MEMO

TO:	COLLINSVILLE PLANNING COMMISSION
FROM:	TRAVIS TAYLOR, AICP, COMMUNITY DEVELOPMENT DIRECTOR
RE:	DATA CENTER TEXT AMENDMENT DISCUSSION - CONTINUED
STRATEGIC GOALS:	GOAL 4: PRESERVE AND IMPROVE EXISTING NEIGHBORHOODS
DATE:	JULY 9, 2026

Following the Planning Commission's discussion regarding Data Centers at its March 12, 2026, meeting, Planning staff has proposed potential regulations for additional discussion. During the previous discussion and memo, staff provided more focus on high level data center information, covering the definition of a data center, their rise in popularity, why they are controversial, and potential pros and cons of these developments. More information on these topics may be referenced in the attached memo dated March 12, 2026.

For this memo and Planning Commission discussion, Staff is primarily focused on the presentation on staff's proposed draft regulations of data centers. This ordinance addresses two primary concerns related to Data Centers: Where should they be permitted and how should they be permitted?

Locations of Data Centers

When considering where data centers should be permitted, City staff addressed this through the lens of our currently established zoning districts with a filter based on the intensity of the data center, as measured by anticipated energy consumption (megawatt demand). Categorizing data centers by peak energy demand, appears to be one common practice among municipalities attempting to regulate for potential adverse impacts. As energy demand increases, so do the potential concerns which come with the larger, more intense data centers, such as water usage, sound, noise, vibration, waste heat, etc. Categorizing by peak energy usage allows the City to right-size regulations per scale of data center and appropriately assign each data center land use category to an appropriate zoning district, based on their respective intensity of uses allowe.

Primarily, Staff recommends siting more intense data centers in the City's more intense zoning districts. Such as the BP-4 (Business Park) and M-1 (Industrial) districts. Staff recommends utilizing the currently proposed categorization for the St. Louis data center regulations. While other communities lump all data centers into one category (such as Aurora, IL), staff believes there is justification to separate out the land uses by intensity as less intense data centers may be allowed in less-intense zoning districts. It should be noted that the categories noted below differ from those originally discussed in Staff's memo dated March 12, 2026. In light of additional research, staff finds categorizing data centers off energy use (megawattage), as opposed to type of use, more accurately captures the potential scaling intensities of use and is easier to understand and regulate. On the following page is staff's recommended land use categories for data centers.

- Micro Data Center: Data Center less than 10,000 square feet in size with maximum energy usage projected at less that 5 Megawatts
- Standard Data Center: Data Center exceeding 10,000 square feet in size with maximum energy usage projected between 5 Megawatts and 30 Megawatts
- Major Data Center: Data Center with maximum energy unsafe projects in excess of 30 Megawatts

With a categorization based on scale and intensity, Staff may then appropriately assign permissibility for each land use within each zoning district. While not called out below, it should be of note that staff is excluding any data center land use from the City's residential and commercial districts. Instead, focusing on more districts geared towards office, warehousing, and industrial uses (BP-1 through BP-4 and M-1). The City's more intense districts, such as BP-4 and M-1, are districts which are established for higher-intensity land uses and therefore may be appropriate for more intense data centers. While staff is proposing the allowance of "standard" and "micro" data centers in the M-1 district, you may note Staff is proposing limiting "major" data centers to the BP-4 district. This district has larger minimum lot sizes and larger setbacks and is located in an area below the bluff, potentially limiting impacts purely off the district's location. As can be seen in the attached exhibits, the M-1 district, while located adjacent to the railroad, is also surrounded by residential properties, potentially opening the door for more land-use compatibility issues and conflicts. Below is the City's current land use table classification for data centers and Staff's currently proposed land use table.

Current Land Use Permissibility					
	Zoning District				
Use	BP-1	BP-2	BP-3	BP-4	M-1
Data Processing, Hosting and Related Services	X	X	X	X	X

Proposed Land Use Permissibility					
	Zoning District				
Use	BP-1	BP-2	BP-3	BP-4	M-1
Micro Data Center	S	S	S	S	S
Standard Data Center			S	S	S
Major Data Center				S	

Under the City's current regulations, data centers are lumped under one land use and permitted by right in all of the City's Business Park and Industrial districts. Permitted by right, these uses are allowed with approval of business licenses and necessary building permits with no public forum or review necessary. In contrast, Staff is proposing three categories of data center land uses, defined above, allowed only via Special Use Permit. Special Use Permits will require the Planning Commission and public to be properly informed and allow for public review of submitted application materials.

Staff attempted to assign permissibility for each land use consistent with the bulk regulations of the district, the district locations, and the codified intent of each zoning district. For the Commission's review, the codified intent of each Business Park and Industrial zoning district is listed below.

BP-1 Business Park District Intent: Business Park District provides for the development of corporate office centers, large regional offices, and data centers in a planned setting. The intent of this district is to accommodate a variety of corporate business-related businesses and their related activities at a scale and intensity of use that is compatible with high quality development. The location factors of the formation of this district relate to present and past land use and development trends, proximity to the interstate highway system, and the position and influence of the Eastport Development Park and other regional offices.

BP-2 Business Park (general/professional office) Intent: The "BP-2" Business Park District provides for the development of professional office space and general office space and related businesses in a planned setting. The intent of this district is to accommodate a variety of office related businesses and their related activities at a scale and intensity of use that is compatible with high quality development. The location factors of the formation of this district relate to present and past land use and development trends, proximity to the interstate highway system, and the position and influence of the Eastport Development Park and other office development.

BP-3 Business Park District (general office/small warehousing) Intent: The "BP-3" Business Park District provides for the development of professional offices, general office space, and small size warehousing and distribution. The uses are for a hybrid development of businesses in a planned setting. The intent of this district is to accommodate a variety of office and warehousing uses on a smaller scale and their related activities at a scale and intensity of use that is compatible with high quality development. The location factors of the formation of this district relate to present and past land use and development trends and the proximity to major transportation routes.

BP-4 Business Park District (distribution/assembly/warehousing) Intent: The "BP-4" Business Park District provides for the development of warehousing, assembly, distribution industries and related businesses in a planned setting. The intent of this district is to accommodate a variety of industrial highway related businesses and their related activities at a scale and intensity of use that is compatible with high quality development. The location factors of the formation of this district relate to present and past land use and development trends, the proximity to the interstate highway system, and the position and influence of the Eastport Development Park.

M-1 Industrial District Intent: The "M-1" District delineates areas where a satisfactory correlation of factors such as adequate transportation facilities, accessibility for employees, efficient land assembly, adequate topographical conditions, and adequate provisions of public utilities required by industry may be achieved. It is intended that this particular district will generally provide for light industry of an

assembly nature from finished goods, warehousing and wholesaling activities. Supportive services for light industry are generally of non-retail or personal service character and should be encouraged to locate in this district.

Data Center Development Regulations

As proposed, each new data center requires issuance of a Special Use Permit by the City of Collinsville Planning Commission. Through the Special Use Permit process, Staff and the Commission will be able to review the proposal against data center-specific regulations designed to appropriately mitigate potential adverse impacts of the land use. Among the communities surveyed and research conducted, there appear to be clear concerns which rise to the top. Most of these are discussed in Staff's previous memo on the subject dated March 12, 2026, and are used as the basis for staff's recommendations below.

With data center regulations, the City is seeking to not only mitigate the potential adverse impacts of data centers, at least those addressable under the umbrella of municipal zoning powers, but also provide for increased transparency throughout the process. Staff believes the prohibition of Non-Disclosure Agreements and the requirement for a Special Use Permit public hearing helps the City insure the process and approvals are happing with residents at the table, not behind closed doors. As follows are staff's recommendations regarding what items required for a Special Use Permit application and what regulations data centers must follow.

Special Use Permit Application submittal requirements for proposed data centers:

1. Third-Party reports:
    a. Environmental Impact Report detailing anticipated emissions, air quality impacts, water quality impacts, heat emissions and heat plumes alongside mitigation plans.
    b. Sound Study detailing baseline pre-development noise levels and anticipated post-development noise levels demonstrating compliance with data center noise regulations
    c. Water consumption and quality modeling report.
    d. Energy Consumption Modeling Report
2. Written confirmation that the applicant has executed an Interconnection Service Agreement or similar with an electric service provider
3. Site Plan and necessary documents demonstrating compliance with Supplementary Regulations for Data Centers
4. Decommissioning plan. Said plan shall include the proposed timelines for removal of obsolete equipment, including generators and cooling systems, following cessation of the data center land use.

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Data Center specific supplemental regulations:

1. City of Collinsville staff and officials will not enter into non-disclosure agreements in association with any proposed data center development.
2. Data Centers shall submit to the City annual electric and water usage reports
3. Modular nuclear reactors, small nuclear reactors, or any other nuclear-based energy are prohibited
4. Data Centers shall be designed to incorporate a Cool Roof, Green Roof, or rooftop photovoltaic solar panel system to reduce urban heat impacts.
5. Generators, cooling systems and similar mechanical equipment regulations:
    a. All generators shall be equipped with vibration isolation systems
    b. All mechanical equipment shall be fully enclosed within a sight proof, sound attenuating enclosure. Enclosures shall be complimentary in design and color scheme with the primary facility.
    c. Mechanical equipment shall not be located within required setbacks/buffer yards
    d. Generators are prohibited for use in the day-to-day operation of a facility. Generators are limited to backup/emergency use only.
    e. Simultaneous testing of generators shall be avoided with generators shall only tested between 10 am and 5 PM, Monday through Friday. A testing schedule for all generators shall be submitted to City designed to mitigate air quality issues and noise and vibration impacts.
    f. Evaporative cooling systems are prohibited
6. Buffer Yards
    a. Data Center sites abutting properties with a residential land use shall be required to install a transition buffer compliant with Section 17.080.160.
7. Noise and Vibration standards:
    a. Data Centers must have continuous vibration monitoring at spacing of no less than 500 feet along all property lines within 1,000 feet of a residential, medical, recreational, or educational land use. At no point shall the operation of a data center eclipse the perception threshold, as noted in Chapter 8.14.
    b. Data Center noise levels shall meet those regulations outlined in Chapter 8.14.

Note that staff has chosen not to include various additional regulations outlined in other referenced codes. With the Planning Commission's continued discussion, Staff seeks feedback on the proposed regulations and land use permissibility noted above, and potential additional regulations seen in other ordinances note below:

1. Power and water usage effectiveness ratios
2. Renewable/clean energy requirements
3. Community impact/benefits agreements
4. Annual Reporting (water, electricity, etc)

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EXHIBITS

Exhibit 1 – City Map of Data Center Zoning Districts
Exhibit 2 – Eastport Map of Data Center Zoning Districts
Exhibit 3 – Lebanon Road Map of Data Center Zoning Districts

ATTACHMENTS

Attachment A – St. Louis Draft Framework for Data Center Regulation
Attachment B – City of Troy - Data Center Ordinance
Attachment C – City of Aurora - Data Center Ordinances
Attachment D – Granite City Draft Data Center Ordinance
Attachment E – Staff Memo (March 12, 2026)

MEMO

EXHIBIT 1

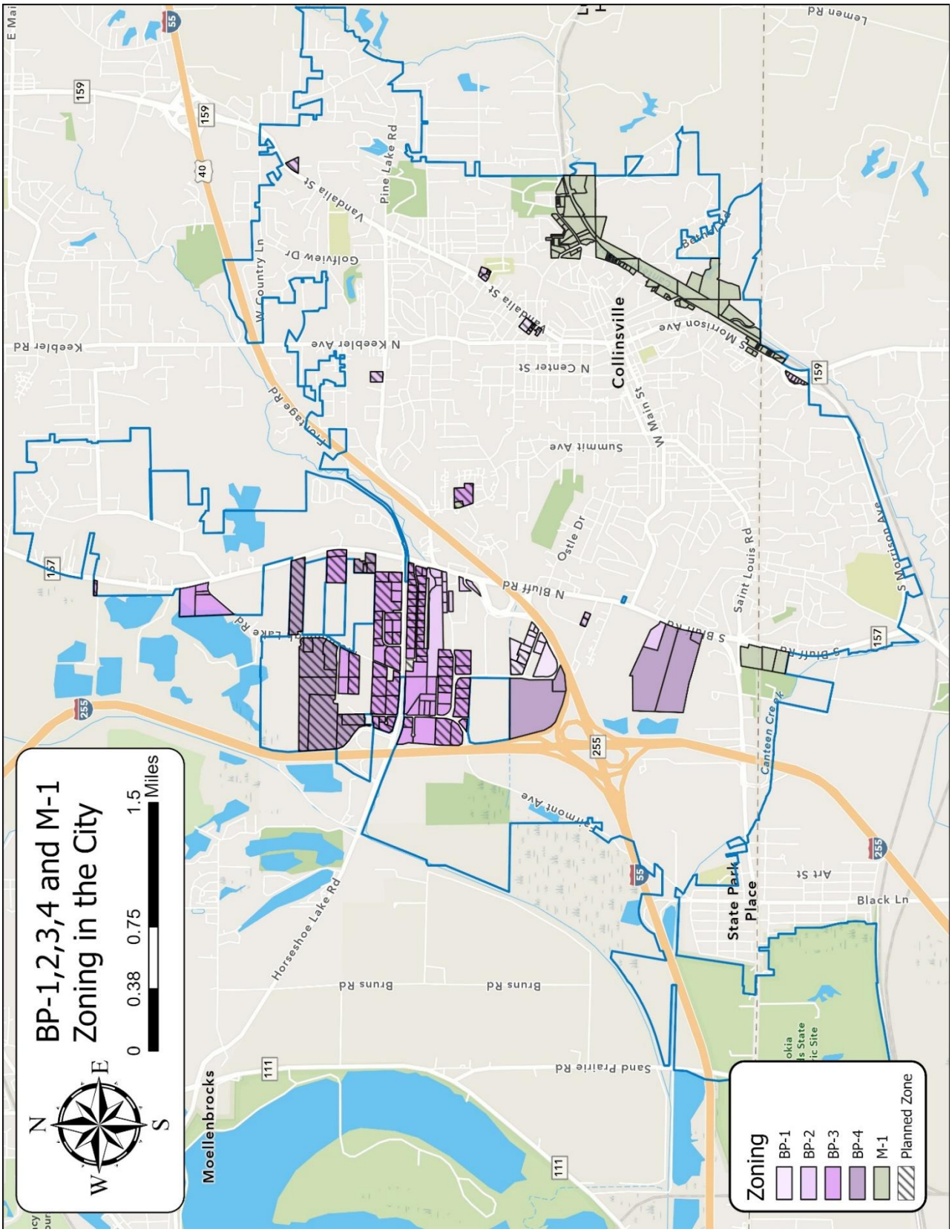

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EXHIBIT 2

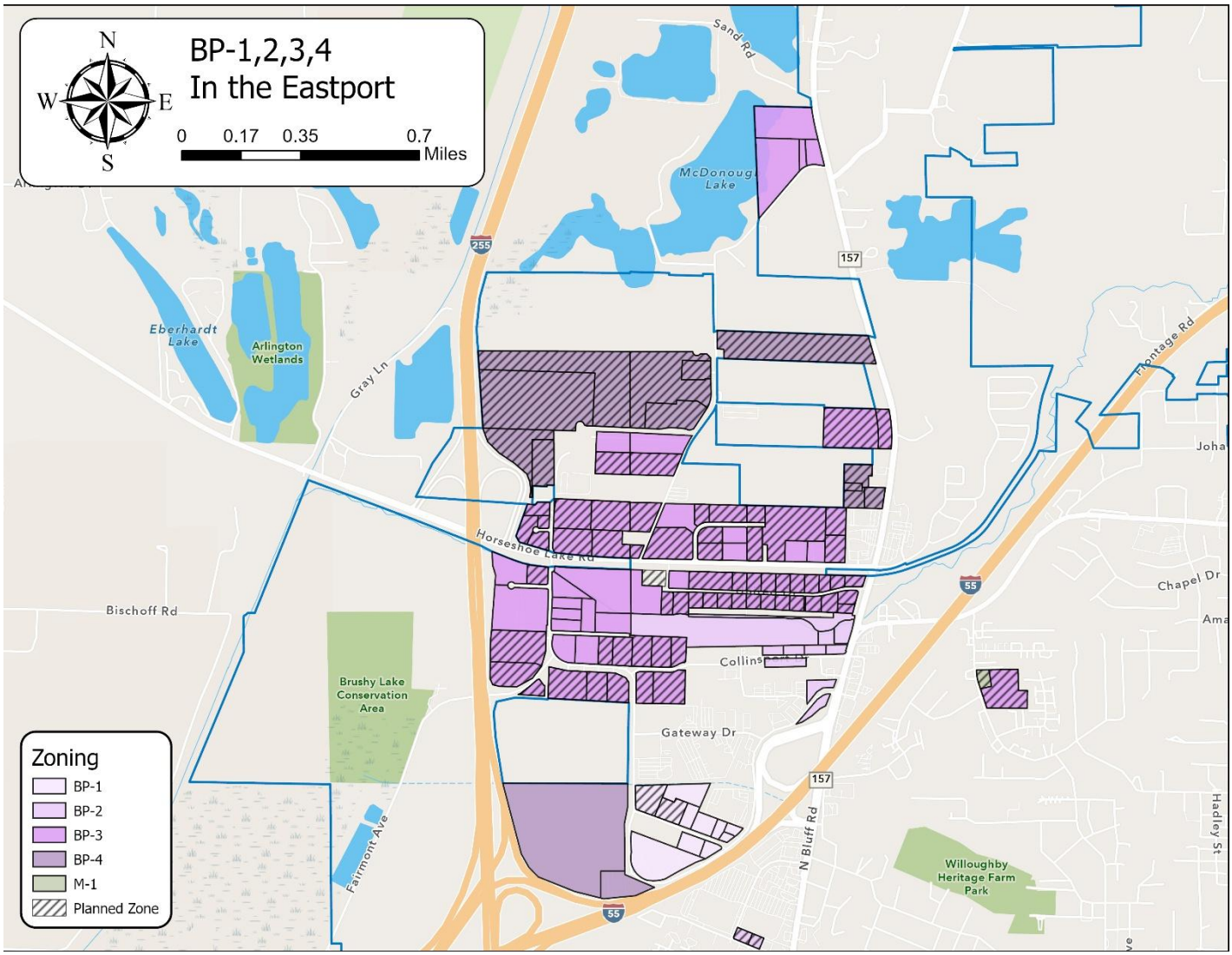

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EXHIBIT 3

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ATTACHMENTS

CITY OF ST. LOUIS
PLANNING & URBAN DESIGN AGENCY
Cara Spencer, **Mayor**

Updated File No. PDA-003-26-ZTX

To: City of St. Louis Planning Commission

From: Don Roe, Executive Director

Subject: Updated Framework for Data Center Regulation

Date: June 5, 2026

This report outlines a further updated approach for regulating data centers in the City of St. Louis, including zoning definitions, application requirements, a use table, and standard conditions and requirements. This update reflects further refinement of standards to address Commissioners and community feedback, and also incorporates other updates that address legal concerns.

