

Summary of Regulatory Approaches (As of 7/3/2026)

Jurisdiction	Regulatory Approach
Boone County, Kentucky	Adopted a dedicated data center ordinance establishing permitted industrial zoning districts through a Conditional Use Permit process with supplemental development standards.
Mason County, Kentucky	Adopted a dedicated data center ordinance with 750-foot residential and 750 ft sensitive use setbacks, 50 dBA noise limits, underground utilities, and construction hour restrictions.
Warren County, Kentucky	Adopted a dedicated data center ordinance permitting data centers by right in the HI District and by Conditional Use Permit in the LI District, with 1,500-foot residential and sensitive use setbacks.
Louisville Metro, KY (Proposed)	Proposed ordinance establishing Small, Mid, and Large-Scale classifications with a total ban on facilities exceeding 500,000 square feet.
Lexington-Fayette, KY (Proposed)	Proposed ordinance establishing Minor and Major Data Center classifications, restricting Minor facilities to conditional use while imposing a complete countywide ban on Major facilities exceeding 50,000 square feet.
Paducah, Kentucky (Proposed)	Proposed ordinance establishing Small-Scale and Large-Scale data center classifications based on electrical design capacity and water usage. Permits data centers in industrial zoning districts (with Small-Scale also permitted in the POP Zone) and includes utility verification, landscaping, noise evaluation, and road use requirements.
Nashville / Davidson County, TN (Proposed)	Proposed ordinance establishing Small, Medium, and Large classifications with a total ban on Hyperscale footprints and a mandatory half-mile (2,640-foot) residential buffer.
Birmingham, Alabama	Adopted a dedicated data center ordinance with a strict 20-point checklist. The law eliminates public board hearings for compliant projects, enforces a mandatory 500-foot residential buffer, and requires a 5-acre minimum for hyperscale sites.
Little Rock, Arkansas	Adopted ordinance establishing Accessory, Major, and Hyperscale classifications enforcing size-based residential setbacks of 100, 250, and 900 feet paired with a hard 500,000 square foot maximum size cap, water efficiency metrics, and annual reporting.
LaPorte County, Indiana	Enacted ordinance requiring Special Exception approval with comprehensive utility verification, water management planning, cumulative impact evaluation, and post-construction compliance monitoring.
Bradford County, Pennsylvania (Proposed)	Proposed amendment to the Subdivision and Land Development Ordinance (SALDO) emphasizing community impact analysis, utility verification, emergency services coordination, and 125% financial assurance for decommissioning.

Definitions

Approval Process

Identifies the principal zoning approval required for the use (e.g., Permitted by Right, Permitted with Conditions, Conditional Use Permit, Special Exception, or Permitted on Review).

Hyperscale Data Center

A large-scale data center typically characterized by substantial building area, electrical demand, or computing capacity. Individual jurisdictions define hyperscale facilities differently.

Sensitive Use

Includes schools, hospitals, places of worship, daycare or childcare facilities, parks, zoos, residential uses, and other protected land uses as defined by each jurisdiction's zoning ordinance.

Tier System

Refers to whether a jurisdiction classifies data centers into multiple regulatory categories (e.g., by square footage, electrical demand, or other objective criteria) that are subject to different zoning districts, approval processes, or development standards.

Statewide Model Ordinance Frameworks * Note: Bracketed values indicate placeholders contained in the PennFuture model ordinance that are intended to be completed by the adopting municipality.

