

KIRKSVILLE PLANNING AND ZONING COMMISSION

STUDY SESSION ATTACHMENT

DATE: 09/16/2026

SUBJECT: Municipal Code revisions Chapter 44 – Zoning related to data centers

CITY DEPARTMENT: Codes and Planning

PREPARED BY: Diane Albrecht, City Planner

City Council has requested the Planning & Zoning Commission (P&Z) 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. On August 12, 2026, P&Z held a Study Session to discuss and make recommendations to City staff. Based on these recommendations, as well as additional research and input from Council discussion, the City Attorney, and the Missouri Municipal Leagues, Staff has drafted these proposed revisions for the Commission's consideration this evening. The Commission's final recommendations will be presented to Council at the October 19th Study Session.

To recap prior discussion, data centers are not currently 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 zoning amendment proactively establishes a framework. This ensures future development aligns with the Comprehensive Plan and protects the interests of Kirksville residents.

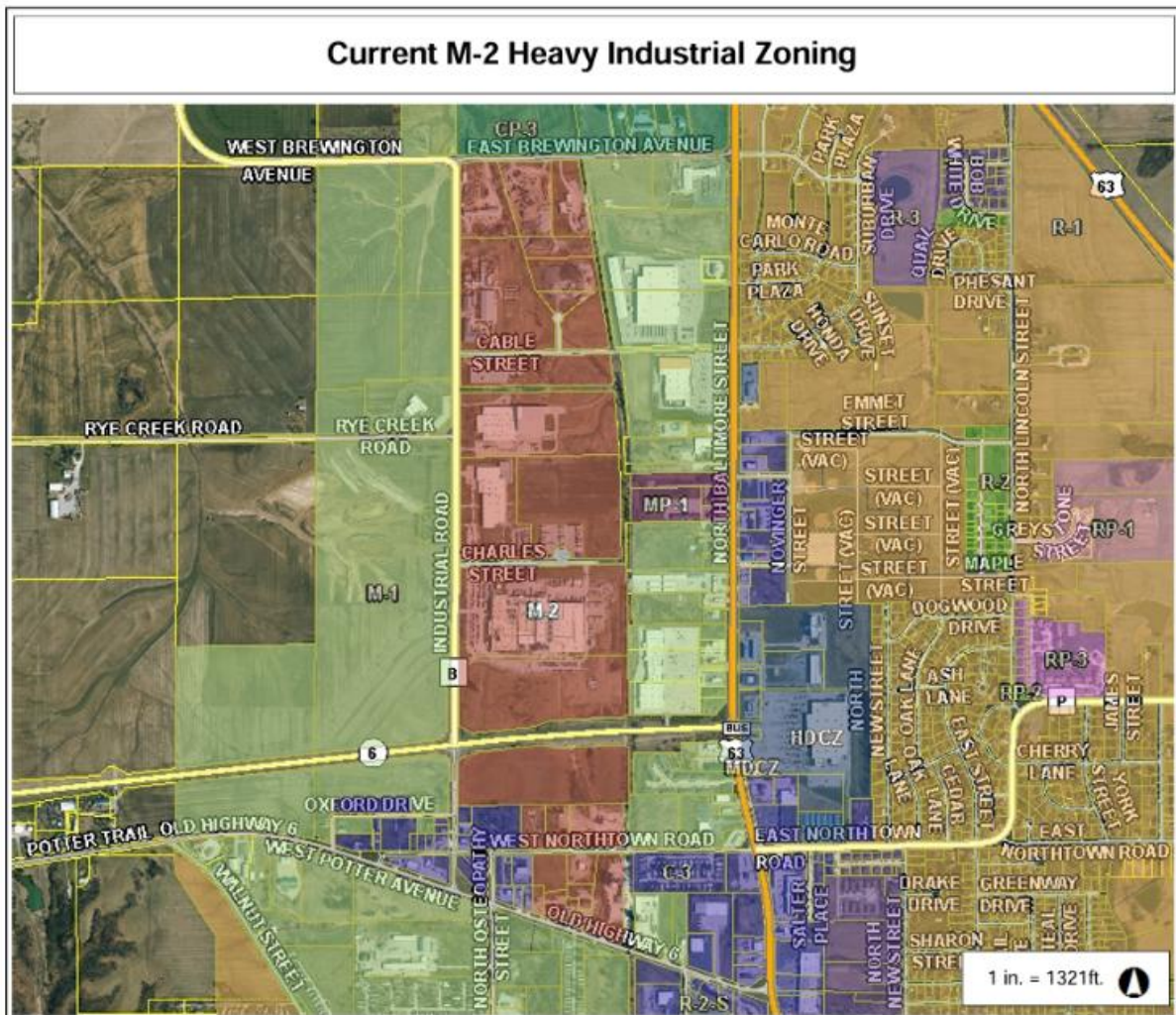
During the July 13, 2026, City Council meeting, City and County residents expressed opposition to data centers. Public concerns focused on water consumption, electrical grid impacts, environmental impact, and potential health risks. Several residents requested a complete ban or a development moratorium. 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. 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.

In August, Commission agreed with Council and staff suggestions 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. Staff has reviewed concerns expressed by citizens, the Commission, and City Council, and has addressed these in the proposed revision to Chapter 44 – Zoning.

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.

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. Following is the zoning map of the M-2 Heavy Industrial Zone in burgundy.



The City Council has been very clear of the intention to remain completely transparent throughout this process. Following tonight's meeting, the October 19th City Council Study Session will be an opportunity for citizens to listen while Council discusses the recommendations. Council will then take the matter up at the October 26th City Council meeting.

Respectfully submitted,

Diane Albrecht
City Planner