Staff conducted extensive research on the topic of data centers to shape these recommendations. This research is not repeated in this report, but can be found in previous staff reports, available online:

- February 11th staff report; and
- May 18th staff report.

The Commission also conducted public hearings during the February 11th and May 18th meetings. The public testimony during these meetings, as well as written testimony provided through a variety of formats, has informed the approach to the regulations as well as to the latest refinements.

Staff will present the updated regulations to the Planning Commission for their consideration at the June 10th meeting, with the intent to advance the Planning Commission's recommendations to the Board of Aldermen. Written comments will remain open up to the time of the meeting. However, the Planning Commission expects to close the public hearing shortly after the updated presentation in order to move forward with debate and action.

Written comments may be submitted to the Planning Commission in advance of the June 10th meeting via an online form at https://forms.gle/bt7RK4zrj3igzTxHA or at planning-commission@stlouis-mo.gov. To ensure Commissioners have the opportunity to review written comments before the meeting, members of the public are encouraged to submit by 6pm on Tuesday, June 9.

Recommended Action

That the Planning Commission finds said zoning text amendment for defining and regulating Data Centers to be in compliance with the City's Comprehensive Plan and therefore **recommends the proposed regulations** to the Board of Aldermen of the City of St. Louis.

Updated Regulations

Approach & Constraints

Staff believe there is no model zoning ordinance that adequately responds to the unique challenges of data centers, the specific physical context of St. Louis city, St. Louis community concerns, nor opportunities present here. Rather than mirroring the approach of another city, the regulations as drafted represent a novel approach to regulating this use that incorporates best practices from other communities while establishing more comprehensive protections and standards. This includes:

- Establishing data center types based on thresholds for megawattage;
- Requiring very detailed information as part of up-front application submissions; and
- Detailing use-specific standards and conditions.

One unique characteristic of data centers is that the physical intensity of the use does not have a direct correlation to the facility's size. The most direct correlation is between intensity and maximum power demand. However, because power regulation falls under the sole jurisdiction of the State of Missouri and Public Service Commission, the City must be very prudent in avoiding conflicts with state law, and must focus on concerns that relate specifically to the realm of zoning. In Missouri, municipalities are statutorily authorized to use zoning for the following purpose:

> **"89.040. Purpose of regulations.** Such regulations shall be made in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to preserve features of historical significance; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. Such regulations shall be made with reasonable consideration, among other things, to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the values of buildings and encouraging the most appropriate use of land throughout such municipality."

Accordingly, many of the localized impacts of a data center *can* be appropriately regulated via zoning. Other core concerns (such as power use or impacts on ratepayers) lie outside of the realm of zoning.

The regulations outlined do not comprise a ban. However, staff has received very consistent feedback from industry experts that the standards are very high—especially for larger data centers—and will be challenging to achieve. This is intended to balance the City's desire to both diversify and strengthen its tax base, while also protecting residents and other long-term development and community priorities.

Summary of Changes

Following the May 18th meeting, staff has made selective refinements to the regulations. Key changes include:

- Revising the treatment of expansion to avoid potential takings issues with existing nonconforming data centers;
- Revising the method for measuring setbacks;
- Prohibiting Standard Data Centers in the zoning district around the Arch;
- Strengthening urban design standards
- Detailing principles that must guide the Public Impact Agreement
- Adjusting process provisions to improve predictability;
- Strengthening air quality protections (i.e., Backup Generator standards); and
- Specifying scope of future regulation review.

Staff also investigated important questions raised by Commissioners and the public: 1) whether zoning can appropriately establish a requirement for public consent; and 2) whether zoning regulations can cap Maximum Power Demand. A summary of each answer is annotated in the relevant section of the regulations.

Detailed Regulations

The detailed regulations are presented and explained below. Substantive changes from the May 18 version of the recommendations are highlighted. General explanations of standards are outlined in blue, sans serif text, with new explanations **bolded**.

1. **New Chapter** (Chapter 26.77: Data Centers)

   A new, standalone chapter will allow for all of the standards, terms, and definitions to be made available in one easy-to-reference location. Incorporating data center zoning standards into the Code's cascading structure would make it exceedingly difficult for applicants and community members to understand the process or what is expected.

   This approach will also make the regulations more adaptive to the work of the Zoning Upgrade.

2. **Purpose** (Section 26.77.010)

   The purpose and intent of this Chapter 26.77, Data Centers, is to define and address the location, establishment, application requirements, and standard conditions for data centers in order to ensure the health, safety, and general welfare of the residents of the City of St. Louis. This chapter seeks to allow for responsible, predictable development of data centers and associated infrastructure, to encourage best practices, limit negative impacts, and establish a foundation for monitoring and accountability.

   A clearly-stated purpose is a best practice for the drafting and presentation of zoning policy. The highlighted update references the reporting requirements outlined in Section 26.77.050.i.

3. **Definitions** (Section 26.77.020)
   a. **Backup Generators**

Backup Generators means engines that are designed to be used for utility power outages to provide continuous electricity, preventing data loss, and service disruption.

b. Baseline Noise Level

Baseline noise level means a measure of noise, taken at the property line pre-application, that establishes dBA and dBC noise levels averaged over a 60-minute measurement period. Measurements shall include daytime levels (e.g., taken between 7:00 a.m. and 1:00 p.m.,) and nighttime levels (i.e., taken between 10:00 p.m. and 7:00 a.m.).

c. Cool Roof

Cool Roof means a roofing system designed to reflect more sunlight and emit absorbed heat with a minimum Solar Reflectance Index of 90.

d. **Data Center**

Data Center means a facility used primarily for the storage, management, processing, and transmission of digital data and that houses computer or network equipment, systems, servers, appliances, and other associated components related to digital data storage, processing, and related operations. Data center uses include data storage facilities, server farms, artificial intelligence training or processing, image processing, cloud computing, email servicing, and similar uses. A Data Center may be a primary or secondary use.

e. Data Center, Major

Major Data Center means a data center with a Maximum Power Demand of 30 megawatts or more.

The threshold between Standard and Major Data Centers was selected to acknowledge other regulatory contexts for data centers and to address land use concerns of larger facilities by ensuring they are located exclusively in industrial districts. For example, 20 MW is the level at which the Federal Energy Regulatory Commission (FERC) requires review for interconnection due to a use's potential impact on the grid, because this is the scale at which a use is intensive enough to have a meaningful impact to grid reliability.

This suggests this is the scale at which a data center, in particular because of its cooling and backup power infrastructure, starts to become more industrial-scale. The 30MW threshold, in comparison to 20 MW, accommodates somewhat larger facilities recognizing:

1. **The role of setback, noise, air quality, screening, and other regulations in mitigating the impact of a 20- to 30-megawatt facility on surrounding properties; and**
2. **The ability for some increased efficiency gains in cooling and backup generator equipment (particularly incorporating the inclusion of battery and/or on-site renewable support, and screening and enclosure requirements) to help such a use integrate into a mixed-use environment.**

Over 30MW, data centers are, at this time, a more exclusively industrial use that should be located in industrial zones.

f. Data Center, Micro

Micro Data Center means a data center with square footage less than 10,000 gross square feet and Maximum Power Demand less than 5 megawatts.

Physically, data centers smaller than 10,000 square feet can be integrated into a mixed-use environment (potentially as part of a mixed-use building) without much difficulty. Data centers with Maximum Power Demand less than 5MW are likely enterprise data centers, devoted to a co-located user such as a university or business (e.g., Wells Fargo).

These smaller enterprise or colocation data centers can be more permissively allowed in mixed-use environments in the city, as their scale does not require the same level of mitigation of noise or emissions impact, nor of their climate impact.

g. Data Center, Standard

Standard Data Center means a data center with square footage of more than 10,000 gross square feet or Maximum Power Demand of more than 5 megawatts but less than 30 megawatts.

h. District Energy System

District Energy System means the Downtown Steam Distribution System and/or the planned Chilled Water Loop.

~~**— Expansion**~~

~~*Expansion* means the addition of floor area used for Data Center purposes or an increase in Maximum Power Demand that escalates the applicable classification of Data Center (e.g., Micro, Standard, or Major).~~

The concept of a unique method for defining expansion has been struck after further legal review. The concern was that an increase in power use, in and of itself, is not sufficient basis to trigger new requirements that could, in effect, be a taking of previously-vested property rights. Instead the approach will be to treat data center expansions more similarly to other uses — that is, that enlargement or a structural change could trigger new requirements for existing legally nonconforming data centers (i.e., all that have been previously approved and/or are in operation).

i. Green Roof

Green Roof means a vegetated roofing system which is functionally integrated onto a roof area.

j. Local Renewable Energy Credits (RECs)

Local RECs means bundled RECs generated by renewable energy facilities located within the utility service territory, the State of Missouri, or the Midcontinent Independent System Operator (MISO) region, and retired on behalf of the facility.

This definition has been adjusted to require RECs that are directly tied to new energy production in order to better advance the goals of the City's Sustainability & Climate Plan. According to the Environmental Protection Agency, a "bundled" REC represents the environmental attributes of actual megawatt hours of renewable electricity that are purchased *together* with the actual physical electricity from the same energy provider.

k. Maximum Power Demand

Maximum Power Demand means the maximum energy draw that the facility may use for critical IT and building systems and equipment, as set by a single agreement with an electric service provider.

The term "single" was added to ensure that the Maximum Power Demand is associated with the cap of a single service agreement with Ameren. This is intended to help enforce a cap per project, rather than to allow several adjacent facilities on subdivided properties operating under one larger cap to be approved at smaller classifications that do not reflect the full picture of their energy demand, and therefore land use impact (via generators, etc.).

The Commission asked staff to explore whether it would be possible to enact a cap on megawattage, in addition to the cap on physical size of a data center. The general finding is that this approach risks going beyond the province of zoning given that electric utility services and rates are heavily regulated at the state level.

l. Public Impact Agreement

Public Impact Agreement means a binding contract for the purpose of protecting the health, safety, and welfare of the residents of the City.

m. Renewable Energy

Renewable Energy means energy derived from wind, solar, geothermal, or other non-depleting sources of renewable energy.

The term "non-depleting" was added to explicitly exclude nuclear energy from the permitted sources of renewable energy.

n. Server Room

Server room means an accessory facility with less than 1 megawatt in Maximum Power Demand that supports routine functions of the primary use. Server rooms are not subject to the requirements of this Chapter 26.77.

Many office, hospital, or institutional buildings incorporate server rooms that support their routine data storage and processing functions. These facilities are not the subject of these regulations and are explicitly excluded. This carve out also, by extension, excludes very small (e.g., "nano") data centers that are not operating at sufficient scale to require specific standards to mitigate their impact.

o. Transit Center

Transit Center means a location where Metro operates a major hub for MetroBus and/or MetroLink stops as identified by their System Maps. Individual bus stops are not Transit Centers.

4. Use Table (Section 26.77.030)

The following Use Table lists how Data Centers are regulated in the various existing zoning districts. Within the table, the user can identify the type of Data Center and how the facility is regulated under each zone, thus identifying whether the use is Permitted (P), whether it requires a Conditional Use Permit (C), or whether it is prohibited (NA).

Use	A - E	F	G	H	I	J	K	L
Micro Data Center	NA	NA	NA	C	C	C	C	C
Standard Data Center	NA	NA	NA	NA	C	C	C	NA ~~C~~
Major Data Center	NA	NA	NA	NA	NA	NA	C	NA

The use table simply clarifies which types of data centers will be allowed in which districts. Additional distance requirements outlined in Section 26.77.050.a would further buffer data centers from neighborhoods, transit stations, and residentially-zoned areas. The use table indicates that:

- Data centers of all kinds would not be permitted in any residential district or neighborhood commercial district.
- Micro data centers would be permitted conditionally Downtown, in the city's most intensive mixed-use district, and in industrial districts. In the preliminary framework, Micro data centers would have been permitted by right in industrial districts; this was changed to prevent an unchecked "daisy chaining" of many small data centers into an intensive data center district, and to create the opportunity for location-specific consideration and conditions.

- Standard data centers would be permitted conditionally Downtown and in industrial districts.
- Major data centers would only be permitted conditionally in the most intensive industrial district: "K" - Unrestricted.
- **The use table has been updated to prohibit data centers in the "L" district, which is the district immediately surrounding the Arch Grounds. This excludes a small portion of Downtown, and has the goal of preserving every opportunity around this important park for inviting, active uses that reinforce the Arch Grounds as a regional, national, and international destination.**

Section 26.08.104 defines a conditional use as:

> ***A use not authorized as a matter of right by the regulations of the district in which the use is proposed to be located but subject to being authorized for such district by action of the Zoning Administrator. The appropriateness of a particular use is to be determined based on the requirements and standards specified in Chapter 26.80.***

As indicated in the definition, the requirements for approval are set out in Chapter 26.80. The requirements outlined in the remainder of this proposed Chapter are designed to supplement those standards as requirements to obtain a conditional use permit for use.

5. **Application Requirements** (Section 26.77.040)

An applicant seeking a conditional use permit for any new data center or expansion must include the following information as part of their application submission:

1. The classification of the proposed data center (i.e., Micro, Standard, or Major).
2. Elevations and interior floor plans indicating areas dedicated to data center functions and areas planned for other uses (e.g., office, retail, research, etc.), if relevant. Elevations shall include indications of exterior building materials, as well as images and descriptions of adjacent building materials.
3. Site plan clearly identifying the building and its square footage, the location of Backup Generators and cooling equipment, fuel storage and fuel type, parking, landscaping, overhead power (e.g., transmission, distribution lines), on-site battery storage and battery type, on-site battery storage and battery type, on-site substations, any on-site power generation (e.g., solar, wind, etc.), other noise and light-emitting structure and equipment, and any additional critical infrastructure or equipment.
4. Clear annotation, on the site plan or a separate drawing, denoting setbacks for Data Center buildings, Backup Generators, and other noise- and light-emitting infrastructure.
5. Megawattage of Maximum Power Demand.
6. The facility's proposed cooling system, sources of energy, and whether the facility plans to provide its own energy, or to meet its power demands through renewable sources.

An applicant seeking a conditional use permit for any Standard Data Center or Major Data Center must also include the following information:

1. Anticipated end users of the data center, and purpose of the proposed facility, such as: data storage; cloud computing; general artificial intelligence; cryptocurrency mining; surveillance; large language model training; or other business applications.
2. Map indicating the location of any new substations or substation upgrades required for the data center, and the location of new power lines serving the proposed data center. (Any on-site power generation, outside of renewable and backup power sources, shall be prohibited.)
3. The number, size, fuel source, and anticipated testing schedule for Backup Generators.
4. An assessment of any flood risk to the proposed site, and planned mitigation efforts.
5. The expected timeline for commencing construction and operation of the facility.

6. Baseline noise levels, expected noise levels to be generated by the proposed facility's cooling systems, turbines, load banks, and Backup Generators, a proposed testing schedule designed to minimize air quality problems and noise impacts, and the proposed facility's planned sound attenuation and noise reduction measures to limit the emission of noise and prevent disturbances to nearby residents.
7. Fire detection and suppression systems that will be installed at the proposed facility.
8. Whether the user plans to participate in any renewable energy or virtual power plant program, have any onsite renewable energy generation and/or storage, or purchase any Renewable Energy Credits (RECs).
9. Anticipated annual water use and anticipated or committed Power Usage Effectiveness (PUE) and Water Usage Effectiveness (WUE) for both peak and average annual demand.
10. Intent to participate in the state's sales tax exemption program.
11. If new construction, whether and how the proposed facility building's facade, height, massing, and orientation will be designed to be compatible with adjacent properties and the surrounding area.

An applicant seeking a conditional use permit for any Major Data Center must also include the following information:

12. A detailed description of sources and uses of financing for the development.
13. Any community benefits offered by the proposed facility or its operators.
14. An environmental impact report prepared by a third-party professional environmental engineer describing:
    - Anticipated emissions, and air and water quality impacts, and any plans to mitigate impacts;
    - Anticipated heat emissions and heat plumes generated by the proposed facility, and any plans to mitigate impacts; and
    - Anticipated stormwater impacts and mitigation.
15. An economic impact report prepared by a third-party credentialed professional entity describing:
    - The amount of tax revenue local taxing jurisdictions are anticipated to receive as a result of the proposed development; and
    - The number of construction jobs and permanent jobs associated with the data center.
16. Whether the applicant has executed an Interconnection Study Agreement, Construction Agreement, and/or Electric Service Agreement with an electric service provider.
17. Plans to remove infrastructure and equipment from the site should the data center cease operation.
18. A letter of attestation from the electricity provider describing any impacts to ratepayers or grid reliability of required new power generation or other infrastructure upgrades to serve the project.
19. Documentation of having advertised and held at least one meeting with community members during which project information is shared, feedback is invited, and questions are answered.
    - Advertisement: Such a meeting is to be advertised no fewer than 15 days prior to the meeting's date, with notification provided by email to all Registered Neighborhood Organizations having a geographical boundary within a one mile radius of the proposed data center; by email to all Neighborhood Improvement Specialists; by email to relevant City departments and agencies (i.e., Planning & Urban Design Agency, Health Department, Zoning Section of the Building Division, St. Louis Development Corporation); by mail to all residents and property owners within a 1,000 foot radius of the subject property; and by email to all state and local elected officials representing residents of the surrounding 1 mile of the proposed location.
    - Meeting: ~~Such a meeting is to be held at least 45 days prior to submission of an application to the City.~~ The meeting shall include a presentation of project details required for application, commitments to mitigate impacts to residents and to the environment, and a question and

answer period. All major areas of community concern, questions, and feedback shall be documented and provided to the City as part of the application.