	Kentucky Resources Council (KRC)	PennFuture
Purpose	Statewide model regulatory framework and model ordinance intended to assist Kentucky communities in developing data center zoning regulations.	Statewide model ordinance and companion guidance intended to assist Pennsylvania municipalities in developing data center zoning regulations.
Recommended Approval Process	Conditional Use Permit (recommended)	Conditional Use or Special Exception (recommended). Local jurisdictions may elect to permit certain facilities by right.
Recommended Zoning District(s)	Industrial zoning districts	To be determined by the local jurisdiction
Tier System	None specified	None specified
Recommended Minimum Lot Area	None specified	[X] acres (to be determined by the local jurisdiction)
Recommended Residential Setback	1,500 ft.	[XXX] ft. (to be determined by the local jurisdiction)
Recommended Sensitive Use Setback	1,500 ft.	[XXX] ft. (to be determined by the local jurisdiction)
Front Setback	500 ft. minimum	[XXX] ft. (to be determined by the local jurisdiction)
Side Setback	500 ft. minimum	[XXX] ft. (to be determined by the local jurisdiction)
Rear Setback	500 ft. minimum	[XXX] ft. (to be determined by the local jurisdiction)
Maximum Building Height	Underlying industrial zoning district standards	45 ft., with up to 15 additional ft. for rooftop mechanical equipment
Noise Standards	45 dBA daytime; 35 dBA nighttime (residential property); includes dBC limits and continuous monitoring	Operational noise standards, monitoring, and mitigation requirements
Water Standards	Water use, wastewater, and stormwater management plan required	Comprehensive groundwater withdrawal, monitoring, reporting, and environmental protection provisions
Electrical Infrastructure	Utility and Infrastructure Plan required	Utility capacity verification, infrastructure analysis, and coordination with utility providers
Landscaping / Buffering	Screening and buffering provisions (Buffering may reduce setbacks by up to 50% where waiver criteria are met)	25-ft. landscape buffer; detailed planting and screening standards
Decommissioning	Decommissioning plan and financial assurance required	Decommissioning plan and financial assurance
Additional Operational Standards	Addresses lighting, generators, emergency contacts, operational reporting, and ongoing compliance.	Addresses community impact analysis, emergency services coordination, environmental review, groundwater monitoring, and ongoing reporting.

Adopted Data Center Ordinances

	Boone County, KY	Mason County, KY	Warren County, KY	Little Rock, AR	LaPorte County, IN	Birmingham, AL
Status	Adopted (Dec. 20, 2022)	Adopted (Feb. 27, 2026)	Adopted (June 25, 2026)	Adopted (June 2, 2026)	Adopted (May 6, 2026)	Adopted (June 9, 2026)
Permitted District(s)	I-1; I-2	I-3	LI; HI	Accessory: C-3, C-4, I-1, I-2, I-3; Major: I-1, I-2, only; Hyperscale: I-3	M-1; M-2 (Strictly restricted to heavy manufacturing and industrial sites)	Micro/Medium: C-2, HID, I-1, I-2, I-3, MXD Hyperscale: I-1, MXD
Approval Process	Conditional Use Permit	Site Plan Review	HI – Permitted by Right; LI – Conditional Use Permit	Accessory: Permitted by Right in I-1, I-2, and I-3 districts; requires a Conditional Use Permit (CUP) in commercial zones Major: Requires a Conditional Use Permit (CUP) in I-1 and I-2 districts (Prohibited in I-3) Hyperscale: Permitted by Right exclusively in the I-3 Heavy Industrial District provided all specific spatial, noise, and water constraints are completely satisfied (INDEX).	Board of Zoning Appeals review and public hearing	Permitted by Right / Site Plan Review (Special exception board hearing removed for projects meeting all 20 rules)
Tier System	None	None	None	Accessory: 10k–25k sq. ft. / 5–15 MW Major: 25k–250k sq. ft. / 15–75 MW; Hyperscale: >250k sq. ft. / >75 MW	None	Micro, Medium, Hyperscale
Minimum Lot Area	20,000 sq. ft. (I-1); 100,000 sq. ft. (I-2)	1 acre (I-3)	5,000 sq. ft. (public sewer); 1 acre (septic)	Underlying zoning district standards	None specified	Micro/Medium: None specified (Underlying standards) Hyperscale: 5 acres minimum
Residential Setback	100 ft. (Adjoining district buffer)	750 ft.	1,500 ft.	Accessory – 100 ft.; Major – 250 ft.; Hyperscale – 900ft. (In addition to the setback standards of the applicable zoning district)	500 ft. minimum general yard buffer (Features overriding 1,000 ft. isolation buffer separating heavy ground-mounted cooling fan banks or diesel generators from any neighborhood home)	500 ft. minimum (Isolates all structures and heavy gear from neighborhood boundaries).
Sensitive Use Setback	100 ft. (Adjoining district buffer)	750 ft.	1,500 ft.	None specified (Governed by the scaled residential property separation requirements)	None specified distinct from residential	1,000 ft. minimum from major transit stations or high-capacity transit lines.

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Front Setback	Underlying I-1/I-2 standards	500 ft.	500 ft.	Underlying zoning district standards	50ft	Underlying zoning district standards (Subject to overriding 500 ft. residential buffer)
Side Setback	Underlying I-1/I-2 standards	500 ft.	500 ft.	Underlying zoning district standards	40ft	Underlying zoning district standards (Subject to overriding 500 ft. residential buffer)
Rear Setback	Underlying I-1/I-2 standards	500 ft.	500 ft.	Underlying zoning district standards	50 ft	Underlying zoning district standards (Subject to overriding 500 ft. residential buffer)
Maximum Building Height	50 ft. (I-1); 100 ft. (I-2)	75 ft.	100 ft.	Underlying zoning district standards	45 ft. maximum	Underlying zoning district standards (No custom height restriction added to the text).

