

Re: Vote to DENY the Data Center Ordinance in its current form

To the Mercer County Fiscal Court:

I am writing to ask you to oppose the proposed data center zoning ordinance as currently written. I share the following concerns of Shaker Village and the rest of the community.

1. The Comprehensive Plan must come first.

Data centers represent one of the most intense, resource-extracting industrial land uses to appear in this county in a generation, with attendant demands on the electric grid, water supply, road infrastructure, and surrounding land values. These impacts could compound significantly if the Fiscal Court allows self-generation, which could add a 1000 MW+ electrical generation facility to each data center development, with all of the accompanying air, water, and rate impacts. KRS Chapter 100 establishes comprehensive planning as the foundation for zoning decisions of this consequence. It is the legal mechanism through which this community is meant to determine where such uses belong and on what conditions. Adopting a data center ordinance ahead of, and disconnected from, an amended Comprehensive Plan inverts that process. We ask that the Commission deny this ordinance and instead work to amend the Comp. Plan to address data center siting to allow the public planning process required by statute to actually occur.

2. The proposed siting is arbitrary and inconsistent with the existing Comprehensive Plan.

Carving out a 1.5-mile radius sacrifice zone next to Shaker Village is not planning. It constitutes special legislation written around a specific site for a specific developer, and it contradicts our current Comp. Plan, which already recognizes Shaker Village and other historic and cultural resources as assets to be protected and prioritized, not as dumping grounds for data center waste and pollution. An ordinance that contradicts the Comp. Plan is vulnerable both on policy and legal grounds.

3. A five-mile buffer from Shaker Village is the minimum necessary protection.

Given the scale, noise, visual impact, and infrastructure demands associated with data center facilities, I request that the ordinance categorically prohibit a data center siting within five miles of Shaker Village's boundaries. Anything less fails to meaningfully protect the historic viewshed, soundscape, and rural character that make Shaker Village's preservation possible.

4. The public deserves to know this process is clean and transparent.

Before this ordinance moves forward, the county and the cities should investigate whether officials involved in this process have failed to file required financial disclosures under the county's own ethics ordinance. Mercer County residents deserve full confidence that no official voting on or negotiating this deal has an undisclosed conflict of interest. The public is entitled to assurance that this process has been conducted at arm's length, free of undisclosed financial or personal self-interest.

5. Unequal access undermines public confidence in this process.

Shaker Village notes with concern that local government officials have made time for meetings and trips with data center developers, while declining or failing to schedule comparable meetings with Shaker Village regarding this ordinance. If this process is to maintain public legitimacy, officials must extend the same access and consideration to Shaker Village, as they have afforded to developers.

For these reasons, I respectfully ask the Fiscal Court not to adopt the proposed ordinance as written. As drafted, it places Shaker Village, and the historic, cultural, and economic value it represents to Mercer County, at unacceptable risk.

Respectfully,