This section has been slightly adjusted to reduce redundancies and to clarify expectations for the meeting.

- Feedback Period: During a minimum of 30 ~~45~~ days following the Meeting, the applicant shall invite and document community feedback. Applications shall not be submitted within a minimum of 30 ~~45~~ day Feedback Period.

Timeframes have been slightly adjusted to offer a slightly more streamlined process.

In the event that an applicant is unable to provide any of the above information, the applicant shall, in writing as part of their application, indicate that they are unable to provide the information and also describe the reason this information cannot be provided. It shall be acceptable to exclude required information if it is confidential according to state code or federal law.

In light of public feedback, legal guidance, and additional technical research, a great deal of detail is included in the application requirements. The intent is to further clarify expectations, better understand potential impacts, account for potential project elements now better understood by City staff, and collect more third-party information regarding the impact of larger-scale projects.

In response to public comment, staff investigated whether it is possible through zoning to establish a legally defensible mechanism requiring public consent for large data centers. The general finding is that this kind of mechanism is susceptible to legal challenge and is exceedingly administratively complex. Staff has not identified any other city with such a requirement in place, though there are a number of state-level ballot initiatives seeking to enact such a requirement, and local initiatives to require a mechanism for data centers seeking tax incentives. Staff generally advises that such a mechanism would be subject to legal challenge and exceedingly difficult and time-intensive for the City to administer (e.g., through verification of signatures).

6. Site Requirements, Design Requirements, and Standard Conditions (Section 26.77.050)

Data Centers shall comply with the following site requirements, design requirements and standard conditions:

20. Location Requirements

- Data Center buildings, Backup Generators, and other associated noise- or light-emitting infrastructure shall have the following setbacks from the lot lines of parcels zoned A, B, C, D, E, F, and G, parcels containing a light rail station or transit center, and parcels containing a school or public park:
  - 150 feet for Micro Data Centers;
  - 300 feet for Standards Data Centers; and
  - 600 feet for Major Data Centers.
- Data Centers may only be permitted if their location substantially aligns with the Strategic Land Use Plan of the City's Comprehensive Plan.
  - ~~Micro Data Centers: No Micro Data Center shall be situated on a parcel with any of its lot lines within 150 feet of another parcel, or fraction thereof, containing a light rail station or transit center, zoned A, B, C, D, E, F, G, or containing a school or public park.~~
  - ~~Standard Data Centers: No Micro or Standard Data Center shall be situated on a parcel with any of its lot lines within 300 feet of another parcel, or fraction thereof, containing a light rail station or transit center, zoned A, B, C, D, E, F, G, or containing a school or public park.~~
  - ~~Major Data Centers: No Major Data Center shall be situated on a parcel with any of its lot lines within 600 feet of another parcel, or fraction thereof, containing a light~~

~~rail station or transit center, zoned A, B, C, D, E, F, G or containing a school or public park.~~

The location requirements are designed to limit data centers to sites where their impact can be meaningfully mitigated, and where they have potential to complement other land use and development goals. The buffer methodology has been updated to provide more clarity to third-parties assessing sites (i.e., by removing Assessors property classifications). But to achieve the same intent, the "F" and "G" districts were added, as these are where many residential uses exist, and are also the locations of many neighborhood commercial districts.

Spacing measures have been updated from the initial flat approach of 300 feet to offer spacing that is more tailored to the size and potential impact of a data center.

According to the National Association of Counties[1]: "Typical building setback requirements from property lines range from 200 feet to up to 500 feet from a residential property or zoning district. In areas where 'smart growth' is a priority, such as near transit stations, these setbacks can be extended much further to ensure prime land is reserved for high-density housing and retail."

In the St. Louis context, there are a mix of goals at play, including reserving land in some parts of the city adjacent to appropriate industrial sites for a mix of uses and transit-oriented development (as guided by the Strategic Land Use Plan), as well to buffer primarily-residential neighborhoods from higher-intensity industrial uses. 600 feet seeks to protect residents from industrial-scale facilities while aligning with the buffering goals of the Strategic Land Use Plan. Smaller facilities are also buffered from primarily-residential neighborhoods, as well as from other sensitive uses to align with smart growth principles, but to a lesser extent. Additionally, nascent research has suggested that heat emissions from large data centers can affect properties up to a third of a mile away.[2] In addition to the other site-level controls to mitigate heat emissions, a generous setback is intended to avoid impacts to residential neighborhoods and other sensitive uses.

Since the May 18 version, setbacks have not been adjusted, but the method of measurement has been adjusted to: 1) better mirror other cities' regulations (e.g., Kansas City); and 2) to more directly implement the intent of the regulation, which is to separate the potential nuisance-generator building or equipment from areas with sensitive uses and where land is reserved for other mixed-use development priorities.

21. Area Standards

- The facility shall comply with the Height and Setback limitations of the underlying zoning district.
- The facility shall provide 1 off-street parking space for every 5 permanent employees.
- The building shall not exceed 500,000 square feet in total gross floor area.
- In the H, I, and L Districts:
    - A new Data Center within a building ~~uses~~ within 300 feet of an existing Data Center may only be allowed if the data center use comprises less than 30 percent of the gross square footage of a structure. Data Center uses on the same parcel as the proposed new Data Center do not trigger this cap.
    - ~~Data Center uses shall not exceed more than 50 percent of the gross ground floor area~~

[1] National Association of Counties. "NACo Informational Primer and County Considerations: Data Centers." May 1, 2026. Retrieved from: https://www.naco.org/resource/naco-informational-primer-and-county-considerations-data-centers

[2] Sailor, D. J., Abolhassani, S. S., and Martin, E. P. (May 18, 2026). "Data Center Waste Heat as an Emerging Urban Thermal Hazard: First Field Measurements of Neighborhood-Scale Air Temperature Impacts." ASME. J. Eng. Sustain. Bldgs. Cities. May 2026; 7(2): 024501. https://doi.org/10.1115/1.4071922

~~of any building with street frontage.~~ At least 50 percent of the gross ground floor area of any building with street frontage shall be reserved for active uses such as office, retail, institutional uses, and residential amenities, and shall not be used for inside storage or vehicle parking. For the purposes of this section, a building with street frontage is any building located within 50 feet of a street right-of-way line.

These standards are similar to those presented in the preliminary regulations, with a number of small refinements:

- b.iv.1 would control the prevalence and density of data centers Downtown to mitigate the potential erosion of uses that help populate Downtown with vibrancy. Staff considered many approaches to achieve this intent, and have put forward the measure that, on balance, was most clear and attuned to current data center typologies. **The highlighted adjustments to this standard are intended to avoid restricting lease up of separately-leased spaces within a single building.**
- **b.iv.2 was updated to better reflect the intent — as guided by the Strategic Land Use Plan — to encourage active ground floor uses, rather than simply to exclude data center uses from ground floor spaces in mixed use districts.**

500,000 square feet is roughly the size of existing large, colocation data center facilities Downtown with a maximum power demand of 20 MW (but operating at closer to a 13.5 MW load). However, 500,000 square feet could also demand a much greater load if used for AI functions.

The intent of the proposed 500,000 square foot cap is to prohibit larger data center campuses that cannot effectively be integrated into even industrial areas in the city, while also allowing for adaptive reuse projects that support colocation functions in large, vacant buildings Downtown and in industrial districts. (Additional urban design controls are proposed in section e.) 500,000 square feet is also the threshold at which Kansas City establishes new requirements for large format uses (including and especially data centers). Kansas City has a very different geography than St. Louis, with tracts of land that are much larger and much more akin to a suburban environment than "outlying" or industrial areas in St. Louis city. Therefore, St. Louis might consider 500,000 square feet as an appropriate threshold to cap data center size, rather than enact new land use requirements.

However, there are other rationales for establishing a small square footage cap. Staff will endeavor to have an analysis available of vacant building and property size in areas where Major Data Centers would be conditionally permitted.

22. Noise and Vibration Controls

- The facility shall have no unabated nuisance violations.
- The facility shall be subject to provisions of Ordinance 68130 or its successor.
- Noise levels shall not exceed 5 dBC above the Baseline Noise Levels, as measured from the property line, as reported prior in the application, during standard operation. If Baseline Noise Levels exceed what is permitted by the noise ordinance (Ordinance 68130), or if the noise ordinance does not establish a specific dBA level for the relevant zoning district, then noise levels shall not exceed 5 dBA or dBC above the Baseline Noise Levels. ~~both dBA and dBC standards shall not exceed 5 dBspecific dBA and dBC measures shall be established in consultation with the Health Director/Commissioner or his/her designee.~~

These standards tie into existing City policies for mitigating noise impacts, and add use-specific standards that capture lower-frequency (dBC) noise. Low-frequency hums from cooling equipment are some of the noises that can be most problematic with a badly-designed data center. Comparison to a Baseline Level is intended to account for existing ambient noise levels that reach a given property in an urban environment, allowing only a modest increase as a result of the data center.

Small updates since the May 18 version establish a more predictable, explicit requirement in cases where the noise ordinance does not offer clear guidance.

23. Building Systems & Equipment Design & Screening

- The building shall be designed and operated with a Cool Roof, Green Roof, or rooftop photovoltaic solar panels to reduce urban heat impacts.
- All exterior equipment and equipment areas shall be visually screened in order to limit visibility from the right of way, adjoining parcels, and nearby thoroughfares or highways.
- Noise-emitting equipment, such as Backup Generators, shall be physically enclosed within acoustically treated structures and placed away from primary frontages.
- All exterior and rooftop cooling equipment, and any other infrastructure to provide a visual and acoustic barrier from the property line and surrounding area, shall be enclosed or screened. Enclosures and screens shall be opaque to obstruct from view and reduce frequency and vibrations.
- On-site fuel storage shall be visually and physically screened, and set back at least 20 feet from the property line.

These design and screening regulations are intended to mitigate several specific impacts on surrounding properties and the public, including visual clutter, urban heat impacts, noise impacts, and unsightly fuel storage.

24. Site & Urban Design Standards

- All principal and accessory structures and energy systems associated with a Data Center shall be arranged, designed, and constructed to be harmonious and compatible with the site and with the surrounding properties. Data Centers that visually approximate commercial office buildings are encouraged. All Backup Generators and other external equipment shall be located to the side or rear of the Data Center building.
- Properties shall be well landscaped. A tree lawn not less than 3 feet in width along all public streets shall be required where setbacks, underground infrastructure, and available right of way make it practicable, and where this regulation does not conflict with streetscaping designs or plans of the Board of Public Service, Community Improvement Districts, or other formal entities. Street trees shall be installed in the tree lawn, between the public sidewalk and public street, when the tree lawn has sufficient width, or street trees with grates shall be installed in public sidewalks where the sidewalk has sufficient width with a maximum of 25 feet between trees. All street trees shall be irrigated. In the K district, Data Centers may install a landscape berm as an alternative to a tree lawn. Additional landscaping requirements may be included in a Public Impact Agreement.
- Surface parking shall be placed at the rear or side of the building and shall not extend beyond the established building line.
- Primary structures shall include these design features:
    - Windows, doors, or similar fenestration shall be distributed both horizontally and vertically and comprise at least 30 percent of the façades.
    - Glass transparency on windows shall be greater than 80 percent. Faux windows and covered windows are prohibited.
    - Signs must meet the requirements of the underlying code.
    - At least one main entrance that projects or is recessed from the main building plane, and is differentiated from the remainder of the building façade, is required.
    - Exterior materials shall be compatible in type and texture with the dominant materials of adjacent buildings. Artificial masonry, EIFS, and cementitious fiberboard are not permitted.
    - All loading and unloading areas, including overhead doors, shall be oriented towards the side or rear property lines away from public roadways. Loading docks are not

permitted in the front or street side yards and shall not be oriented towards the front property line.

- Projects located in local historic or form-based districts are subject to the design standards of that district.

Standards in this section ensure basic landscaping and public realm improvements surrounding data center uses. **Several changes were made throughout the process to reduce barriers to adaptive reuse projects and to resolve potential conflicts with existing or in-progress streetscaping plans.**

In many cities' more modern zoning codes, such standards would be already established for all uses. The City is in the process of upgrading its entire Zoning Code to establish a similar consistent approach, but is applying some basic standards for this use in the interim to provide some basic mitigation for urban heat impacts. **With this in mind, this update includes a number of new standards that ensure Data Centers roughly resemble standard office or industrial buildings and have human-scale elements. This may also help preserve the potential for future adaptive reuse of data centers, should they become vacant.**

25. Water Responsibility

- The facility shall not operate with a cooling system that solely relies on Evaporative Cooling. Evaporative Cooling means a highly water-intensive process that uses water evaporation to cool air for the facility's temperature regulation.
- The facility shall achieve and maintain compliance with all wastewater discharge standards set by the Metropolitan St. Louis Sewer District.
- Applicants for Standard and Major Data Centers shall enter into written agreement(s) with the St. Louis City Water Division to:
  - Fund any and all fees required for data centers or new large load users that could be identified out of a cost of service study prior to receiving a building permit.
  - Fund any and all system impact fees required for data centers or new large load users that could be identified out of a cost of service study including the cost of a hydraulic model study and rectifying any detrimental impact on existing customers determined by the study prior to receiving a building permit. Prior to a cost of service study's completion, an agreement may also establish a short-term rate.

These regulations are intended to avoid highly exorbitant use of water for cooling, reinforce water discharge treatment regulations, and to avoid impacts to the City's water infrastructure.

26. Backup Power Systems

- All Data Center applicants are encouraged to minimize the use of diesel, and maximize the use of batteries or natural gas as backup power sources.
- Except for Backup Generator testing or commissioning activities, Backup Generator use is limited to backup/emergency use only. Backup Generators may never be used as a general operating power source for day-to-day operation of the facility. The facility may not commence operation until complete electric service is provided to the site, and Backup Generators may not be used as a power source in the event of a delay in electric service.
- Backup Generators shall be fully enclosed within the primary structure or an exterior structure, except for penetrations necessary for the safe and lawful operation, maintenance, or testing of the generator and its supporting systems, including but not limited to intake air, exhaust, cooling, fuel, fluid and electrical connections.
- Backup Generators shall utilize the cleanest certified emissions tier. Certificates of Conformity demonstrating Tier 4 / NSPS Subpart IIII requirements (if diesel), or level of certification (if not diesel), of all equipment shall be provided prior to any such equipment's testing or use.

- Backup Generators shall meet the performance requirements of the most recent National Fire Protection Association (NFPA) standards for Emergency and Standby Power Systems.
- Backup Generators shall be tested only between 10am and 5pm, Monday through Friday.
- Backup Generators shall not be tested on ~~bad air quality days, defined as~~ days when the St. Louis Air Quality Index (AQI) is above 100. Standard and Major Data Centers shall not test Backup Generators on days when the AQI is above 50.

This section establish standards for generators to ensure that 1) they are never used as a non-emergency power source, and are strictly reserved for backup power service in the case of grid failure to minimize generator operating time and emissions generated; 2) they are designed to the highest standard in order to minimize emissions; and 3) their testing does not occur outside of business hours, to mitigate quality of life impacts, or when air quality is already a concern.

Recent updates further restrict testing days for larger facilities to ensure emissions do not further exacerbate underlying respiratory problems experienced by the St. Louis community. The history of Air Quality Index reports indicates that there will be eligible days sufficient for facilities to fulfill their Clean Air Act reporting requirements.

27. Environment, Energy & Infrastructure Standards

- As practicable, facilities shall achieve and maintain LEED certification or certification through a similar green building program for the direction of the data center's operation.
- Facilities shall achieve and maintain a peak Power Usage Effectiveness (PUE) of 1.35 or better.
- Facilities shall dispose of all electronic waste in an environmentally appropriate manner through the duration of the data center's operation, and maintain an active contract with an R2-certified (Responsible Recycling) or e-Steward certified contractor.
- Facilities shall not commence operation until a letter verifying adequate power capacity and infrastructure to serve the facility is provided by an electric service utility.
- Facilities shall connect to District Energy Systems if located within 50 lineal feet of an existing line existing at the time of submission for zoning approval.
- Facilities shall not commence operation until a District Energy Willing to Serve letter from a district energy provider is provided. Such a letter shall confirm the system is prepared to extend service to the site, or serve as a written waiver explaining why extension is not feasible.
- Facilities shall, when feasible, use battery storage for electrical load for ancillary, non- data processing uses such as lighting and outlets in an adjacent office space.
- All outdoor lighting shall meet the standards of the Dark Sky Initiative or other Bird City recommendations to reduce light pollution.
- Facilities shall ensure any heat plumes created by the facility are adequately dispersed at the property line to avoid adverse impacts on the health or well-being of individuals outside of the property.
- Standard and Major Data Centers:
    - Facilities shall achieve and maintain a minimum of 50 percent of annual electricity consumption from renewable energy by the end of its 5th year of operation through the electric utility's renewable energy programs, PSC-approved large-load renewable energy programs, clean energy riders, and/or onsite renewable energy generation and storage, including participation in virtual power plant programs.
    - Facilities shall achieve and maintain 95 ~~100~~ percent of annual electricity consumption from renewable energy by the end of its 10th year in operation through the electric utility's renewable energy programs, PSC-approved large-load renewable energy programs, clean energy riders, and/or onsite renewable energy generation and storage, including participation in virtual power plant programs.