Proposed Data Center Ordinances

	Louisville Metro, KY	Lexington-Fayette, KY	Paducah, KY	Nashville/Davidson Co, TN	Bradford County, PA¹
Permitted District(s)	M-2; M-3 (varies by classification)	Minor: B-4, I-1 (via Conditional Use) Major: Completely prohibited countywide	Large-Scale: M-1, M-2, M-3 Small-Scale: M-1, M-2, M-3, POP (Planned Office Park)	IWD, IR, IG	Not specified
Approval Process	Permitted or Conditional Use (varies by classification)	Conditional Use Permit	Underlying zoning approval process (Goes through administrative site review or conditional board path based on the chosen district).	Specific Plan	Land Development Plan Approval
Tier System	Small (<50k sq. ft.) / Mid (50k–250k sq. ft.) / Large (250k–500k sq. ft.) (Facilities >500k sq. ft. completely banned).	Minor: Up to 50,000 sq. ft. Major: Over 50,000 sq. ft. (banned)	Small-Scale; Large-Scale (Classified strictly by electrical design capacity and water usage thresholds).	Small, Medium, and Large	None
Minimum Lot Area	Underlying M-2 & M-3 standards	None specified	None specified (Governed by the underlying zoning district parcel requirements).	None specified (Governed entirely by underlying industrial district parcel minimums)	None specified
Residential Setback	Small: 25 ft. / Mid: 100 ft. / Large: 200 ft.	1,000 ft. minimum from any residential or agricultural zone outside the urban service area	200 ft. to property lines;	Small: 100 ft. / Medium: 500 ft. / Large: 2,640 ft. (0.5 mi.)	300 ft. from existing occupied buildings
Sensitive Use Setback	Small: 25 ft. / Mid: 100 ft. / Large: 200 ft.	1000 ft.	800 ft from closest DC wall to closest wall of a place of public assembly, to property line of any residential zoned/mixed use structure or hotel/motel or short term rental; if located in the ground; cooling equipment, ventilating, power supply, and the like shall be 300ft	Small: 100 ft. / Medium: 500 ft. / Large: 2,640 ft. (0.5 mi.)	300 ft. minimum from any existing occupied buildings (Covers residential, institutional, or community structures)

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			from closest wall of a place of public assembly, to property line of any residential zoned/mixed use structure or hotel/motel or short term rental		
Front Setback	15 ft. minimum / 25 ft. maximum (Underlying M-2 & M-3 standards)	Underlying zoning district standards	50ft	100 ft.	40 ft.
Side Setback	10 ft. (Underlying M-2 & M-3 standards)	Underlying zoning district standards	25 ft. standard (Scales to 50 ft. if directly adjoining a non-industrial zoning district).	100 ft.	40 ft.
Rear Setback	15 ft. (Underlying M-2 & M-3 standards)	Underlying zoning district standards	50 ft	100 ft.	40 ft.
Maximum Building Height	45 ft. or 3 stories (Underlying M-2 & M-3 standards)	Underlying zoning district standards	Small-Scale: 40 ft. / Large-Scale: 75 ft. (Excludes rooftop cooling apparatus and industrial HVAC attachments)	90 ft.	Not specified

Proposed Data Center Ordinances

¹ Proposed amendment to the Bradford County Subdivision and Land Development Ordinance (SALDO). The amendment establishes site development standards but does not regulate zoning districts or land use permissions.

New Business: Item D

FY2026-2027 CDS Proposed Budget



Memorandum

TO: Financial Review Committee Members
CDS Board Members

FROM: Tom Britton, AICP, Director *TB*

RE: 2026-2027 CDS Budget

DATE: July 20, 2026

Attached is a draft budget for Fiscal Year 2026-2027. For your comparison and reference, I have also attached the prior fiscal year's budget.

The draft budget reflects a decrease in revenue and proposed expenditures for the upcoming year. At this time, there are a few unknowns as to funding/expenditures, primarily building permit revenue. The draft budget represents best estimates as of July. It is anticipated that a revised budget will be brought to you later in the year.

Highlights of the proposed budget are:

- Overall revenue and expenditures are reduced;
- The budget reflects increased funding by the county;
- Personnel line items provide sufficient funding to provide the staff with a COLA (3%);
- Funding is provided to hire a principal planner or manager of planning;
- Overall capital expenditures are reduced significantly in the budget; and
- The budget reflects the use of prior year revenue.

