

**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:

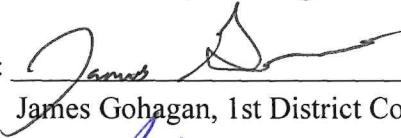
1. No data center is eligible for any tax incentive, including but not limited to Tax Increment Financing (TIF), Enhanced Enterprise Zones (EEZ), or Data Center Sales and Utility Tax Exemptions.
2. No data center is eligible for property tax abatement, rate freezing, or any other reduction from the full 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.

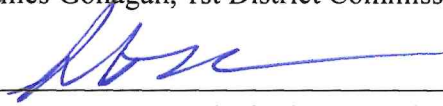
PASSED, APPROVED, AND ADOPTED on this 24 day of April, 2026.

**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