- Up to 25 percent of these requirements may be fulfilled through Local RECS. No more than 25 percent of RECs can be used at any point to meet the requirements.
- For each megawatt-hour of annual electricity consumption by which the facility fails to meet the applicable renewable energy requirement, the facility shall be subject to a noncompliance penalty of 125 percent of the market rate for a bundled, retired REC from the MISO region until the shortfall is cured.

This section seeks to maximize clean energy goals within available supply and compliance pathways through Ameren as a means to uphold the City's climate goals. The penalties have been added to provide the City with another enforcement tool, and could also create a revenue source for mitigation if targets are not met. **The 100 percent target has been lowered to 95 percent in recognition of state law 67.309, which disallows local governments from prohibiting (whether explicitly or implicitly) utility connection based on the the type or source of energy to be delivered to an individual customer.**

In response to public comment, the City also explored whether it is possible to establish regulations prioritizing electricity service to residents over service to a data center in the event of an emergency or limited demand (a so-called "kill switch" provision). Generally speaking, the finding is that such a mandate from the City is most likely unenforceable. Although municipalities have broad authority over zoning and land use, the regulation of investor-owned utilities such as Ameren falls under the jurisdiction of the PSC. Other similar regulations (e.g., such as via Texas Senate Bill 6) have been established by the state, which has authority to regulate utilities.

28. Reporting Requirements for Standard and Major Data Centers

- Facilities shall comply with all applicable environmental, energy, water, and other reporting requirements established by the City. ~~Until such separate requirements are in effect, the below shall apply:~~
- The interim reporting requirements established under subsection (iii) shall expire and be of no further force or effect upon the effective date of a City ordinance governing Data Center Environmental Impact Monitoring.
- The following interim reporting requirements shall apply to Standard and Major Data Centers:
    - Noise: Annually provide a report to the Health Director/Commissioner (or his/her designee), with copy to the Zoning Administrator, a third-party report, created by an entity acceptable to the Health Director/Commissioner, of noise emissions to verify compliance with relevant standards and identify other issues and mitigation strategies. The first annual report shall occur within 30 days of the data center commencing operation. Subsequent annual reports shall reflect readings taken between the months of June and August, and submitted by September 30. Readings should be taken at the parcel line of all joining parcels or parcels directly across a street or alley from the parcel containing the data center, and shall compare noise levels to daytime and nighttime Baseline Noise Levels. The report shall include a measure of both dBA and dBC sound levels.
    - Heat Impacts: Annually report waste heat rejected to the outdoor environment, the quantity of waste heat recovered or reused, and the dispersion of heat plumes during summer design conditions or the hottest days of observation in order to assess urban heat impacts and mitigation strategies.
    - Renewable Energy: Provide an annual report verifying compliance with relevant requirements to the Executive Director of the Planning and Urban Design Agency or his/her designee, with copy to the Zoning Administrator, no later than July 30 of each year.
    - Air Qualitys: All reports to the Missouri Department of Natural Resources verifying compliance with Clean Air Act and Air Permit standards, including the actual testing

schedule for Backup Generators during the reported period, shall be shared, via copy, to the Health Commissioner or his/her designee.

This section establishes and consolidates reporting requirements in order to monitor compliance with relevant standards. This may subsequently be updated to align with requirements separately established for monitoring of data centers' environmental impacts.

29. Public Impact Agreement – Major Data Center

- When approving a conditional use permit for a Major Data Center, the Board of Public Service shall, as an additional condition necessary to ensure the use complies with the standards of Section 26.80.010, subsection E, require the applicant to enter into a Public Impact Agreement with the City. The Director of Public Utilities, or other departmental director serving on the Board of Public Service who is designated by the Board of Public Service, is authorized to execute on behalf of the City the Public Impact Agreement in accordance with this Chapter. A copy of the executed Public Impact Agreement shall be provided to the Building Commissioner, with a copy to the Zoning Administrator, before a building permit is granted. If the Board of Public Service determines that an event constituting default of the Public Impact Agreement has occurred, it may revoke the conditional use permit in accordance with the procedure in Section 26.100.030.
- The contents of the Public Impact Agreement shall be determined based on the site-specific context of the Major Data Center and its anticipated impact on adjacent parcels, occupants and public infrastructure. For the purpose of protecting the health, safety, and welfare of the surrounding community and residents of the City, the contents of the Public Impact Agreement may address issues ~~the following,~~ including but not limited to:
  - Providing tangible benefits to the community by mitigating site-specific impacts on adjacent land use, public infrastructure and the general welfare, such as: noise; air quality; energy usage, including the percentage of energy derived from clean energy sources; water usage; and wastewater treatment and disposal. Benefits to the community:
    - May be in the form of the dedication of lands for public use or impact fees; and
    - Must be related to the Data Center development activities that are the subject of the application; and
    - Must be supported by an individualized determination that the benefit to the community is roughly proportional in scale to the impact being addressed. The individualized determination shall be made by the Board of Public Service, or a departmental director serving on the Board of Public Service designated by the Board of Public Service.
  - Additional provisions related to site design, as determined by the Board of Public Service to satisfy the standards of Section 26.80.010, subsection E, and which address site design aspects of the Data Center such as: landscaping; buffer, screening and fencing; exterior lighting; thermal heat mitigation; cooling systems; and Backup Generators.
  - Long-term operational commitments, such as: noise testing; electronic waste disposal; decommissioning; community feedback and engagement commitments before and during operations; and emergency management.
  - Enforcement, including that the agreement may be enforced by revocation of the applicant's conditional use permit and other remedies available at law.

- The requirements contained in this Chapter applicable to Major Data Centers shall be considered minimum standards which may be modified upon mutual agreement of the City and the applicant.
- No provision in a Public Impact Agreement shall be construed as a binding promise by the City to refrain from independent exercise and enforcement of the Zoning Code.
- The Public Impact Agreement shall be approved by the Board of Public Service and by resolution of the Board of Aldermen prior to the granting of a building permit.

The above approach uses zoning policy to require that an agreement be established, and lays out the general, minimum terms. The initial term for this concept, "Community Benefits Agreement," has been replaced with the term "Public Impact Agreement" (PIA) to better address issues that can be established and enforced via the City's land use authority. Other items beyond what is listed here could also be addressed in a PIA. It is important that other project benefits are contractually affirmed or expanded, and other project impacts contractually addressed.

This updated concept also explicitly involves the Board of Aldermen in the approvals process, via a required resolution, to broaden the involvement of elected, representative officials in these major decisions. This requirement does not foreclose the potential for the establishment of voluntary Community Benefits Agreements with private entities such as neighborhood organizations or other nonprofit groups.

The approval for a Major Data Center, including the Public Impact Agreement, would include:

- **Community engagement period**
- **Zoning-only building permit application submitted**
- **Multi-agency review and recommendations**
- **Conditional use hearing**
- **Conditional use approval or denial (and potentially applicable appeal process)**
- **Public Impact Agreement (if conditional use permit is approved):**
  - **Negotiation of PIA by relevant parties**
  - **Approval of PIA by resolution of the Board of Aldermen**
  - **Approval of PIA by Board of Public Service**
- **Full building permit submission (timing at developer's discretion)**
  - **Submission of PIA to the Building Commissioner, with Copy to the Zoning Administrator**
  - **Granting of building permit**
- **Inspection, granting of occupancy permit about construction completion**

7. **Applicability** (Section 26.77.060)

Unless expressly stated otherwise, Data Centers shall demonstrate compliance with the standards in this Chapter before modifications to the property or building ~~or maximum power demand~~ are made as set forth below:

a. New Facility. Full compliance is required for new Data Centers.
b. Expansions. Full compliance is required for any enlargements or structural alterations to an existing facility, as established by Sections 26.16.020 and 26.16.050. ~~improvements or modifications that constitute an Expansion as defined in this Chapter. Full compliance with this Chapter is required for the full facility.~~
c. Existing Facilities and Previously Approved Facilities. Subject to the provisions of subsection (b), any Data Center lawfully in use or approved by conditional use permit as of the Effective Date of this Chapter shall be considered an existing Nonconforming Use and/or Nonconforming Structure as defined in Section 26.08.330-26.08.331 and may be continued without regard to the provisions of this Chapter, except that discontinuation of the lawful Data

Center shall be subject to the provisions outlined in 26.16.060. Conditional use permits approved prior to the effective data of this Ordinance shall be subject to the standard provisions outlined in 26.80.010.D.5.

This section addresses how existing Data Centers, previous approvals, and future expansions will be reviewed. The approach is to treat legal nonconformities, previous approvals, and future expansions as consistently as possible for this as for other uses in the city.

8. Application Review Process (Section 26.77.070)

The Zoning Administrator shall provide application materials for any Standard or Major Data Center to the Executive Director of the Planning & Urban Design Agency, the Commissioner of Health, the Fire Marshall, the Department of Public Utilities, including its Water Division, the St. Louis Metropolitan Sewer District, relevant district energy service providers, and the Office of Building Performance. Upon receipt of materials, these entities shall then have no less than 30 days to review and provide findings and recommendations to the Zoning Administrator before a recommendation is submitted to the Board of Public Service. Review by relevant parties may occur in parallel.

This process is intended to give City departments and other permitting agencies with expertise on a range of issues the opportunity to weigh in on proposals so that feedback is available to inform conditional use recommendations, including recommended conditions and recommended components of a Public Impact Agreement.

9. Deadline for Review (Section 26.77.080)

The Planning Commission of the City of St. Louis shall take up review of this Chapter no later than 2 years from the Effective Date of this Chapter 26.77 in order to determine necessary changes that respond to evolutions in technology or increased understanding of impacts and opportunities. This review will include an assessment of renewable energy supply and compliance pathways, and an assessment of megawattage thresholds between data center classifications. This requirement for review is directory and not mandatory. The failure of the Planning Commission to conduct the review within the timeframe prescribed herein shall not invalidate, impair, or otherwise affect the legal enforceability, validity, or operation of this Chapter.

This new section establishes a timeline for review and update, and flags a couple of key considerations for that review. This update will likely occur within the context of the Zoning Upgrade.

Comments

PDA staff has reviewed the proposed amendments and found that the proposed amendments are in compliance with relevant elements of the City's Comprehensive Plan—the Strategic Land Use Plan and Sustainability & Climate Plan—and therefore staff recommends approval of the city-wide zoning text changes.

Strategic Land Use Plan

In February of 2025, the Planning Commission adopted a new Strategic Land Use Plan[3], the land use element of the City's Comprehensive Plan. This plan, the "SLUP", replaced the 2005 Strategic Land Use Plan, which was the first of its kind for St. Louis. The 2025 SLUP is a high-level plan to chart a path forward for the use of land in support of three main goals: ensure St. Louis is equitable, growing, and thriving. The SLUP stresses the importance of remaining an urban center for the region in a way that encourages an appropriate mix of uses to support neighborhoods and economic centers, a more pedestrian-friendly built form, and a city resilient and equitable in the face of a changing climate.

To that end, the SLUP places the whole City into seven categories of land uses: Neighborhoods, Corridors, Nodes, Central Areas, Industrial Areas, Open Space, and Campuses. Most of these designations contain sub-categories that further describe the intended intensity or scale of development expected in these areas.

Data centers are typically considered an industrial use, so the SLUP would encourage an appropriate size and scale of data center uses within the industrial areas, both the Flex Industrial designation and the Core Industrial designation (p. 108). However, the SLUP acknowledges the need for a better integration of modern uses into areas of the city where people live and work. Data center uses of an appropriate human-friendly scale could be incorporated into corridors and nodes, such that they support adjacent sectors and businesses (p. 76). The Central Areas - essentially, the central corridor from the Arch to Forest Park - and Campuses may also be appropriate for these uses. So long as residents and neighbors are protected from the negative impacts of data center uses, the SLUP encourages innovation in the integration between these businesses and the rest of the city. Neighborhoods and Open Spaces are not appropriate for data center uses of any kind.

St. Louis already has robust and growing industries that rely on technology and research. Financial tech, medical research, biotech, agtech, and geospatial technologies could all benefit from an expansion of compute power and data center uses throughout the city. The SLUP wants to find ways to expand and encourage growth in these sectors in a way that is mutually beneficial for residents and business owners alike (p. 196).

The SLUP is also concerned with the long-term livability of the city, especially areas that have seen past (or ongoing) environmental racism and disinvestment. Specific mention is made of the danger that a changing climate, including increased flooding and high heat, can pose to vulnerable communities. The SLUP encourages land use patterns that at worst do not exacerbate these problems, but hopefully help alleviate them (p. 41). Thus, across all industries and sectors, the SLUP encourages more robust landscaping, green buffers, and tree canopies in vulnerable areas or around uses that could worsen urban heat islands (p. 216).

The SLUP also encourages a catalyzed transition away from fossil fuels as an energy source. Large property owners and businesses are encouraged to shift to renewable energy generation, and to invest in modern, resilient energy infrastructure. An expansion of reliance on renewable energy sources by private entities and the City would help achieve the SLUP goal of protecting residents and businesses from rising energy costs (p 212).

The Sustainability & Climate Plan

In 2025, the Planning Commission also adopted a new Sustainability and Climate Plan (SCP)[4]. This plan builds on and ultimately replaces the 2013 Sustainability Plan, which was the first of its kind for St. Louis. The 2025 SCP is implementation focused, geared towards setting tangible goals for making St. Louis a greener, healthier, and more

[3] The full Strategic land Use Plan document can be found at: https://www.stlouis-mo.gov/government/departments/planning/planning/adopte

[4] Read more about the Sustainability & Climate Plan here: https://www.stlouis-

resilient city for decades to come with a target of reducing community emissions by 35 percent by 2030.

Relevant key goals of the SCP are:

1. Reflect the opportunities and needs of disinvested areas, repair past harms, and prioritize action in areas of the greatest need.
2. Reduce residents' and businesses' reliance on fossil fuels, incentivize transition away from coal-powered energy.
3. Abate the effects of increased flooding and urban heat, create a more resilient, proactive, and adaptive, and prepared community (p. 10).

Through these and other goals, the SCP directs relevant city departments to find ways of reducing energy burden on residents, further green our neighborhoods, and identify appropriate resources to support these initiatives.

Priority Action C.5 directs the City to craft and implement an Urban Heat Island Action Plan. This plan should include strategies to de-pave underutilized hardscapes, substantially expand greenspace and the native tree canopy in heat-island zones, and the enforcement of a cool roof policy.

Priority Action E.5 directs the City to develop and implement policies around energy- and water-intensive users, like data centers. These policies should protect current and future residents and businesses from the negative effects of such massive on-site power consumption. Strategies should include methods for capturing waste heat and for reducing the burden on the electrical grid (p. 84).

Public Input

The Planning Commission has conducted two public hearings while developing this zoning text amendment—during the February 11th and May 18th meetings. The public testimony during these meetings, as well as a large body of written testimony provided through a variety of formats, has informed the approach to the regulations as well as to these latest refinements. A summary of the latest round of public comment will be presented during the June 10th meeting.

Planning staff also attended Board of Aldermen hearings on related topics, and incorporated many of those concerns and findings into its research and recommendations.

The Board of Aldermen will also conduct a public hearing as part of the legislative process.

Previous Commission Action

- PDA-004-25-ADM: In April 2025, the Planning Commission flagged data centers as one of several research and zoning policy development priorities as part of its annual prioritization process.

- In September 2025, the Planning Commission unanimously recommended a temporary moratorium until regulations could be established.

Requested Action

Section 26.92.010 of the City of St. Louis Revised Code requires that any amendment or change in the boundaries or regulations of the Zoning Code shall be initiated by motion of the Planning Commission or by the filing of a petition with the Zoning Administrator by the owner or owners of the property within the district.

City of St. Louis Ordinance #64687, Section 8, Sub-Paragraph 1 states that the Planning Commission shall be the official planning agency for the City. It shall also be the zoning commission for the City and perform all functions required by applicable state law to be performed by a municipal zoning commission.

City of St. Louis Ordinance # 71413, Section 8, Sub-Paragraph 4 states that the Planning Commission shall recommend changes in the zoning ordinances and zoning district maps to the Board of Aldermen. No ordinance changing the zoning ordinances and zoning district maps shall be adopted over the negative recommendation of the Planning Commission, unless approved by a two thirds vote of all members of the Board of Aldermen.

Requested Recommendation

That the Planning Commission finds the zoning text change defining and regulating data centers to be in conformity with the City's Comprehensive Plan and recommends approval to the Board of Alderman.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ST. LOUIS PLANNING COMMISSION AS FOLLOWS:

1. The zoning text change to define and regulate data centers is in conformity with the City's Comprehensive Plan.

2. The zoning text change to define and regulate data centers is recommended for approval to the Board of Aldermen.

3. The Executive Director of the Planning and Urban Design Agency of the City of St. Louis is hereby directed to notify the Board of Aldermen of the City of St. Louis of this recommendation.

Exhibits:

A – Updated Zoning Regulations in Consolidated Form

B – Illustration of Setback Requirements

Exhibit A
Updated Zoning Regulations in Consolidated Form

The detailed regulations are presented below. Substantive changes from the May 18 version of the recommendations are highlighted.

1. **New Chapter** (Chapter 26.77: Data Centers)

2. **Purpose** (Section 26.77.010)

   The purpose and intent of this Chapter 26.77, Data Centers, is to define and address the location, establishment, application requirements, and standard conditions for data centers in order to ensure the health, safety, and general welfare of the residents of the City of St. Louis. This chapter seeks to allow for responsible, predictable development of data centers and associated infrastructure, to encourage best practices, limit negative impacts, and establish a foundation for monitoring and accountability.