If you have any questions or if you require additional information, please do not hesitate to contact me.

TWB

cc: Steve Underwood

FY 2026/2027 Budget

Community and Development Services

REVENUE		EXPENSES	
301	HOPKINSVILLE APPROPRIATION - Planning	PERSONNEL	
317	COUNTY APPROPRIATION - 911/GIS	400 Salary	\$1,263,693.03
302	COUNTY APPROPRIATION - Planning	Fringe	\$495,260.33
		Total Personnel Expenses	\$1,758,953.36
	MISCELLANEOUS	NON PERSONNEL OPERATING	
311	Permits	425 Credit Card Machine exp	\$1,800.00
314	Fees	430 Telephone	\$3,000.00
313	Pembroke	431 Office Expenses	\$35,000.00
310	City - Building Codes	432 Equipment Maintenance	\$1,500.00
303	GIS	434 Books and Resources	\$1,500.00
322	Renaissance	435 Printing and Maps	\$6,000.00
337	Contracts	436 Dues and Subscriptions	\$7,500.00
336	Grants	437 Travel	\$6,000.00
320	Interest Income	438 Education and Training	\$15,000.00
316	Prior Year Revenue	440 Contractual Services	\$40,000.00
	TOTAL REVENUE	441 Commission Fees	\$15,000.00
		443 Audit	\$30,000.00
		444 Insurance	\$33,000.00
		445 Fuel Costs	\$4,000.00
		446 Vehicle Repair	\$2,000.00
		450 Software and Computer Supplies	\$5,500.00
		454 Legal Fees	\$35,000.00
		451 GIS Expenses	\$25,000.00
		447 Meetings and Retreats	\$3,000.00
		448 Miscellaneous	\$1,000.00
		433 Capital Outlays	\$25,000.00
		Total Non-Personnel Operating	\$295,800.00

PERSONNEL	\$1,758,953.36
NONPERSONNEL OPERATING	\$295,800.00
TOTAL EXPENSES	\$2,054,753.36

FY 2025/2026 Budget
Community and Development Services

REVENUE	EXPENSES	
	PERSONNEL	
301 HOPKINSVILLE APPROPRIATION - Planning	400 Salary	\$1,270,000.00
317 COUNTY APPROPRIATION - 911/GIS	Fringe	\$511,500.00
302 COUNTY APPROPRIATION - Planning	Total Personnel Expenses	\$1,781,500.00
	NON PERSONNEL OPERATING	
	425 Credit Card Machine exp	\$2,000.00
	430 Telephone	\$4,000.00
	431 Office Expenses	\$40,000.00
	432 Equipment Maintenance	\$1,500.00
	434 Books and Resources	\$1,500.00
	435 Printing and Maps	\$8,000.00
	436 Dues and Subscriptions	\$7,500.00
	437 Travel	\$12,000.00
	438 Education and Training	\$25,000.00
	440 Contractual Services	\$40,000.00
	441 Commission Fees	\$18,000.00
	443 Audit	\$30,000.00
	444 Insurance	\$38,000.00
	445 Fuel Costs	\$7,000.00
	446 Vehicle Repair	\$4,000.00
	450 Software and Computer Supplies	\$12,000.00
	454 Legal Fees	\$20,000.00
	451 GIS Expenses	\$24,000.00
	447 Meetings and Retreats	\$5,000.00
	448 Miscellaneous	\$1,000.00
	433 Capital Outlays	\$50,000.00
	Total Non-Personnel Operating	\$350,500.00
	PERSONNEL	\$1,781,500.00
	NONPERSONNEL OPERATING	\$348,500.00
	TOTAL EXPENSES	\$2,130,000.00
	MISCELLANEOUS	
*311 Permits		
314 Fees		
313 Pembroke		
310 City - Enforcement		
303 GIS		
322 Renaissance		
**337 Contracts		
336 Grants		
320 Interest Income		
316 Prior Year Revenue		
TOTAL REVENUE		\$16,000.00
		\$33,000.00
		\$37,000.00
		\$45,000.00
		348,500.00

*includes fees accrued in 24-25 but received in 25-26
 **Contracts include Stormwater (pending)
 *** Budget as approved reflected \$348,500 in non-personnel operating expenses (350,500 actual - error). A revision was made to reflect the approved amount.

New Business: Item E

**FY2026-2027 City of Hopkinsville
Contract**