Proposed Changes to Data Center Regulations

Submitted by Oldham County Fiscal Court

Zoning District Eligibility / Removal of Zoning Classification

Recommendation by: Magistrate Logsdon, Magistrate Woosley, Magistrate Hawkins
Remove all language and notations regarding C4 and IPD Zoning Districts from Data Center Regulations document.

Recommendation by: Magistrate Haunz
Remove all language and notations regarding IPD Zoning Districts from Data Center Regulations document.

Hyperscale / Large Data Center Definition Changes

Recommendation by: Magistrate Logsdon
Remove all language and notations of Hyperscale Data Center from Data Center Regulations document:

Recommendation by: Magistrate Hawkins
Page 1, Definitions, Hyperscale Data Center, add language "Large or"
To read: "**Large or** Hyperscale Data Center - A data center, as defined above, that meets one or more of the following criteria"

Recommendation by: Magistrate Woosley
Page 1, Definitions, Hyperscale Data Center, Bullet Point 1, - replace the language "energy"
To read: "Total gross energy demand, actual or projected, exceeds 50 megawatts (MW) at maximum design capacity, from including **power** generated on site by any means"

Recommendation by: Judge Executive Voegele
Page 1, Definitions, Hyperscale Data Center, replace language 100,000
To read: "Gross Floor area of a single building dedicated to computing systems and support infrastructure greater than **200,000** square feet."

Recommendation by: Judge Executive Voegele
Page 1, Definitions, Hyperscale Data Center,

Remove: "The facility is designed to operate as a regional, national, or global node in a distributed computing network, including but not limited to commercial cloud, artificial intelligence, or high-performance computing systems."

Recommendation by: Judge Executive Voegele
Page 1, Definitions, Internet Exchange point (IXP), Remove definition
Remove: Internet Exchange Point (IXP) – A data center where internet service providers peer with each other for the transient storage and forwarding of data shared among autonomous networks to reduce bandwidth usage and increase redundancy and speed.

Data Center Size Classifications (Small / Medium / Large)

Recommendation by: Magistrate Hawkins
Page 1, Definitions, addition of two defined terms including definitions for each
"Medium Data Center"
"Small Data Center"

Recommendation by: Magistrate Hawkins
Page 2, Data Center Classification Chart, Row - Building Size, Column - Medium
To read: "Greater than 20,000 square feet and less than 100,000 square feet"

Recommendation by: Magistrate Hawkins
Page 2, Data Center Classification Chart, Row – Power Capacity, Column Medium
To read: "Greater than 5 MW and less than 50 MW"

Recommendation by: Judge Executive Voegele
Page 2, Data Center Classification Chart, Update Rows - Allowable Zoning District, Building Size and Columns Small, Medium and Large.

To read:

Classification	Small	Medium	Large / Hyperscale
Allowable Zoning District	C4, I-1, I-2 and IPD	I-1, I-2, IPD	I-2 and IPD
Building Size	Less than 50,000	50,000 - 200,000	Greater than 200,000

Maximum Building Size and Height Limits

Recommendation by: Magistrate Logsdon
Addition of language to Data Center Regulations document where applicable
To read: "Maximum Sq. ft of building 99,000 Square ft"

Recommendation by: Magistrate Logsdon
Addition of language to Data Center Regulations document where applicable
To read: "Height restrictions max 50 ft to include all structures, buildings, maintenance equipment, ground located cooling ventilation, and backup power generation equipment"

Recommendation by: Magistrate Hawkins
Page 2, Building Requirements and Setbacks, addition of language to Data Center Regulations document via an additional bullet point
To read: "No height exceptions for cooling towers, tanks of any kind, ventilation or mechanical equipment"

Building Setbacks (Residential and Schools)

Recommendation by: Magistrate Hawkins
Page 2, Building Requirements and Setbacks, 1., add language "the lot line of all adjoining properties with an". Remove Language "This measurement shall be taken from the structure, building, or equipment."
To read: "All structures, buildings, maintenance equipment, ground located cooling, ventilation, or backup power generation equipment must be located at least **1,000 feet** from the lot lines of all adjoining properties with any type of residential zoning class or residential use and **1,500 feet from the lot line of all adjoining properties with an** existing public or private school.

Ground Mounted Equipment Location Restrictions

Recommendation by: Magistrate Hawkins
Page 5, Location, Screening, and Sound Attention, 4., addition of language "or school"
To read: "Ground mounted equipment shall be located on a side farthest from any type of residential use, encouraged to be in the rear of the property, and are not permitted adjacent to any property with a Zoning District permitting residential use, an existing residential development, or residentially **or school** used property."

Fencing Limitations

Recommendation by: Magistrate Hawkins
Page 7, Landscaping, Lighting, and Fencing Requirements, add language "only"
To read: "Fencing Requirements

a. Boundary fencing shall not exceed 10-feet in height.

b. Permitted boundary fence materials include aluminum and iron.
c. Chain link fencing and/ or barbed / razor wire fencing are **only** allowed around fuel storage."

Generator / Noise Study Requirements

Recommendation by: Judge Executive Voegele
Page 8, 1. Noise, a, Addition of language "with the generators in both active and inactive states."
To read: "a. A pre-construction and post construction noise analysis is required for all data centers with the generators in both active and inactive states"

Traffic Impact Study Requirement

Recommendation by: Magistrate Hawkins
Page 8, Required Impact Studies, 2. Traffic, add language "shall"
To read: "Traffic – A roadway impact assessment may be required after consultation with the Oldham County Engineer's Office and **shall** be required prior to the Planning Commission hearing to evaluate the potential impact of construction on the existing road system."

Environmental Review Authority Expansion

Recommendation by: Magistrate Hawkins
Page 8, Required Impact Studies, 3. Environmental, add language "and Flood Plain Administrator"

Page 8, Required Impact Studies, 3. Environmental, add language "or Flood Plains Administrator"
To read: "3. Environmental – Environmentally sensitive areas include areas of steep slopes (over 20%) of at least 5000 square feet, 100-year flood plains, areas, of poor soils as determined by Administrator **and Flood Plain Administrator** in consultation with Natural Resources Conservation Service, improper fill, wetlands, and springs. If the development is in an environmentally sensitive area, the Zoning Administrator **or Flood Plain Administrator** may require an environmental assessment that included mitigation factors"

FAA Submission Requirement

Recommendation by: Judge Executive Voegele
Page 6, Location, Screening and Sound Attention, 9.,

Remove: “The developer must submit an application to the Federal Aviation Administration (FAA) for electromechanical interference.”

Public Notification Distance

Recommendation by: Magistrate Woosley
Page 9, Notifications, 4., replace language “500 feet”
To read: “All property owners (as listed in current Oldham County PVA records) within **2000** feet of the property lines of the proposed data center must be notified of the neighborhood meeting at least two weeks before the meeting via first-class USPS mail.”

Decommissioning Responsibility

Recommendation by: Magistrate Woosley
Addition of Section in the Data Center Regulations document where applicable
To read: “Decommission” to include “1. The Developer is responsible for all cost associated with the decommission of the facility when the facility is no longer being used for the intended purpose”