3. **Definitions** (Section 26.77.020)

   a. **Backup Generators**

   Backup Generators means engines that are designed to be used for utility power outages to provide continuous electricity, preventing data loss, and service disruption.

   b. Baseline Noise Level
   Baseline noise level means a measure of noise, taken at the property line pre-application, that establishes dBA and dBC noise levels averaged over a 60-minute measurement period. Measurements shall include daytime levels (e.g., taken between 7:00 a.m. and 1:00 p.m.,) and nighttime levels (i.e., taken between 10:00 p.m. and 7:00 a.m.).

   c. Cool Roof
   Cool Roof means a roofing system designed to reflect more sunlight and emit absorbed heat with a minimum Solar Reflectance Index of 90.

   d. **Data Center**
   Data Center means a facility used primarily for the storage, management, processing, and transmission of digital data and that houses computer or network equipment, systems, servers, appliances, and other associated components related to digital data storage, processing, and related operations. Data center uses include data storage facilities, server farms, artificial intelligence training or processing, image processing, cloud computing, email servicing, and similar uses. A Data Center may be a primary or secondary use.

   e. Data Center, Major
   Major Data Center means a data center with a Maximum Power Demand of 30 megawatts or more.

   f. Data Center, Micro
   Micro Data Center means a data center with square footage less than 10,000 gross square feet and Maximum Power Demand less than 5 megawatts.

g. Data Center, Standard
Standard Data Center means a data center with square footage of more than 10,000 gross square feet or Maximum Power Demand of more than 5 megawatts but less than 30 megawatts.

h. District Energy System
District Energy System means the Downtown Steam Distribution System and/or the planned Chilled Water Loop.

~~**Expansion**~~
~~*Expansion* means the addition of floor area used for Data Center purposes or an increase in Maximum Power Demand that escalates the applicable classification of Data Center (e.g., Micro, Standard, or Major).~~

i. Green Roof
Green Roof means a vegetated roofing system which is functionally integrated onto a roof area.

j. Local Renewable Energy Credits (RECs)
Local RECs means bundled RECs generated by renewable energy facilities located within the utility service territory, the State of Missouri, or the Midcontinent Independent System Operator (MISO) region, and retired on behalf of the facility.

k. Maximum Power Demand
Maximum Power Demand means the maximum energy draw that the facility may use for critical IT and building systems and equipment, as set by a single agreement with an electric service provider.

l. Public Impact Agreement
Public Impact Agreement means a binding contract for the purpose of protecting the health, safety, and welfare of the residents of the City.

m. Renewable Energy
Renewable Energy means energy derived from wind, solar, geothermal, or other non-depleting sources of renewable energy.

n. Server Room
Server room means an accessory facility with less than 1 megawatt in Maximum Power Demand that supports routine functions of the primary use. Server rooms are not subject to the requirements of this Chapter 26.77.

o. Transit Center
Transit Center means a location where Metro operates a major hub for MetroBus and/or MetroLink stops as identified by their System Maps. Individual bus stops are not Transit Centers.

4. Use Table (Section 26.77.030)

The following Use Table lists how Data Centers are regulated in the various existing zoning districts. Within the table, the user can identify the type of Data Center and how the facility is regulated under

each zone, thus identifying whether the use is Permitted (P), whether it requires a Conditional Use Permit (C), or whether it is prohibited (NA).

Use	A - E	F	G	H	I	J	K	L
Micro Data Center	NA	NA	NA	C	C	C	C	C
Standard Data Center	NA	NA	NA	NA	C	C	C	NA ~~C~~
Major Data Center	NA	NA	NA	NA	NA	NA	C	NA

5. **Application Requirements** (Section 26.77.040)

An applicant seeking a conditional use permit for any new data center or expansion must include the following information as part of their application submission:

1. The classification of the proposed data center (i.e., Micro, Standard, or Major).
2. Elevations and interior floor plans indicating areas dedicated to data center functions and areas planned for other uses (e.g., office, retail, research, etc.), if relevant. Elevations shall include indications of exterior building materials, as well as images and descriptions of adjacent building materials.
3. Site plan clearly identifying the building and its square footage, the location of Backup Generators and cooling equipment, fuel storage and fuel type, parking, landscaping, overhead power (e.g., transmission, distribution lines), on-site battery storage and battery type, on-site battery storage and battery type, on-site substations, any on-site power generation (e.g., solar, wind, etc.), other noise and light-emitting structure and equipment, and any additional critical infrastructure or equipment.
4. Clear annotation, on the site plan or a separate drawing, denoting setbacks for Data Center buildings, Backup Generators, and other noise- and light-emitting infrastructure.
5. Megawattage of Maximum Power Demand.
6. The facility's proposed cooling system, sources of energy, and whether the facility plans to provide its own energy, or to meet its power demands through renewable sources.

An applicant seeking a conditional use permit for any Standard Data Center or Major Data Center must also include the following information:

1. Anticipated end users of the data center, and purpose of the proposed facility, such as: data storage; cloud computing; general artificial intelligence; cryptocurrency mining; surveillance; large language model training; or other business applications.
2. Map indicating the location of any new substations or substation upgrades required for the data center, and the location of new power lines serving the proposed data center. (Any on-site power generation, outside of renewable and backup power sources, shall be prohibited.)
3. The number, size, fuel source, and anticipated testing schedule for Backup Generators.
4. An assessment of any flood risk to the proposed site, and planned mitigation efforts.
5. The expected timeline for commencing construction and operation of the facility.
6. Baseline noise levels, expected noise levels to be generated by the proposed facility's cooling systems, turbines, load banks, and Backup Generators, a proposed testing schedule designed to minimize air quality problems and noise impacts, and the proposed facility's planned sound attenuation and noise reduction measures to limit the emission of noise and prevent disturbances to nearby residents.
7. Fire detection and suppression systems that will be installed at the proposed facility.

8. Whether the user plans to participate in any renewable energy or virtual power plant program, have any onsite renewable energy generation and/or storage, or purchase any Renewable Energy Credits (RECs).
9. Anticipated annual water use and anticipated or committed Power Usage Effectiveness (PUE) and Water Usage Effectiveness (WUE) for both peak and average annual demand.
10. Intent to participate in the state's sales tax exemption program.
11. If new construction, whether and how the proposed facility building's facade, height, massing, and orientation will be designed to be compatible with adjacent properties and the surrounding area.

An applicant seeking a conditional use permit for any Major Data Center must also include the following information:

1. A detailed description of sources and uses of financing for the development.
2. Any community benefits offered by the proposed facility or its operators.
3. An environmental impact report prepared by a third-party professional environmental engineer describing:
    a. Anticipated emissions, and air and water quality impacts, and any plans to mitigate impacts;
    b. Anticipated heat emissions and heat plumes generated by the proposed facility, and any plans to mitigate impacts; and
    c. Anticipated stormwater impacts and mitigation.
4. An economic impact report prepared by a third-party credentialed professional entity describing:
    a. The amount of tax revenue local taxing jurisdictions are anticipated to receive as a result of the proposed development; and
    b. The number of construction jobs and permanent jobs associated with the data center.
5. Whether the applicant has executed an Interconnection Study Agreement, Construction Agreement, and/or Electric Service Agreement with an electric service provider.
6. Plans to remove infrastructure and equipment from the site should the data center cease operation.
7. A letter of attestation from the electricity provider describing any impacts to ratepayers or grid reliability of required new power generation or other infrastructure upgrades to serve the project.
8. Documentation of having advertised and held at least one meeting with community members during which project information is shared, feedback is invited, and questions are answered.
    a. Advertisement: Such a meeting is to be advertised no fewer than 15 days prior to the meeting's date, with notification provided by email to all Registered Neighborhood Organizations having a geographical boundary within a one mile radius of the proposed data center; by email to all Neighborhood Improvement Specialists; by email to relevant City departments and agencies (i.e., Planning & Urban Design Agency, Health Department, Zoning Section of the Building Division, St. Louis Development Corporation); by mail to all residents and property owners within a 1,000 foot radius of the subject property; and by email to all state and local elected officials representing residents of the surrounding 1 mile of the proposed location.
    b. Meeting: ~~Such a meeting is to be held at least 45 days prior to submission of an application to the City.~~ The meeting shall include a presentation of project details required for application, commitments to mitigate impacts to residents and to the environment, and a question and answer period. All major areas of community concern, questions, and feedback shall be documented and provided to the City as part of the application.

c. Feedback Period: During a minimum of 30 ~~45~~ days following the Meeting, the applicant shall invite and document community feedback. Applications shall not be submitted within a minimum of 30 ~~45~~ day Feedback Period.

In the event that an applicant is unable to provide any of the above information, the applicant shall, in writing as part of their application, indicate that they are unable to provide the information and also describe the reason this information cannot be provided. It shall be acceptable to exclude required information if it is confidential according to state code or federal law.

6. Site Requirements, Design Requirements, and Standard Conditions (Section 26.77.050)

Data Centers shall comply with the following site requirements, design requirements and standard conditions:

a. Location Requirements

i. Data Center buildings, Backup Generators, and other associated noise- or light-emitting infrastructure shall have the following setbacks from the lot lines of parcels zoned A, B, C, D, E, F, and G, parcels containing a light rail station or transit center, and parcels containing a school or public park:

1. 150 feet for Micro Data Centers;
2. 300 feet for Standards Data Centers; and
3. 600 feet for Major Data Centers.

ii. Data Centers may only be permitted if their location substantially aligns with the Strategic Land Use Plan of the City's Comprehensive Plan.

~~- Micro Data Centers: No Micro Data Center shall be situated on a parcel with any of its lot lines within 150 feet of another parcel, or fraction thereof, containing a light rail station or transit center, zoned A, B, C, D, E, F, G, or containing a school or public park.~~

~~- Standard Data Centers: No Micro or Standard Data Center shall be situated on a parcel with any of its lot lines within 300 feet of another parcel, or fraction thereof, containing a light rail station or transit center, zoned A, B, C, D, E, F, G, or containing a school or public park.~~

~~- Major Data Centers: No Major Data Center shall be situated on a parcel with any of its lot lines within 600 feet of another parcel, or fraction thereof, containing a light rail station or transit center, zoned A, B, C, D, E, F, G or containing a school or public park.~~

b. Area Standards

i. The facility shall comply with the Height and Setback limitations of the underlying zoning district.
ii. The facility shall provide 1 off-street parking space for every 5 permanent employees.
iii. The building shall not exceed 500,000 square feet in total gross floor area.
iv. In the H, I, and L Districts:

1. A new Data Center within a building ~~uses~~ within 300 feet of an existing Data Center may only be allowed if the data center use comprises less than 30 percent of the gross square footage of a structure. Data Center uses on the same parcel as the proposed new Data Center do not trigger this cap.
2. ~~Data Center uses shall not exceed more than 50 percent of the gross ground floor area of any building with street frontage.~~ At least 50 percent of the gross ground floor area of any building with street frontage shall be reserved for active uses such as office, retail, institutional uses, and residential amenities,

and shall not be used for inside storage or vehicle parking. For the purposes of this section, a building with street frontage is any building located within 50 feet of a street right-of-way line.

c. Noise and Vibration Controls

i. The facility shall have no unabated nuisance violations.

ii. The facility shall be subject to provisions of Ordinance 68130 or its successor.

iii. Noise levels shall not exceed 5 dBC above the Baseline Noise Levels, as measured from the property line, as reported prior in the application, during standard operation. If Baseline Noise Levels exceed what is permitted by the noise ordinance (Ordinance 68130), or if the noise ordinance does not establish a specific dBA level for the relevant zoning district, then noise levels shall not exceed 5 dBA or dBC above the Baseline Noise Levels. ~~both dBA and dBC standards shall not exceed 5 dBspecific dBA and dBC measures shall be established in consultation with the Health Director/Commissioner or his/her designee.~~

d. Building Systems & Equipment Design & Screening

i. The building shall be designed and operated with a Cool Roof, Green Roof, or rooftop photovoltaic solar panels to reduce urban heat impacts.

ii. All exterior equipment and equipment areas shall be visually screened in order to limit visibility from the right of way, adjoining parcels, and nearby thoroughfares or highways.

iii. Noise-emitting equipment, such as Backup Generators, shall be physically enclosed within acoustically treated structures and placed away from primary frontages.

iv. All exterior and rooftop cooling equipment, and any other infrastructure to provide a visual and acoustic barrier from the property line and surrounding area, shall be enclosed or screened. Enclosures and screens shall be opaque to obstruct from view and reduce frequency and vibrations.

v. On-site fuel storage shall be visually and physically screened, and set back at least 20 feet from the property line.

e. Site & Urban Design Standards

i. All principal and accessory structures and energy systems associated with a Data Center shall be arranged, designed, and constructed to be harmonious and compatible with the site and with the surrounding properties. Data Centers that visually approximate commercial office buildings are encouraged. All Backup Generators and other external equipment shall be located to the side or rear of the Data Center building.

ii. Properties shall be well landscaped. A tree lawn not less than 3 feet in width along all public streets shall be required where setbacks, underground infrastructure, and available right of way make it practicable, and where this regulation does not conflict with streetscaping designs or plans of the Board of Public Service, Community Improvement Districts, or other formal entities. Street trees shall be installed in the tree lawn, between the public sidewalk and public street, when the tree lawn has sufficient width, or street trees with grates shall be installed in public sidewalks where the sidewalk has sufficient width with a maximum of 25 feet between trees. All street trees shall be irrigated. In the K district, Data Centers may install a landscape berm as an alternative to a tree lawn. Additional landscaping requirements may be included in a Public Impact Agreement.

iii. Surface parking shall be placed at the rear or side of the building and shall not extend beyond the established building line.

iv. Primary structures shall include these design features:

1. Windows, doors, or similar fenestration shall be distributed both horizontally and vertically and comprise at least 30 percent of the façades.
2. Glass transparency on windows shall be greater than 80 percent. Faux windows and covered windows are prohibited.
3. Signs must meet the requirements of the underlying code.
4. At least one main entrance that projects or is recessed from the main building plane, and is differentiated from the remainder of the building façade, is required.
5. Exterior materials shall be compatible in type and texture with the dominant materials of adjacent buildings. Artificial masonry, EIFS, and cementitious fiberboard are not permitted.
6. All loading and unloading areas, including overhead doors, shall be oriented towards the side or rear property lines away from public roadways. Loading docks are not permitted in the front or street side yards and shall not be oriented towards the front property line.
7. Projects located in local historic or form-based districts are subject to the design standards of that district.

f. Water Responsibility

i. The facility shall not operate with a cooling system that solely relies on Evaporative Cooling. Evaporative Cooling means a highly water-intensive process that uses water evaporation to cool air for the facility's temperature regulation.

ii. The facility shall achieve and maintain compliance with all wastewater discharge standards set by the Metropolitan St. Louis Sewer District.

iii. Applicants for Standard and Major Data Centers shall enter into written agreement(s) with the St. Louis City Water Division to:

1. Fund any and all fees required for data centers or new large load users that could be identified out of a cost of service study prior to receiving a building permit.
2. Fund any and all system impact fees required for data centers or new large load users that could be identified out of a cost of service study including the cost of a hydraulic model study and rectifying any detrimental impact on existing customers determined by the study prior to receiving a building permit. Prior to a cost of service study's completion, an agreement may also establish a short-term rate.

g. Backup Power Systems

i. All Data Center applicants are encouraged to minimize the use of diesel, and maximize the use of batteries or natural gas as backup power sources.

ii. Except for Backup Generator testing or commissioning activities, Backup Generator use is limited to backup/emergency use only. Backup Generators may never be used as a general operating power source for day-to-day operation of the facility. The facility may not commence operation until complete electric service is provided to the site, and Backup Generators may not be used as a power source in the event of a delay in electric service.

iii. Backup Generators shall be fully enclosed within the primary structure or an exterior structure, except for penetrations necessary for the safe and lawful operation, maintenance, or testing of the generator and its supporting systems, including but not limited to intake air, exhaust, cooling, fuel, fluid and electrical connections.

iv. Backup Generators shall utilize the cleanest certified emissions tier. Certificates of Conformity demonstrating Tier 4 / NSPS Subpart IIII requirements (if diesel), or level of certification (if not diesel), of all equipment shall be provided prior to any such equipment's testing or use.

v. Backup Generators shall meet the performance requirements of the most recent National Fire Protection Association (NFPA) standards for Emergency and Standby Power Systems.

vi. Backup Generators shall be tested only between 10am and 5pm, Monday through Friday.

vii. Backup Generators shall not be tested on ~~bad air quality days, defined as~~ days when the St. Louis Air Quality Index (AQI) is above 100. Standard and Major Data Centers shall not test Backup Generators on days when the AQI is above 50.

h. Environment, Energy & Infrastructure Standards

i. As practicable, facilities shall achieve and maintain LEED certification or certification through a similar green building program for the direction of the data center's operation.

ii. Facilities shall achieve and maintain a peak Power Usage Effectiveness (PUE) of 1.35 or better.

iii. Facilities shall dispose of all electronic waste in an environmentally appropriate manner through the duration of the data center's operation, and maintain an active contract with an R2-certified (Responsible Recycling) or e-Steward certified contractor.

iv. Facilities shall not commence operation until a letter verifying adequate power capacity and infrastructure to serve the facility is provided by an electric service utility.

v. Facilities shall connect to District Energy Systems if located within 50 lineal feet of an existing line existing at the time of submission for zoning approval.

vi. Facilities shall not commence operation until a District Energy Willing to Serve letter from a district energy provider is provided. Such a letter shall confirm the system is prepared to extend service to the site, or serve as a written waiver explaining why extension is not feasible.

vii. Facilities shall, when feasible, use battery storage for electrical load for ancillary, non- data processing uses such as lighting and outlets in an adjacent office space.

viii. All outdoor lighting shall meet the standards of the Dark Sky Initiative or other Bird City recommendations to reduce light pollution.

ix. Facilities shall ensure any heat plumes created by the facility are adequately dispersed at the property line to avoid adverse impacts on the health or well-being of individuals outside of the property.

x. Standard and Major Data Centers:

1. Facilities shall achieve and maintain a minimum of 50 percent of annual electricity consumption from renewable energy by the end of its 5th year of operation through the electric utility's renewable energy programs, PSC-approved large-load renewable energy programs, clean energy riders, and/or onsite renewable energy generation and storage, including participation in virtual power plant programs.
2. Facilities shall achieve and maintain 95 ~~100~~ percent of annual electricity consumption from renewable energy by the end of its 10th year in operation through the electric utility's renewable energy programs, PSC-approved large-load renewable energy programs, clean energy riders, and/or onsite renewable energy generation and storage, including participation in virtual

power plant programs.

