, sound attenuation, and screening of generator testing as part of the Conditional Use Permit approval.

H. Lighting.

Exterior lighting shall be designed, installed, and maintained so as to minimize glare, sky glow, and light trespass onto adjacent property and public rights-of-way. Unless otherwise approved by the City upon a showing of necessity, the maximum maintained vertical illumination at any residential property line shall not exceed 0.5 footcandles.

I. Parking, Loading, and Service Areas.

All parking areas, loading areas, service areas, and drive aisles shall comply with the paving, drainage, access, and design requirements of the City Code, except where an alternative surface or design is specifically approved by the City for technical or safety reasons, including electrical grounding requirements.

J. Water Use, Cooling Systems, and Sewer Infrastructure.

1. All data centers utilizing water-based cooling systems shall employ closed-loop cooling systems only. Once-through cooling systems shall be prohibited.
2. The applicant shall submit, as part of its application, a water use and wastewater management report identifying the anticipated source of water, peak demand, average demand, one-time fill volume, annual make-up water demand, expected wastewater characteristics, and any proposed reuse, treatment, discharge, or disposal methods.
3. No data center shall commence construction or operation unless the City determines that sufficient water and sewer capacity exists to serve the proposed facility without impairing service to existing customers or requiring the expenditure of public funds except as expressly approved by the Board of Aldermen.
4. As a condition of approval, the developer or operator shall be responsible for the design, construction, installation, and funding of any water, sewer, cooling-related, or wastewater infrastructure improvements required to serve the data center or mitigate impacts on the City's existing systems.

K. Roadway and Transportation Impact Review.

1. Prior to approval of a Conditional Use Permit, and prior to issuance of any grading permit or building permit, the applicant shall deposit with the City such funds as the City deems reasonably necessary to retain, at the applicant's sole cost, a qualified engineer selected by the City to prepare or review a roadway and transportation impact analysis.
2. The roadway and transportation impact analysis shall evaluate anticipated construction traffic, truck routes, oversized loads, employee traffic, turning movements, access design, pavement impacts, drainage impacts, emergency vehicle access, and such other transportation-related matters as the City deems reasonably necessary.
3. The developer or operator shall be responsible for all costs associated with roadway improvements, traffic control measures, pavement rehabilitation, repairs, drainage improvements, and other transportation-related infrastructure or mitigation measures required by the City as a result of the construction or operation of the data center.
4. The City may require bonding, escrow, a development agreement, or other financial security acceptable to the City to secure required roadway improvements, repairs, and restoration.

L. Security, Fencing, and Screening.

1. Every data center site shall be enclosed by security fencing and controlled access measures sufficient to protect critical infrastructure and prevent unauthorized entry.
2. Unless otherwise specifically approved by the City through the Conditional Use Permit process, all perimeter fencing shall be at least eight (8) feet in height and shall be constructed of durable commercial-grade materials.
3. The applicant shall submit a security plan describing proposed access controls, gates, surveillance, emergency access provisions, and coordination with public safety officials. The City may treat portions of the security plan as confidential to the extent permitted by law.
4. The City may require landscaping, screening, berms, walls, decorative fencing materials, opacity treatments, or similar measures to reduce adverse visual impacts from fencing, equipment yards, generators, substations, and related facilities.

M. Utility Infrastructure and Cost Allocation Both On and Off Site.

1. As a condition of approval, the developer or operator shall be solely responsible for all costs, both at the site and off site, associated with the extension, upsizing, reinforcement, relocation, protection, or upgrading of municipal water, sewer, electric, stormwater, roadway, and related infrastructure necessitated in whole or in part by the construction or operation of the data center.
2. Such costs may include, without limitation, mains, service lines, lift stations, pumps, substations, transformers, meters, roadway cuts, traffic improvements, engineering, inspection, legal review, administrative costs, and restoration.
3. Prior to issuance of any building permit, the applicant shall enter into one or more written agreements with the City, in form approved by the City Attorney, providing for payment, reimbursement, escrow, bonding, letter of credit, or such other financial assurances as the City deems necessary.
4. Nothing herein shall be construed to obligate the City to expend public funds for improvements required solely or primarily to serve a data center unless expressly authorized by the Board of Aldermen.

N. Material Changes and Expansion.

1. No approved data center shall be expanded, intensified, or materially modified without prior review and approval by the City, and, where required by the City, amendment of the Conditional Use Permit.
2. Material changes include, but are not limited to:
 - a. expansion of building footprint or floor area;
 - b. addition of generators, cooling systems, substations, or other major utility infrastructure;
 - c. change in cooling technology;
 - d. material increase in water use, sewer demand, traffic generation, electrical demand, or sound emissions;

- e. substantial changes to access, circulation, loading, or security features; and
- f. phased development not materially consistent with the originally approved application.

O. Inspections and Access.

As a condition of approval, the owner and operator shall permit the City and its consultants reasonable access, upon reasonable notice and in accordance with law, for inspection of site improvements, verification of compliance, and performance of any monitoring or testing authorized by this Section or by the Conditional Use Permit.

