P & Z Case XXX-XX
City of Joplin
(P & Z Recommended to _____)

COUNCIL BILL NO. XXXX-XXX ORDINANCE NO.

AN ORDINANCE amending Ordinance No. 2022-274, passed by the Council of the City of Joplin, Missouri, August 1, 2022.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. Having referred to the subject matter of this ordinance to the City Planning and Zoning Commission and having given at least fifteen (15) days' notice of time and place of hearing on same by publication in the Joplin Globe, Ordinance No. 2022-274 is hereby amended to reflect the following:

Section 2. Article 4. (Zoning Districts & Use Standards) Table 4-03 (Zoning District & Use Table) of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended by adding the following use: "Data Centers."

Section 3. Article 4. (Zoning Districts & Use Standards) Table 4-03 (Zoning District & Use Table) of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended by permitting Data Centers in District M-2 (Heavy Industrial) by Special Use Permit.

Section 4. That Article 4 (Zoning Districts & Use Standards) Section 4.04 (Specific Use Standards), of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended to add the following Specific Use Standard:

X. Data Centers. Data Centers may be permitted with a special use permit in the M-2 (Heavy Industrial) zoning district. In accordance with the procedures in Article 2.05, the Planning and Zoning Commission and City Council may require additional conditions prior to the issuance of a special use permit. All data centers shall comply with the following conditions. All applications for a special use permit shall address the following conditions at the time of application:

1. Buffering: a minimum setback of 50 feet shall be required for all structures and improvements (except fences, walls, berms, landscaping materials, or other buffer barrier methods) located on the property. Landscape buffers shall be required along adjacent property lines, in accordance with Table 6-03 buffer planting requirements. A site plan indicating buffers and setbacks shall be submitted to the City at the time of application for a special use permit.

2. Distancing requirements for residential, churches, daycares, parks, lodging establishments and schools: Data centers shall require a minimum 300 feet distance setback from a residential use or district, church, daycare, park, lodging establishment (including bed and breakfast inns, group homes, senior living facilities, campgrounds and recreational parks, hotels, short-term rentals), schools, and any residential, lodging, civic, or

public use not specified. The 300 foot buffer shall be measured from the nearest structure or generator of the subject property to the property line on which a residential use or district, church, daycare, park, lodging establishment (including bed and breakfast inns, group homes, senior living facilities, campgrounds and recreational parks, hotels, short-term rentals), school, and any residential, lodging, civic, or public use not specified, is located. A site plan indicating setbacks from surrounding specified uses shall be submitted to the City at the time of application for a special use permit.

3. 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 grade. All lighting shall comply with the lighting requirements in Article 6.05: Outdoor Lighting.

4. A utility site plan shall be submitted to the City at the time of application for a special use permit.

5. All data centers shall be contained within a primary structure, subject to the non-residential building design requirements in Article 5-02. The applicant shall provide building elevations with the application for a special use permit.

6. Generators and noise: If generators are located outside of an enclosed building a screening wall shall be required. Generators may be tested only between 10am and 5pm, Monday through Friday. The sound pressure level (SPL) attributable to infrastructure of the data center property shall not exceed 80 dBC, as measured at all data center property lines. For data centers whose property lines are located within 300 feet of any allowed residential use or district, church, daycare, park, lodging establishment (including bed and breakfast inns, group homes, senior living facilities, campgrounds and recreational vehicle parks, hotels, and short-term rentals), schools, and any residential, lodging, civic, or public use not specified, the SPL attributable to the facility shall not exceed 45 dBC within 50’ of the property line. A site plan shall be provided to the City at the time of application of special use permit, indicating expected/projected decibel levels at each property line. The applicant shall identify the number, size, fuel source, and testing schedule for backup generators.

7. On site monitoring of sound: Once the project is completed, the permit holder shall provide to the City an affidavit that includes the following information:

a. 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.

b. Equipment used: List all test results; equipment; 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.

c. 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.

d. Sound pressure levels (SPL), measured in dBC, at each property line.

e. Time and duration of measurements.

f. 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 points on the property, at the developer's cost. All measurements must comply with the noise levels established in Table 4-05: Non-residential Performance Standards, of the Joplin Development Code.

8. Utilities and Resources conditions: All data centers are required to submit a Service Availability (Will Serve) Letter from local utility providers that confirms the capacity and commitment to serve the utility demand for the proposed data center. The letter shall be submitted at the time of the filing of application for special use permit. All data centers shall include the expected water usage and the maximum power demand (megawattage) of the proposed development. In the event that upgrades to utility infrastructure are required to serve the demand of the proposed development, such cost shall be borne solely by the developer. The developer shall verify this by providing the City with a construction contract/development agreement between the developer and the utility provider, providing certification that required improvements will prohibit cost recovery through rates, fees, surcharges, or pass-through mechanisms. The applicant shall provide a map indicating the location of any new substations or substation upgrades required for the data center, and the location of new power lines serving the proposed data center.

9. 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.

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

11. Air Pollution: All data centers shall be required to submit an assessment identifying the air pollution impacts emissions from data center operations, including from electricity generated in order to meet the facility's needs. The applicant shall identify all stationary and mobile sources of fine particulate matter, volatile organic compounds, and nitrogen oxides at the site, including but not limited to cooling equipment, and backup generators. The applicant shall specify best management practices for preventing and reducing the concentration of air-polluting emissions at the site.

12. Native Species: Prohibited landscaping materials shall include anything identified as an invasive species by the Missouri Department of Conservation.

13. The City reserves the right to require an independent third-party analysis, at the developer's expense, for any of tests, studies or analysis' explicitly stated within this section, and for any tests, studies or analysis not explicitly stated within these specific use standards. Such testing may be required by the Director at the time of application for a special use permit, or by the Planning and Zoning Commission and City Council, as a condition of the special use permit.

14. Closed Loop Cooling System: All data centers shall be operated with a closed loop cooling system or other system that reduces water use. A closed loop cooling system means a system that recycles the same water or water mixture through an underground loop system in order to facilitate the transfer of energy between the closed underground loop and the earth.

15. Cool Roof: All data centers shall be designed and operated with a cool roof. A cool roof means a roofing system designed to reflect more sunlight and emit absorbed heat through high solar reflectance and thermal emittance and through using lighter colors or special coatings that reflect invisible near-infrared light.

15. Sustainability: All data centers shall achieve and maintain LEED standards or standards from a similar green building program for the life of occupancy.

16. Roofs: All data centers shall enclose and/or screen all exterior and rooftop cooling equipment and any other data center accessory uses/structures to provide a visual and acoustic barrier from the property and surrounding area. Enclosures and/or screens shall be opaque to obstruct from view and reduce frequency and vibrations.

17. Construction Timeline: Applicants shall submit the expected timeline for commencing construction and operation of the facility.

18. Jobs: Applicants shall submit the number of construction jobs and permanent jobs associated with the data center.

Section 5. That Article 9 (Definitions & Terms) 9.01 (Description of Uses), C. Commercial Uses, Chapter 29-A (Zoning Code) of the Joplin Municipal Code be amended to include the following use and definition:

Data Center – 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.

Section 6. That any other ordinance, or part of such ordinance, or chapter of the Joplin Municipal Code in conflict with said provisions shall and the same is hereby repealed.

Section 7. That this ordinance shall become effective beginning _____, 2026.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of_____, 2026, by a vote of _____.

_____
Brian “Rob” O’Brian III, Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____

Peter C. Edwards, City Attorney