3. Up to 25 percent of these requirements may be fulfilled through Local RECS. No more than 25 percent of RECs can be used at any point to meet the requirements.
4. For each megawatt-hour of annual electricity consumption by which the facility fails to meet the applicable renewable energy requirement, the facility shall be subject to a noncompliance penalty of 125 percent of the market rate for a bundled, retired REC from the MISO region until the shortfall is cured.

i. Reporting Requirements for Standard and Major Data Centers

i. Facilities shall comply with all applicable environmental, energy, water, and other reporting requirements established by the City. ~~Until such separate requirements are in effect, the below shall apply:~~

ii. The interim reporting requirements established under subsection (iii) shall expire and be of no further force or effect upon the effective date of a City ordinance governing Data Center Environmental Impact Monitoring.

iii. The following interim reporting requirements shall apply to Standard and Major Data Centers:

1. Noise: Annually provide a report to the Health Director/Commissioner (or his/her designee), with copy to the Zoning Administrator, a third-party report, created by an entity acceptable to the Health Director/Commissioner, of noise emissions to verify compliance with relevant standards and identify other issues and mitigation strategies. The first annual report shall occur within 30 days of the data center commencing operation. Subsequent annual reports shall reflect readings taken between the months of June and August, and submitted by September 30. Readings should be taken at the parcel line of all joining parcels or parcels directly across a street or alley from the parcel containing the data center, and shall compare noise levels to daytime and nighttime Baseline Noise Levels. The report shall include a measure of both dBA and dBC sound levels.
2. Heat Impacts: Annually report waste heat rejected to the outdoor environment, the quantity of waste heat recovered or reused, and the dispersion of heat plumes during summer design conditions or the hottest days of observation in order to assess urban heat impacts and mitigation strategies.
3. Renewable Energy: Provide an annual report verifying compliance with relevant requirements to the Executive Director of the Planning and Urban Design Agency or his/her designee, with copy to the Zoning Administrator, no later than July 30 of each year.
4. Air Qualitys: All reports to the Missouri Department of Natural Resources verifying compliance with Clean Air Act and Air Permit standards, including the actual testing schedule for Backup Generators during the reported period, shall be shared, via copy, to the Health Commissioner or his/her designee.

j. Public Impact Agreement – Major Data Center

i. When approving a conditional use permit for a Major Data Center, the Board of Public Service shall, as an additional condition necessary to ensure the use complies with the standards of Section 26.80.010, subsection E, require the applicant to enter into a Public Impact Agreement with the City. The Director of Public Utilities, or

other departmental director serving on the Board of Public Service who is designated by the Board of Public Service, is authorized to execute on behalf of the City the Public Impact Agreement in accordance with this Chapter. A copy of the executed Public Impact Agreement shall be provided to the Building Commissioner, with a copy to the Zoning Administrator, before a building permit is granted. If the Board of Public Service determines that an event constituting default of the Public Impact Agreement has occurred, it may revoke the conditional use permit in accordance with the procedure in Section 26.100.030.

ii. The contents of the Public Impact Agreement shall be determined based on the site-specific context of the Major Data Center and its anticipated impact on adjacent parcels, occupants and public infrastructure. For the purpose of protecting the health, safety, and welfare of the surrounding community and residents of the City, the contents of the Public Impact Agreement may address issues ~~the following,~~ including but not limited to:

1. Providing tangible benefits to the community by mitigating site-specific impacts on adjacent land use, public infrastructure and the general welfare, such as: noise; air quality; energy usage, including the percentage of energy derived from clean energy sources; water usage; and wastewater treatment and disposal. Benefits to the community:
    - **a.** May be in the form of the dedication of lands for public use or impact fees; and
    - **b.** Must be related to the Data Center development activities that are the subject of the application; and
    - **c.** Must be supported by an individualized determination that the benefit to the community is roughly proportional in scale to the impact being addressed. The individualized determination shall be made by the Board of Public Service, or a departmental director serving on the Board of Public Service designated by the Board of Public Service.
2. Additional provisions related to site design, as determined by the Board of Public Service to satisfy the standards of Section 26.80.010, subsection E, and which address site design aspects of the Data Center such as: landscaping; buffer, screening and fencing; exterior lighting; thermal heat mitigation; cooling systems; and Backup Generators.
3. Long-term operational commitments, such as: noise testing; electronic waste disposal; decommissioning; community feedback and engagement commitments before and during operations; and emergency management.
4. Enforcement, including that the agreement may be enforced by revocation of the applicant's conditional use permit and other remedies available at law.

iii. The requirements contained in this Chapter applicable to Major Data Centers shall be considered minimum standards which may be modified upon mutual agreement of the City and the applicant.

iv. No provision in a Public Impact Agreement shall be construed as a binding promise by the City to refrain from independent exercise and enforcement of the Zoning Code.

v. The Public Impact Agreement shall be approved by the Board of Public Service and by resolution of the Board of Aldermen prior to the granting of a building permit.

7. Applicability (Section 26.77.060)

Unless expressly stated otherwise, Data Centers shall demonstrate compliance with the standards in this Chapter before modifications to the property or building ~~or maximum power demand~~ are made as set forth below:

a. New Facility. Full compliance is required for new Data Centers.
b. Expansions. Full compliance is required for any enlargements or structural alterations to an existing facility, as established by Sections 26.16.020 and 26.16.050. ~~improvements or modifications that constitute an Expansion as defined in this Chapter. Full compliance with this Chapter is required for the full facility.~~
c. Existing Facilities and Previously Approved Facilities. Subject to the provisions of subsection (b), any Data Center lawfully in use or approved by conditional use permit as of the Effective Date of this Chapter shall be considered an existing Nonconforming Use and/or Nonconforming Structure as defined in Section 26.08.330-26.08.331 and may be continued without regard to the provisions of this Chapter, except that discontinuation of the lawful Data Center shall be subject to the provisions outlined in 26.16.060. Conditional use permits approved prior to the effective data of this Ordinance shall be subject to the standard provisions outlined in 26.80.010.D.5.

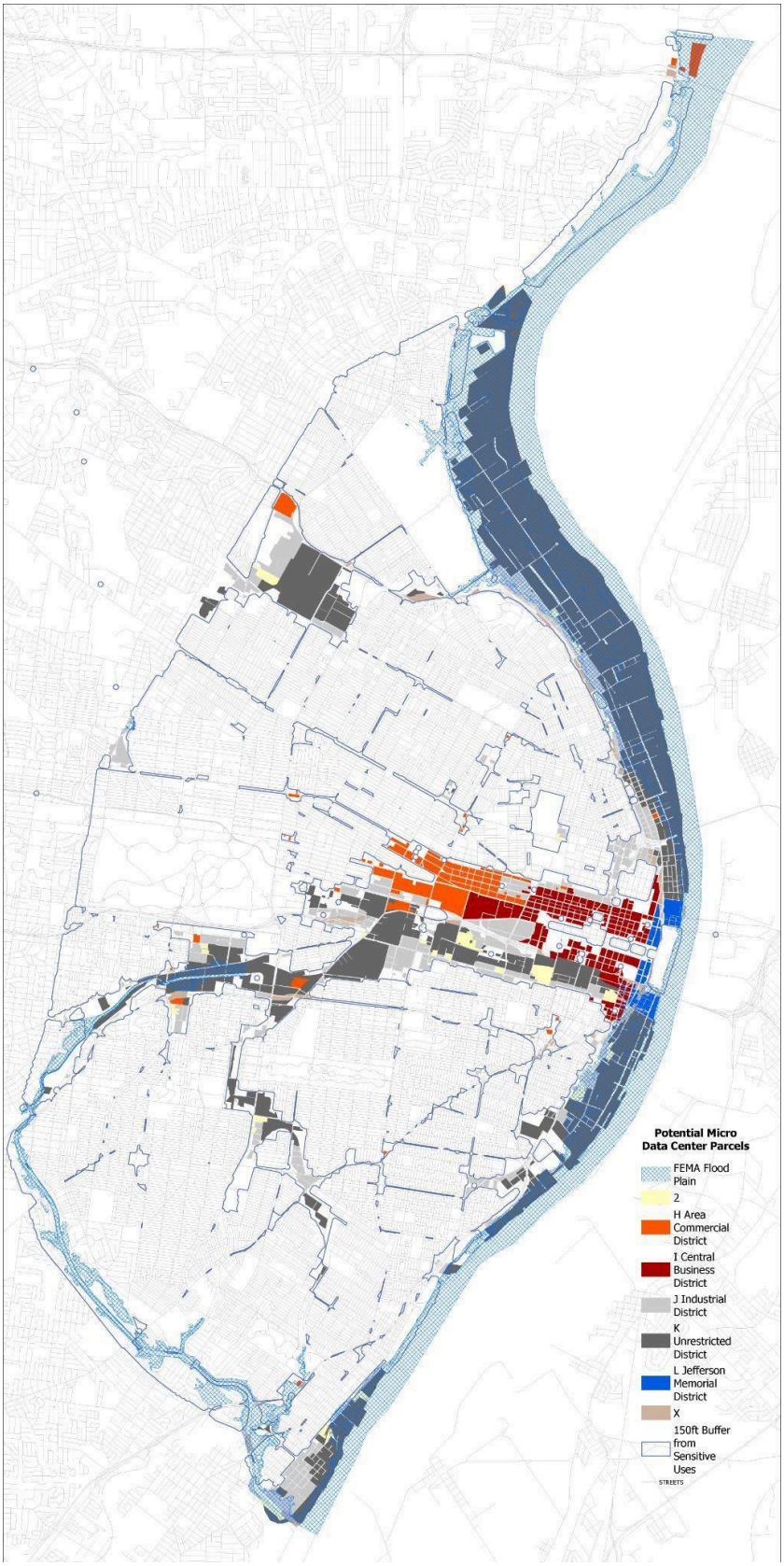
8. **Application Review Process** (Section 26.77.070)

The Zoning Administrator shall provide application materials for any Standard or Major Data Center to the Executive Director of the Planning & Urban Design Agency, the Commissioner of Health, the Fire Marshall, the Department of Public Utilities, including its Water Division, the St. Louis Metropolitan Sewer District, relevant district energy service providers, and the Office of Building Performance. Upon receipt of materials, these entities shall then have no less than 30 days to review and provide findings and recommendations to the Zoning Administrator before a recommendation is submitted to the Board of Public Service. Review by relevant parties may occur in parallel.

9. **Deadline for Review** (Section 26.77.080)

The Planning Commission of the City of St. Louis shall take up review of this Chapter no later than 2 years from the Effective Date of this Chapter 26.77 in order to determine necessary changes that respond to evolutions in technology or increased understanding of impacts and opportunities. This review will include an assessment of renewable energy supply and compliance pathways, and an assessment of megawattage thresholds between data center classifications. This requirement for review is directory and not mandatory. The failure of the Planning Commission to conduct the review within the timeframe prescribed herein shall not invalidate, impair, or otherwise affect the legal enforceability, validity, or operation of this Chapter.

Exhibit B: Illustration of Setback Requirements



Micro Data Centers

The map to the left helps illustrate where Micro Data Centers (those less than 10,000 square feet or 5 megawatts in size, would be conditionally allowed.

Areas shown as negative space are parcels where a Micro Data Center is not allowed, due to their zoning designation and/or the 150-feet buffer from residential areas, neighborhood commercial districts, schools, and parks.

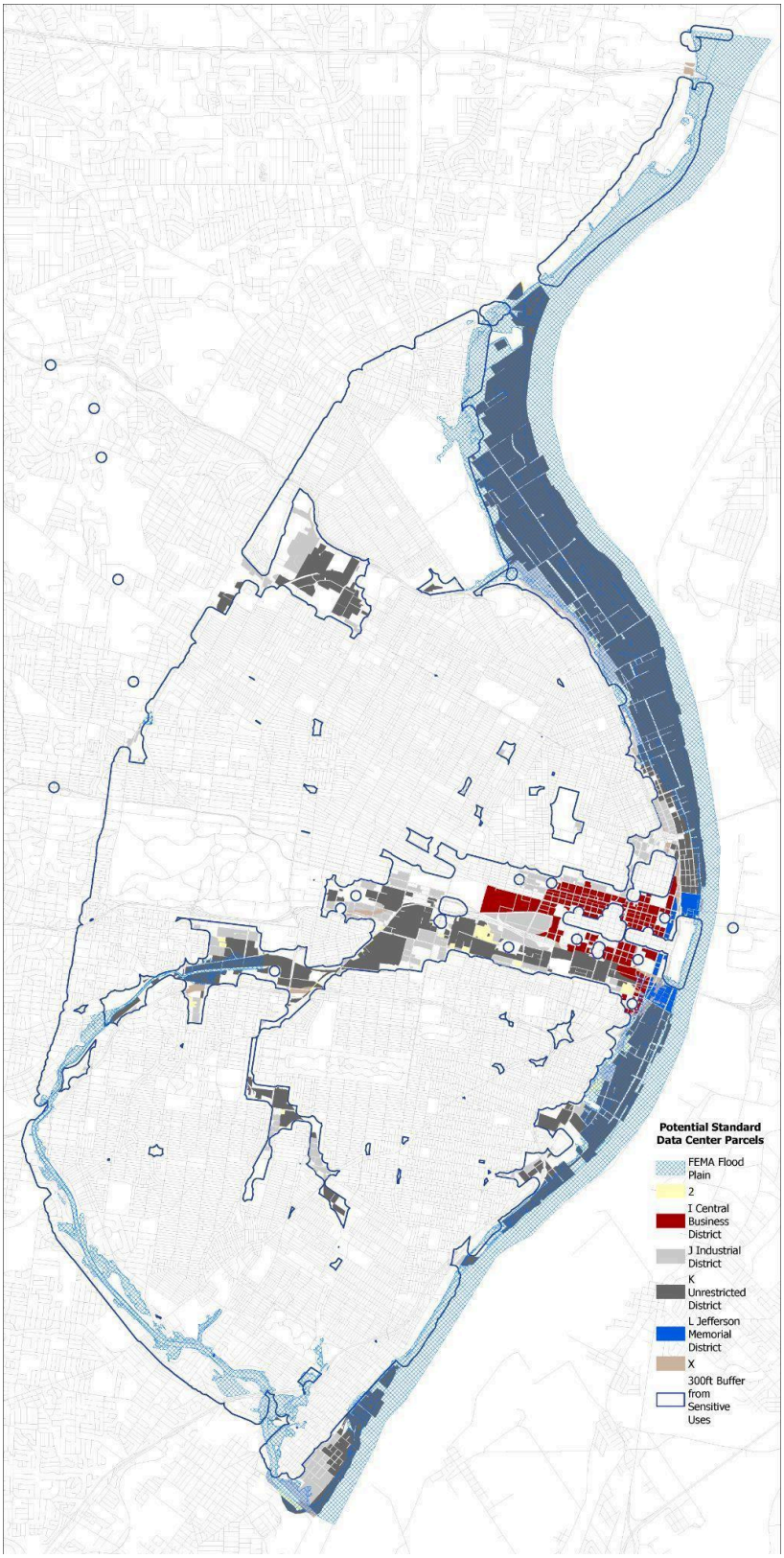
Areas shown with color indicate parcels, by zoning district, where Micro Data Centers would be conditionally allowed.

The light blue hatch illustrates FEMA-designated flood plains, in which data centers likely would not be located.

Note:

Staff are in the process of developing new maps that clearly illustrate the new measurement methodology.

These will be presented during the Planning Commission meeting.



Standard Data Centers

The map to the left helps illustrate where Standard Data Centers (those more than 10,000 square feet or 5 megawatts in size, but less than 30 megawatts) would be conditionally allowed.

Areas shown as negative space are parcels where a Standard Data Center is not allowed, due to their zoning designation and/or the 300-foot buffer from residential areas, neighborhood commercial districts, schools, and parks.

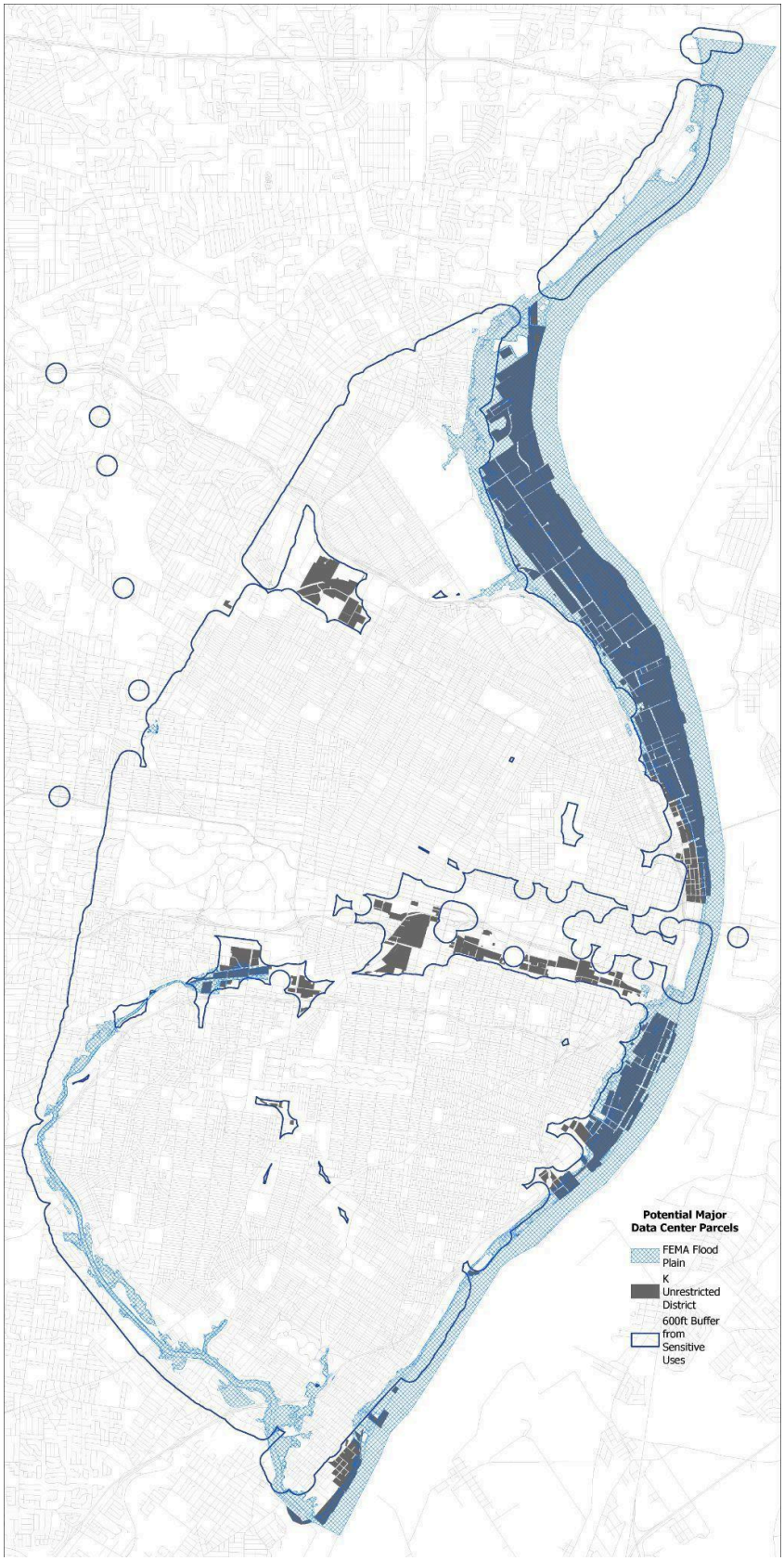
Areas shown with color indicate parcels, by zoning district, where Standard Data Centers would be conditionally allowed.