SECTION IV. Amendment to M-1 Use Regulations.

Section 31-29 of the Code of Ordinances of the City of Centralia, Missouri, governing uses within the M-1 Industrial Zoning District, is hereby amended to include “Data Centers” as a conditional use, subject to approval under Section 31-65 and compliance with Section 31-___ of the Code of Ordinances of the City of Centralia, Missouri.

SECTION V.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION VI.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

SECTION VII.

This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

READ TWO TIMES AND PASSED this ____ day of _____, 2026.



PLANNING AND ZONING COMMISSION

AGENDA REPORT

January 23, 2026

ITEM 5.V: An Ordinance Amending Chapter 27 of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Data Warehousing Facilities

BACKGROUND:

With the increase of artificial intelligence (AI) data centers within Missouri and the nation, staff is proposing an amendment to Chapter 27 of the Code of City Ordinances to incorporate regulations for the design, siting, construction, and operation of data warehousing facilities. At this time, Staff has not received any inquiries or building permit applications for a data warehousing facility.

A data warehousing facility is designed to support artificial intelligence and high-performance computing operations. These data warehousing facilities are massive facilities using a vast acreage of land. They have a large concentration of computer servers, networking equipment, and data storage systems that process and analyze vast amounts of digital information. Data warehousing facilities require significant electrical power, cooling systems, and infrastructure to ensure continuous operation. The number of on-site workers is typically few.

Some of the negative impacts experienced by adjacent neighborhoods and communities are the mechanical hum produced by the equipment and external generators, energy demand, water consumption, and exterior security lighting. These impacts warrant specific zoning and performance standards.

Staff has drafted the proposed ordinance for data warehousing facilities that creates a new Section 27-247, which provides performance standards specific to data warehousing facilities to mitigate negative impacts on surrounding neighborhoods. Staff is proposing that a data warehousing facility be allowed by a conditional use permit in an LI: Light Industrial District and an HI: Heavy Industrial District.

RECOMMENDATION:

Staff recommends approval of the attached ordinance amending Chapter 27.

Attachments:

1. Findings & Recommendations
2. Ordinance

**PLANNING AND ZONING COMMISSION
FINDINGS AND RECOMMENDATION**

Request to consider An Ordinance Amending Chapter 27 of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Data Warehousing Facilities

The Planning and Zoning Commission has considered the ordinance at an open public meeting and makes the following findings and recommendations based upon the evidence presented with respect to these matters:

1. On February 2, 2026, the Planning & Zoning Commission considered An Ordinance Amending Chapter 27 of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Data Warehousing Facilities.
2. The proposed ordinance _____ will _____ will not further the goals and objectives of the City's Comprehensive Plan.
3. The proposed ordinance _____ will _____ will not contribute to and promote the welfare and convenience of the public if the ordinance is passed.
4. The proposed ordinance _____ will _____ will not cause substantial injury to the value of property in the community.
5. Additional Comments: _____

Concerning the proposed ordinance, the Planning and Zoning Commission:

___ Recommends Approval

___ Disapproves _____

Passed by the Planning & Zoning Commission this _____ day of February, 2026.

Chair

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 27 OF THE CODE OF CITY ORDINANCES OF THE CITY OF WARRENSBURG, MISSOURI, REGARDING DATA WAREHOUSING FACILITIES

WHEREAS, to promote and regulate the design, siting, construction, and operation of data warehousing facilities; and

WHEREAS, to protect the health, safety, and welfare of neighbors and the public, and to avoid unintended impacts on resources and adjacent uses; and

WHEREAS, provide the requirements necessary to obtain a permit to install and operate an active data warehousing facility in the City of Warrensburg; and

WHEREAS, the Planning and Zoning Commission of the City of Warrensburg held a public meeting on February 2, 2026, regarding establishing a definition, land use, location, and parking requirements for data warehousing facilities; and

WHEREAS, a public hearing was held in front of the City Council of the City of Warrensburg on February 9, 2026, regarding data warehousing facilities.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WARRENSBURG AS FOLLOWS:

Section 1. That Section 27-6 Definitions is amended to add the following definitions leaving all other provisions of Section 27-6 in effect, unaltered:

Data warehousing facility. Data warehousing facility, also known as a data center, consists of a warehouse-style building or buildings that store computer and networking systems, servers, and related equipment within a climate-controlled environment, as well as office support facilities, utility structures and equipment, all of which serve the purpose of storing, managing, processing, and transmitting digital data.

Data mechanical equipment. On-site exterior equipment, structures, and related equipment used to sustain and provide energy and service to a data warehouse facility.

Acoustical barrier. An exterior solid or louvred wall containing soundproofing materials designed to absorb noise and protect neighboring properties from noise pollution.