The light blue hatch illustrates FEMA-designated flood plains, in which data centers likely would not be located.

Note:

Staff are in the process of developing new maps that clearly illustrate the new measurement methodology.

These will be presented during the Planning Commission meeting.



Major Data Centers

The map to the left helps illustrate where Major Data Centers (those more than 30 megawatts in size) would be conditionally allowed.

Areas shown as negative space are parcels where a Major Data Center is not allowed, due to their zoning designation and/or the 600-foot buffer from residential areas, neighborhood commercial districts, schools, and parks.

Areas shown with color indicate parcels, by zoning district, where Major Data Centers would be conditionally allowed.

The light blue hatch illustrates FEMA-designated flood plains, in which data centers likely would not be located.

Note:

Staff are in the process of developing new maps that clearly illustrate the new measurement methodology.

These will be presented during the Planning Commission meeting.

RETURN TO:

CLERK, CITY OF TROY
116 E. MARKET STREET
TROY, ILLINOIS 62294

CITY OF TROY

ORDINANCE NO. 2025-46

AN ORDINANCE OF THE CITY OF TROY, ILLINOIS ESTABLISHING XV LAND USE, CHAPTER 154, SECTION 154.070: DATA CENTERS OF THE CODE OF ORDINANCES

ADOPTED BY THE CITY COUNCIL OF THE CITY OF TROY

THIS 17th DAY OF NOVEMBER 2025

ORDINANCE NO. 2025-46

AN ORDINANCE OF THE CITY OF TROY, ILLINOIS ESTABLISHING XV LAND USE, CHAPTER 154, SECTION 154.070: DATA CENTERS OF THE CODE OF ORDINANCES

WHEREAS, the City of Troy, Illinois, seeks to establish clear and comprehensive regulations governing the development, operation, and design of data centers within the City; and

WHEREAS, data centers are significant infrastructure components supporting digital, cloud, and business computing needs, which require specialized zoning, design, and utility considerations; and

WHEREAS, the Planning Commission of the City of Troy has reviewed, discussed, and recommended adoption of these standards to ensure public health, safety, and welfare; and

WHEREAS, the City Council of the City of Troy, Illinois, finds it to be in the best interest of the City and its residents to adopt such regulations to promote orderly growth, environmental protection, and compatible land use.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TROY, MADISON COUNTY, ILLINOIS AS FOLLOWS:

Section 1: The facts and statements contained in the preamble to this Ordinance are found to be true and correct hereby adopted as part of this Ordinance.

Section 2: The Troy Municipal Code, Title XV: Land Usage, Chapter 154: Zoning Ordinance Section 154.070 Data Centers shall be added to read in their entirety, as follows:

§ 154.005 DEFINITIONS.

DATA CENTER. A data center is a physical facility that houses computer systems, servers, storage devices, and networking equipment. The facilities are designed to support the storage, processing, and distribution of large amounts of data for organizations. Data centers play a crucial role in enabling various online services and applications, including cloud computing, e-commerce, and social media.

§ 154.070 DATA CENTERS.

(A) Purpose and applicability: Data centers provide a centralized location for an organization's IT infrastructure, enabling them to manage and access their data and applications efficiently. They typically include servers, storage systems, networking equipment (like routers and switches), and power and cooling systems. Data centers are the backbone of the digital world, supporting everything from online banking and email to streaming services and social networks. Data centers can be owned and operated by a

single company, shared by multiple companies (colocation), or provided as a service by specialized companies (cloud providers).

1. Special Use Permits. Data center facilities, as defined herein, require a special use permit in the respective district in which they are allowed and comply with § 154.141 Special Use Permits.
2. In determining compliance with § 154.141 Special Use Permits, the following components of the data center facility shall be evaluated based on the entirety of the circumstances affecting the particular property in the context of the existing and intended future use of the property:
    a. Impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.
    b. Proposed structure in which the facility will be located.
    c. Anticipated parking demand and available private parking supply.
    d. Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.
    e. Anticipated utility demand and confirmation by the provider that facilities are adequate.
    f. Noise study to demonstrate environmental impact on surrounding properties.
    g. Site design, including access points and internal site circulation.
    h. Proposed signage plan.
    i. Compliance with all requirements as provided in the Design guidelines section below.
    j. Other criteria determined to be necessary to assess compliance with § 154.141 Special Use Permits.

(B) Design guidelines. The following design guidelines are the basis for reviewing and approving Special Use Permits. They illustrate key elements and design strategies for planning approval, design, construction, and landscaping of the development. They are designed to ensure compatibility with surrounding areas by minimizing noise, dust, traffic, light, and other negative environmental impacts.

1. Data Centers are permitted only in the I-2 General Industry zoning district and with a special use permit under § 154.141 Special Use Permits.
    a. Lot and dimensional standards shall be as required by the zoning district except as amended herein:
        1. *Setbacks from public rights-of-way:* There shall be a 100-foot minimum setback from the principal and accessory structures adjacent to a public right-of-way
        2. *Minimum building side and rear setback:* 50 feet
        3. *Residential setbacks:* There shall be a 200-foot building setback from any district where residential dwellings are a permitted use.

b. Building design.

1. *Building Height:* Height requirements shall comply with § 154.032 of I-2 General Industrial with additional height considerations with additional setbacks as approved as a condition of the Special Use Permit.

1. *Building elevations:* All primary and accessory structures shall be constructed with complementary materials on all elevations, employing a consistent design approach, harmonious character, and matching façade colors.

2. *Accessory buildings:* Accessory or ancillary buildings, whether attached or detached, shall be constructed with similar design, materials, and construction as the nearest primary structure, if they are visible from a public street right-of-way or adjacent properties not zoned I-1 or I-2.

3. *Roof-mounted equipment:* All roof-mounted equipment shall be thoroughly screened on all four building sides with materials that are consistent and harmonious with the building's façade and character. This screening shall be provided to screen the equipment from off-site view and to buffer sound generated by such equipment. Solar energy systems need not be screened to the extent that the screening prevents or limits functionality or accessibility to direct sunlight. The City shall permit additional exceptions for equipment that is not visible to the public and demonstrates compliance with noise regulations.

c. Landscaping and screening.

1. *Landscaping in setback areas:* The first 50 feet of the minimum setback areas defined in Section (a) Lot and dimensional standards shall be landscaped with the following landscaping features. When a setback area abuts a natural amenity such as a stream, park, or other open space, the landscape plan should integrate with and respect the natural integrity of the amenity. Detention and retention ponds must be designed to be physically, functionally, and visually integrated into adjacent landscape areas.

2. *Berms:* A minimum six-foot-tall berm planted with native species shall be provided within all minimum setback areas, excluding side and rear yard setbacks that are not wide enough to accommodate such a berm. A berm shall not exceed a slope of 3:1 (i.e., for every three feet of horizontal run, the vertical height is one foot) and should be graded to appear as a curvilinear, naturalistic form.

3. *Native Woodland Restoration:* Setback areas shall be planted and restored with a combination of native trees and shrubs indigenous to the area and the property.
    a. Plant diversity: Plantings shall consist of a mixture of species native to the area, with no single species comprising more than 25% of the total plantings.
    b. Distribution: The distribution of plantings within the setback areas shall be designed and certified by a licensed landscape architect. Trees shall be planted at a density no less than one tree per 400 square feet of screening area. The Zoning Administrator may approve alternative compliance landscape plans for projects that implement low-impact development practices or seek sustainable development or green building certifications from nationally recognized organizations, such as the International Code Council, the U.S. Green Building Council, the International Living Future Institute, the U.S. Green Building Initiative, or SITES.
    c. *Protection*: All seedlings shall be protected with four-foot-high protective, biodegradable tree tubes.
    d. *Maintenance:* Newly installed plant material shall be properly maintained in the first two years after planting.
    e. *Native seeding:* Native seeding shall be planted surrounding all trees.
4. Fencing and screening.
    a. No fence may exceed 12 feet in height.
    b. Screened fencing shall include solid masonry, pre-cast, or stone walls.
    c. Security fencing shall be limited to decorative metal fencing, barbed or razor wire may not be used within setback areas.
    d. Any alternative fence design that does not adhere to § 154.047 Fences and Walls standards may be considered and approved by the Planning Commission as part of a Building, Site, and Operational Plan submittal.
5. Mechanical equipment.
    a. Mechanical equipment such as meter boxes, utility conduits, roof and wall projections such as vent and

exhaust pipes, and trash containers visible to the public shall be screened using parapet walls (when on rooftops), opaque fences or walls at least four feet in height located no further than 10 feet away from the subject equipment. Solar energy systems are not included.

b. Cooling towers, generators, and similar major equipment shall be screened from public view using fences, walls, landscaping, or buildings themselves. The method of screening should be architecturally integrated with the principal building in terms of materials, colors, shape and proportions.

6. Service and loading areas.

a. Service and loading areas must comply with § 154.088 and § 154.089.

b. All service and loading areas visible to the public shall be screened using opaque fences or walls at least eight feet in height, located no further than 10 feet away from the subject area.

7. Sound walls. A masonry or decorative concrete wall no taller than 24 feet in height may be installed surrounding utility areas or for noise mitigation purposes only.

d. Sound/noise.

1. Stationary noise levels shall not exceed 60dB (daytime)/ 55dB (nighttime) adjacent to Residential Land Use nor 70dB (anytime) when adjacent to any Non-Residential Land Use.

2. If the stationary noise source emits noise containing a discrete tone, the permissible levels shall be 5dB lower than the applicable levels.

3. If the stationary noise source emits impulsive noise, the permissible levels shall be 5dB lower than the applicable levels.

4. If both a discrete tone and an impulsive noise are omitted, the permissible levels shall be 10dB lower than the applicable levels.

5. The Planning Commission may approve alternative noise mitigation measures if it is demonstrated that they are equivalent to or superior to the existing noise abatement measure stated in this section.

6. With an application for rezoning, a sound study of the proposed property shall be submitted showing existing ambient noise levels at property line prepared to industry standards.

7. At the start of data center operations, if noise levels exceed the allowable thresholds, the developer or property owner shall implement mitigation measures, including but not limited to acoustically treated enclosures for generators, cooling systems, and other operational equipment, and shall design all measures to reduce or redirect sound impacts on adjacent properties, such as directing sound upward or through other effective methods.

8. Within six (6) months of the issuance of a Certificate of Occupancy for each building, the city may obtain or require the data center operator to provide a post-construction sound study confirming continued compliance with these standards.

9. Noise levels may be adjusted based on recommendations by the City staff based on pre-construction noise studies.

e. Parking and circulation.

1. All parking and circulation shall comply with § 154.080 through 154.089.

2. Parking shall be designed to minimize conflicts between automobiles and pedestrians and create a clearly organized system of entrances, driveways, and parking lots and facilities, while still providing adequate and convenient parking spaces.

3. Parking lots and driveways shall be designed for sufficient movement to avoid conflict with vehicular traffic in the street.

4. "Gated parking" is discouraged, but if required, shall be designed to prevent traffic queuing onto a public street. All gated parking areas shall be located in the rear of the building.

5. Large parking areas shall have sidewalk connections to the building entry areas which are safe and attractive.

6. Adjacent properties should be adequately screened from parking structures and lots.

7. No parking shall be permitted on any public street or access road or at any place other than the paved parking spaces provided.

f. Lighting

1. All lighting shall comply with § 154.081 (G) Lighting and supplemented as follows:
    a. Cut-Offs and Shielding. In addition to the referenced section, property owners shall fully shield luminaires emitting more than 1,000 lumens. Those luminaires shall emit no more than 5% of their total Lumen output above 80 degrees from the nadir.
    b. Accent and Architectural Lighting. Property owners shall recess and direct all accent lighting downward onto the illuminated object or area. They may not install accent light emissions visible above any roofline, building, or other associated structure.
    c. Fixture Height. No property owner may install a freestanding fixture within 300 feet of a property line that exceeds 18 feet in height
    d. Safety and Utility Structure Lights. Strobes, emergency, safety, and utility lights are prohibited unless they are for safety; however, property owners may only utilize red strobe lighting at night.
    e. Construction Lighting. The City permits temporary lighting that property owner's shield for construction activities to prevent glare and light spillover and turn it off during non-construction hours.

(C) Submittal Requirements: Applications must include, at a minimum:

1. Completed Special Use Permit application.
2. Copy of recorded deed (s) showing ownership of the subject property.
3. Electronic copy of the legal description that is editable.
4. Plat of survey (to scale) from a professional land surveyor. Survey must include scale, north arrow and dimensions of the subject property.
5. Affidavit of owner's consent (if applicable).
6. Disclosure of beneficiaries (if applicable).
7. The application fee shall be calculated in accordance with the City's current Commercial Permit Fee Calculation schedule of .0045 x the square footage x the cost of construction per square foot.

8. The results and recommendations from the consultation with the Illinois Department of Natural Resources obtained through the Ecological Compliance Assessment Tool (EcoCAT) or a comparable successor tool

9 The results of the United States Fish and Wildlife Service's Information for Planning and Consulting environmental review or a comparable tool.

10. Evidence of consultation with the Illinois State Historic Preservation Office to assess potential impacts if any state-registered historic sites under the Illinois State Agency Historic Resources Preservation Act are present on-site or in the vicinity (if applicable).

11. Proof of compliance with noise regulations of the Illinois Pollution Control Board (if applicable).

12. Preliminary site plan identifying the following:

    a. Subject property including the property lines, setback lines, and right-of-way lines.

    b. Physical features, including but not limited to roads, floodplain (s) with baseline flood elevations (if applicable), wetland (s) (if applicable), existing and proposed building (s) (if applicable), solar panels and equipment (number, location, and spacing of solar panels/arrays). Proposed locations of underground or overhead electric lines and utility poles, landscaping, and detention fencing.

    c. Identification of proposed construction and ongoing maintenance routes from the nearest arterial road as detailed on a map.

    d. Visual screening report that includes the following:

        1. A map of homes within three hundred feet (500') of the facility.

        2. Locations and type of existing vegetation that provides screening of views of the facility.

        3. Topographic features that provide screening of the facility.

13. Interconnection service agreement or evidence of filing required interconnection service applications with the electric utility.

14. Operation and maintenance plan including measures for maintaining safe access to the installation, storm water controls, landscaping maintenance, as well as general procedures for operation and maintenance of the installation.

15. Proof of liability insurance.

16. Preliminary emergency services plan, including but not limited to the project summary, electrical schematic and means of shutting down energy systems throughout the life of the installation, and fire protection and response plan.

17. Copies of all leases for the subject property (if applicable) (the parties to and amount(s) of rent in any such lease may be redacted).

18. Executed copy of the owner/operator's Agricultural Impact Mitigation Agreement (AIMA) with the Illinois Department of Agriculture

19. Road Maintenance Agreement
    a. Shall be executed between the Developer, the City, and any affected Township or Road District prior to construction.
    b. The agreement shall outline responsibilities for maintaining, repairing, and restoring all public roadways used for equipment delivery, construction traffic, and ongoing operations associated with the project.
    c. The agreement must include provisions for: Pre-and post-construction road condition assessments, required repairs or upgrades to accommodate construction traffic, ongoing maintenance during the construction period, and financial security (such as a Letter of Credit) to guarantee roadway restoration and compliance with the terms of the agreement.

(D) Federal and State Compliance. Must demonstrate compliance with applicable federal and state safety standards, including but not limited to those administered by OSHA, NFPA, UL, and the Illinois Commerce Commission.

Section 3: Adoption.
The City of Troy hereby establishes and adopts Section 154.070, entitled “Data Centers,” of Chapter 154, Land Use, of the Code of Ordinances.

Section 4: Severability.
If any provision, clause, sentence, paragraph, or part of this ordinance or its application to any person or circumstance shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect the remainder of this ordinance.

Section 5: Effective Date.

This Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law.

PASSED by the City Council of the City of Troy, Madison County, Illinois, approved by the Mayor, and deposited in the office of the City Clerk this 17th day of November, 2025.