Section 2. That Section 27-200 Table of Permissible Uses, Land Use 4.400 is added as follows, leaving all other provisions of Section 27-200 in effect, unaltered:

		ZONING DISTRICTS										
		R1	R2	R3	R4	RMH	BO	NB	CB	GB	LI	HI
4.400	Data warehousing facility										C	C

Section 3. That Section 27-406 Table of Parking Requirements, Land Use 4.400 is added as follows, leaving all other provisions of Section 27-406 in effect, unaltered:

Land Use	Off-Street Parking Requirement
4.400	1 space per employee for single shift establishments, or .75 spaces per employee on the two largest consecutive shifts, plus space to accommodate parking and maneuvering room for all trucks and other vehicles used in connection therewith.

Section 4. That Section 27-247. Data warehousing facilities is added as follows:
Sec. 27-247. Data warehousing facilities.
Data warehousing facilities, as defined in section 27-6, shall meet the following performance standards in addition to all other zoning requirements in order to operate within the City of Warrensburg:

- (a) *Site Plan.* The development plan required per Sec. 27-300 (c) (1) is required to be prepared and sealed by a professional engineer licensed by the State of Missouri.
- (b) *Minimum distance from residential.*
 - (1) Data warehousing facilities shall be located a minimum of 300 feet from any residence district, residential use, or public right-of-way.
 - (2) Data mechanical equipment shall be placed at a minimum of 300 feet from any residence district, residential use, or public right-of-way.
- (c) *Architectural standards.*
 - (1) Data warehousing facilities shall include a main entrance that is differentiated from the remainder of the building façade by a change in building material, pattern, texture, or adjacent material.
 - (2) The entrance feature must either project or recess from the adjoining building plane.
 - (3) Architectural elevations of each building face shall be submitted to the City with the application for a Conditional Use Permit for a data warehousing facility.
- (d) *Noise and Soundproofing.*
 - (1) A report prepared by a qualified third-party analyzing the noise profile of the project area and the ability of the project to demonstrate compliance shall be submitted to the City with the application for a Conditional Use Permit for a data warehousing facility.

- (2) Audible noise caused by data centers and cryptocurrency mining operations, not including existing ambient noise, shall not exceed sixty (60) dB continuously during daytime hours or a nighttime continuous sound level of fifty (50) dB.
- (3) Ambient noise levels shall be measured at the potentially affected property line or right-of-way line. Ambient noise level measurement techniques shall employ all practical means of reducing the effect of generated noise. If audible noise contains a steady pure tone, such as a whine, screech, or hum, the standards for audible noise set forth shall be reduced by five (5) dB.
- (4) In the event the ambient noise level prior to development exceeds the applicable standard given above, the applicable standard shall be adjusted to equal the existing ambient noise level prior to development. The ambient noise level shall be expressed in terms of the highest whole-number sound pressure level in dB, which is exceeded for more than five (5) minutes per hour.
- (5) Data Warehousing Facility Mechanical Equipment must be screened on all four sides by an acoustical barrier.
- (6) For a data warehousing facility located adjacent to a property with an existing residence, residential development, or residential zoning district, the following standard applies to generator testing:
 - a. Generator testing is limited to between 11:00 a.m. and 5:00 p.m.
 - b. Except for generator testing or commissioning activities, generator use is limited to back-up or emergency use only.
- (7) The expense for testing and reporting the results to show compliance with this section shall be the responsibility of the applicant.

(e) *Light and Glare.*

- (1) A photometric plan that shows all exterior lighting, including any security lighting, shall be submitted to the City with the application for a Conditional Use Permit for a data warehousing facility.
- (2) All exterior lighting must be aimed downward and inward to direct light towards the interior of the property.

(f) *Landscaping and Screening.*

- (1) A landscaping plan showing compliance with the following requirements for all property lines adjacent to a residence district,

residential use, or public right-of-way shall be submitted with the application for a Conditional Use Permit for a data warehousing facility.

- a. A berm ranging from five to eight feet in height and a slope not greater than 1:3 shall be established. The berm shall be landscaped with coniferous and deciduous trees to provide a one-hundred percent (100%) four-season screen.
 - b. Trees planted must be at a minimum of 2.5 inches in caliper and 7 feet in height at the time of planting. The majority of trees must reach 40 feet in height at maturity.
 - c. All landscaping required by Section 27-247 shall be installed prior to any construction or building commencing on said property. The property owner or owner's agent is responsible for the repair, replacement, and maintenance of landscaping and screen standards.
- (g) The application for a Conditional Use Permit for a data warehousing facility shall provide include written verification from the power provider that the applicant has calculated the maximum potential electrical consumption of the proposed use and has verified that the utility supply equipment and related electrical infrastructure are sufficiently sized and can safely accommodate the proposed use during the power provider's peak consumption hours.

Section 5. If any clause, section, or other part of this section shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby but shall remain in full force and effect.

Section 6. It is intended that Sections 1 through 4 of this ordinance be incorporated into the Code of Ordinances of the City of Warrensburg.

Section 7. That this ordinance shall become effective immediately upon its passage.

Read two (2) times and passed by title this ____ day of _____, 2026.

Bruce D. Uhler, Mayor

ATTEST:

Jodi L. Schneider, City Clerk