Aldermen Vote:

Dan Dawson	_____	Sam Italiano	_____	Ayes:	____
Tim Flint	_____	Debbie Knoll	_____	Nays:	____
Elizabeth Hellrung	_____	Heather Stirling	_____	Absent:	____
Nathan Henderson	_____	Troy Turner	_____	Abstain:	____

APPROVED:

_____

DAVID NONN, Mayor
City of Troy, Illinois

(SEAL)

ATTEST:

_____

KIMBERLY THOMAS, Clerk
City of Troy, Illinois

CITY OF AURORA, ILLINOIS

ORDINANCE NO. O26-021
DATE OF PASSAGE March 24, 2026

An Ordinance Amending the Code of Ordinances, City of Aurora, by adding "Chapter 50 – Aurora Responsible Data Center Ordinance" and "Chapter 51 – Data Center Privacy Protection Ordinance," pertaining to performance standards and operational reporting requirements for Data Centers.

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the City of Aurora has experienced increasing development interest in data center facilities; and

WHEREAS, data centers have historically been regulated under zoning and land use classifications applicable to warehouses, despite having fundamentally different operational characteristics and infrastructure demands, including significantly higher electricity loads, water consumption for cooling, backup power generation, and continuous mechanical operations; and

WHEREAS, on September 25, 2025 by Ordinance O25-064, the City Council enacted a temporary moratorium, on new warehouse and data center development to allow time for City staff to study best practices, evaluate community impacts, and develop appropriate standards specific to data centers; and

WHEREAS, residents and community stakeholders raised concerns regarding potential impacts of data centers on neighborhood compatibility, noise and vibration, air quality, water use and water quality, energy consumption, greenhouse gas emissions, and long-term utility affordability; and

WHEREAS, unregulated or insufficiently regulated data center development may place disproportionate strain on municipal infrastructure, including electric and water systems, and may result in unintended cost burdens for residents and existing businesses; and

ORDINANCE NO. 026-021
DATE OF PASSAGE March 24, 2026

WHEREAS, the City of Aurora has adopted sustainability and climate goals through its 2019 Sustainability Plan intended to reduce greenhouse gas emissions, improve energy efficiency, protect water resources, and promote environmentally responsible development; and

WHEREAS, emerging technologies associated with data centers, including artificial intelligence and biometric data processing, raise significant concerns related to privacy, transparency, data security, and civil liberties, and the City seeks to provide local protections consistent with the intent and principles of the Illinois Biometric Information Protection Act to the extent permitted by law; and

WHEREAS, municipalities across the country are adopting performance-based standards and benchmarking requirements for high-energy and high-water-use facilities to ensure transparency, accountability, and responsible operation; and

WHEREAS, establishing clear definitions and performance standards for data centers will provide regulatory certainty for applicants, protect public health and welfare, promote responsible economic development, and ensure compatibility with surrounding land uses; and

WHEREAS, the City Council of the City of Aurora has determined that it is necessary and desirable to amend the Code of Ordinances, City of Aurora, by adding Chapter 50 and Chapter 51, in order to update and improve said Code of Ordinances to better carry out the purpose and intent of the Code of Ordinances regarding data centers; and.

The Aurora Municipal Code will be amended according to the attached Exhibit A.)

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows: Section One: That the City Council of the City of Aurora, Illinois finds as fact all of the preamble recitals of this Ordinance.

Section Two: That this Ordinance shall be in full force and effect, and shall be controlling, upon its passage and approval.

Section Three: That all Ordinances or part of Ordinances in conflict herewith are hereby repealed insofar as any conflict exists.

Section Four: That any section, phrase or paragraph of this Ordinance that is construed to be invalid, void or unconstitutional shall not affect the remaining sections, phrases or paragraphs of this Ordinance which shall remain in full force and effect.

Section Five: That the amendments to the Code of Ordinances, City of Aurora, by adding the Chapter 50 and Chapter 51, are hereby adopted as set forth in said "Exhibit A".

ORDINANCE NO. 026-021

LEGISTAR NO. 26-0092

PASSED AND APPROVED ON: March 24, 2026

AYES 12 NAYS 0 NOT VOTING 0 ABSENT 0

ALDERMAN	Vote
Alderman Barreiro, Ward 1	yes
Alderwoman Garza, Ward 2	yes
Alderman Mesiacos, Ward 3	yes
Alderman Núñez, Ward 4	yes
Alderman Franco, Ward 5	yes
Alderman Saville, Ward 6	yes
Alderman Bañuelos, Ward 7	yes
Alderwoman Smith, Ward 8	yes
Alderman Bugg, Ward 9	yes
Alderwoman Baid, Ward 10	yes
Alderman Larson, At-Large	yes
Alderman White, At-Large	yes

ATTEST:

Jennifer Stallings

City Clerk Jennifer Stallings

Mayor John Laesch

CHAPTER 50: AURORA RESPONSIBLE DATA CENTER ORDINANCE

Section 50-1. Definitions.

a. Data Center: Has the same definition as in Section 49-103.3 of the Aurora Zoning Ordinance.

b. Greenhouse Gas (GHG): Any gas that contributes to atmospheric greenhouse effect, including CO_2, CH_4, N_2O, SF_6, HFCs, PFCs.

c. Power Usage Effectiveness (PUE): Has the same definition as Section 49-104.3(c)(25) of the Aurora Zoning Ordinance.

d. Water Usage Effectiveness (WUE): Has the same definition as Section 49-104.3(c)(25) of the Aurora Zoning Ordinance.

e. Noise Performance Standard: Has the same definition as Section 49-104.3(c)(25) of the Aurora Zoning Ordinance.

Section 50-2. Applicability.

This Chapter applies to all Data Centers within city limits.

Section 50-3. Performance Standards.

a. All Data Center Facilities developed after March 25, 2026, must meet the standards in Section 49-104.3(c)(25) of the Aurora Zoning Ordinance.

b. All generators providing back-up power for Date Center Facilities developed after March 25, 2026, must ~~continue to~~ meet the requirements outlined in 49-104.3(c)(25)(c) of the Aurora Zoning Ordinance. Unless the generators are supplying backup electrical supply during a power outage, testing of generators, regardless of

whether installed before or after March 25, 2026, may only occur between the hours of 9:00 am and 5:00 pm Monday through Friday, and not on holidays. No more than two (2) generators may be tested simultaneously.

~~b.~~

c. Any replacement equipment, including but not limited to generators, chillers, and screening, must meet the standards in Section 49-104.3(c)(25) of the Aurora Zoning Ordinance for any Data Center Facilities developed after March 25, 2026.

~~c.~~

d. For purposes of this Section 50-3, “developed” means Data Center Facilities which do not have zoning entitlements pursuant to Chapter 49 of this Code as of March 25, 2026.

Section 50-4. Annual Reporting Required.

All Data Center Facilities must submit annually on or before April 1 of each year to the city’s Department of Development Services the following:

a. An annual energy and water use data report via ENERGY STAR® Portfolio Manager for the previously calendar year; and

b. Third party tested noise level reports for the previous calendar year during both daytime hours and nighttime hours at the property line.

If the Data Center has not been operating for a full year, the data center must submit data for the months it has been in operation. The

Director of Development Services will ensure that the annually reported data is made publicly available by June 1 of each year.

Section 50-5. Enforcement.

Violations of this Chapter are municipal offenses subject to fines up to and including $1,000 per day per occurrence and any other corrective action the administrative court or circuit court deems appropriate.

CHAPTER 51 –Data Center Privacy Protection Ordinance

Sec. 51-1. Purpose.

To protect Aurora resident privacy and establish rules modeled on the Illinois Biometric Information Privacy Act (“BIPA”) regardless of its status under state law.

Sec. 51-2. Short title.

This Section may be cited as the Data Center Privacy Protection Ordinance.

Sec. 51-3. Legislative findings; intent.

In 2008, the Illinois General Assembly, when passing BIPA, stated that they found all of the following, all of which continue to be true:

“(a) The use of biometrics is growing in the business and security screening sectors and appears to promise streamlined financial transactions and security screenings.

(b) Major national corporations have selected the City of Chicago and other locations in this State as pilot testing sites for new applications of biometric-facilitated financial transactions, including finger-scan technologies at grocery stores, gas stations, and school cafeterias.

(c) Biometrics are unlike other unique identifiers that are used to access finances or other sensitive information. For example, social security numbers, when compromised, can be changed. Biometrics, however, are biologically unique to the individual; therefore, once

compromised, the individual has no recourse, is at heightened risk for identity theft, and is likely to withdraw from biometric-facilitated transactions.

(d) An overwhelming majority of members of the public are weary of the use of biometrics when such information is tied to finances and other personal information.

(e) Despite limited State law regulating the collection, use, safeguarding, and storage of biometrics, many members of the public are deterred from partaking in biometric identifier-facilitated transactions.

(f) The full ramifications of biometric technology are not fully known.

(g) The public welfare, security, and safety will be served by regulating the collection, use, safeguarding, handling, storage, retention, and destruction of biometric identifiers and information."

Sec. 51-4. Definitions.

For the purposes of this Ordinance, the following definitions apply:

a. "Biometric Identifier" means a retina or iris scan, fingerprint, voiceprint, or scan of hand or face geometry. Biometric identifiers do not include writing samples, written signatures, photographs, human biological samples used for valid scientific testing or screening, demographic data, tattoo descriptions, or physical descriptions such as height,

weight, hair color, or eye color. Biometric identifiers do not include donated organs, tissues, or parts as defined in the Illinois Anatomical Gift Act or blood or serum stored on behalf of recipients or potential recipients of living or cadaveric transplants and obtained or stored by a federally designated organ procurement agency. Biometric identifiers do not include biological materials regulated under the Genetic Information Privacy Act. Biometric identifiers do not include information captured from a patient in a health care setting or information collected, used, or stored for health care treatment, payment, or operations under the federal Health Insurance Portability and Accountability Act of 1996. Biometric identifiers do not include an X-ray, roentgen process, computed tomography, MRI, PET scan, mammography, or other image or film of the human anatomy used to diagnose, prognose, or treat an illness or other medical condition or to further validate scientific testing or screening.

b. "Biometric information" means any information, regardless of how it is captured, converted, stored, or shared, based on an individual's biometric identifier used to identify an individual. Biometric information does not include information derived from items or procedures excluded under the definition of biometric identifiers.

c. "Confidential and sensitive information" means personal information that can be used to uniquely identify an individual

or an individual's account or property. Examples of confidential and sensitive information include, but are not limited to, a genetic marker, genetic testing information, a unique identifier number to locate an account or property, an account number, a PIN number, a pass code, a driver's license number, or a social security number.

d. "Written release" means informed written consent or, in the context of employment, a release executed by an employee as a condition of employment.

e. “Data Center” means a facility, whether a single building, or a series of buildings rehabilitated or constructed, which house working servers that primarily provide the storage, management, distribution, and processing of digital data. These facilities include essential infrastructure like networked computers, data storage systems, environmental controls, and security systems. These uses include but are not limited to electronic storage data center facilities and cryptocurrency center facilities.

f. “Data Center Business” means any company, entity, or organization that provides the storage, management, and/or processing of digital data, or that is doing business as or within a data center.

Sec. 51-5. Application.

No Data Center or Data Center Business located within Aurora City boundaries can violate the provisions within this Ordinance.

Sec. 51-6. Retention; collection; disclosure; destruction.

a. Any Data Center or Data Center Business in possession of biometric identifiers or biometric information must develop a written policy, made available to the public, establishing a retention schedule and guidelines for permanently destroying biometric identifiers and biometric information when the initial purpose for collecting or obtaining such identifiers or information has been satisfied or within 3 years of the individual's last interaction with the private entity, whichever occurs first. Absent a valid warrant or subpoena issued by a court of competent jurisdiction, a private entity in possession of biometric identifiers or biometric information must comply with its established retention schedule and destruction guidelines.

b. No Data Center or Data Center Business may collect, capture, purchase, receive through trade, or otherwise obtain a person's or a customer's biometric identifier or biometric information, unless it first:

1. informs the subject or the subject's legally authorized representative in writing that a biometric identifier or biometric information is being collected or stored;

2. informs the subject or the subject's legally authorized representative in writing of the specific purpose and length of term for which a biometric identifier or biometric information is being collected, stored, and used; and

3. receives a written release executed by the subject of the biometric identifier or biometric information or the subject's legally authorized representative.

c. No Data Center or Data Center Business in possession of a biometric identifier or biometric information may sell, lease, trade, or otherwise profit from a person's or a customer's biometric identifier or biometric information.

d. No Data Center or Data Center Business in possession of a biometric identifier or biometric information may disclose, redisclose, or otherwise disseminate a person's or a customer's biometric identifier or biometric information unless:

1. the subject of the biometric identifier or biometric information or the subject's legally authorized representative consents to the disclosure or redisclosure;

2. the disclosure or redisclosure completes a financial transaction requested or authorized by the subject of the biometric identifier or the

biometric information or the subject's legally authorized representative;

3. the disclosure or redisclosure is required by State or federal law or municipal ordinance; or

4. the disclosure is required pursuant to a valid warrant or subpoena issued by a court of competent jurisdiction.

e. A Data Center or Data Center Business in possession of a biometric identifier or biometric information shall:

1. store, transmit, and protect from disclosure all biometric identifiers and biometric information using the reasonable standard of care within the private entity's industry; and

2. store, transmit, and protect from disclosure all biometric identifiers and biometric information in a manner that is the same as or more protective than the manner in which the private entity stores, transmits, and protects other confidential and sensitive information.

Sec. 51-7. Enforcement.

a. Applicability. This Section applies to all Data Centers and Data Center Businesses operating within the City of Aurora that collect, store, process, transmit, or otherwise handle

Biometric Identifiers or Biometric Information, as defined under applicable law.

b. Enforcement Authority.

1. The City shall have authority to enforce this Ordinance through its Corporation Counsel or designated enforcement officer.
2. The City may investigate suspected violations, require production of relevant records (subject to lawful confidentiality protections), and conduct compliance reviews.
3. The City may issue notices of violation and impose administrative penalties as provided herein.
4. The City may recover costs associated with enforcement if entity is found in violation of this Ordinance.

c. Violations. It shall constitute a violation of this Ordinance to:

1. Violate any provision of the Aurora Data Center Privacy Protection Ordinance;
2. Fail to maintain required biometric data policies, retention schedules, or security safeguards;
3. Fail to timely file the Annual Certificate of Compliance required herein; or

4. Submit false, misleading, or incomplete information to the City. Each day a violation continues shall constitute a separate offense.

d. Annual Certificate of Compliance.

1. Annual Filing Required. On or before April 1 of each calendar year, each Data Center and Data Center Business subject to this Ordinance shall file with the City Clerk an Annual Certificate of Compliance.

2. Contents of Certification. The Certificate shall be signed under penalty of perjury by a duly authorized corporate officer and shall attest that:

i. The Data Center or Data Center Business is in full compliance with BIPA and this Ordinance;

ii. The Data Center or Data Center Business has not been found liable for any violation of BIPA during the preceding calendar year, or if such finding occurred, it has disclosed the nature of the violation and corrective actions taken;

iii. All required written biometric data policies, consent procedures, and retention/destruction schedules are in effect and actively implemented;

iv. Reasonable industry-standard administrative, technical, and physical safeguards are maintained.

3. Disclosure of Claims. The Certificate shall disclose any pending BIPA-related litigation, settlement, administrative action, or regulatory investigation involving operations within the City.

4. Independent Review. The City may require, upon reasonable cause, submission of a third-party compliance audit summary prepared by an independent privacy professional.

e. Penalties

1. Administrative fines of not less than $1,000 and not more than $5,000 per violation.

2. Suspension or revocation of local operating permits for repeated or willful violations.

3. Ineligibility for local tax incentives or development agreements during periods of non-compliance.

4. The City may seek injunctive relief in a court of competent jurisdiction.

f. Cumulative Remedies. The remedies provided herein are cumulative and shall not preclude enforcement under state law, including BIPA.

Sec. 51-8. Right of action.

Any person aggrieved by a violation of this Ordinance shall have a right of action in the 18th Judicial Circuit Court of Kane County or as a supplemental claim in a state or federal district court against an offending party. A prevailing party may recover for each violation:

a. against a private entity that negligently violates a provision of this Ordinance, liquidated damages of $1,000 or actual damages, whichever is greater;

b. against a private entity that intentionally or recklessly violates a provision of this Ordinance, liquidated damages of $5,000 or actual damages, whichever is greater;

c. reasonable attorneys' fees and costs, including expert witness fees and other litigation expenses; and

d. other relief, including an injunction, as the State or federal court may deem appropriate.

Sec. 51-9. Construction.

a. Nothing in this Ordinance shall be construed to impact the admission or discovery of biometric identifiers and biometric information in any action of any kind in any court, or before any tribunal, board, agency, or person.

b. Nothing in this Ordinance shall be construed to conflict with the X-Ray Retention Act, the federal Health Insurance Portability and Accountability Act of 1996 and the rules promulgated under either Act.

c. Nothing in this Ordinance shall be deemed to apply in any manner to a financial institution or an affiliate of a financial institution that is subject to Title V of the federal Gramm-Leach-Bliley Act of 1999 and the rules promulgated thereunder.

d. Nothing in this Ordinance shall be construed to conflict with the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 and the rules promulgated thereunder.

e. Nothing in this Ordinance shall be construed to apply to a contractor, subcontractor, or agent of a State agency or local unit of government when working for that State agency or local unit of government.

SECTION 3. Effective Date

This Ordinance shall take effect ~~30 days after approval by City Council~~March 25, 2026.

CITY OF AURORA, ILLINOIS

ORDINANCE NO. O26-022
DATE OF PASSAGE March 24, 2026

An Ordinance Amending Chapter 49 of the Code of Ordinances, City of Aurora, by modifying Section 49-103.3 Definitions and 49-104.3 Conditional Uses and Structures with regards to data center facilities

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the City of Aurora has experienced increasing development interest in data center facilities; and

WHEREAS, data centers have historically been regulated under zoning and land use classifications applicable to warehouses, despite having fundamentally different operational characteristics and infrastructure demands, including significantly higher electricity loads, water consumption for cooling, backup power generation, and continuous mechanical operations; and

WHEREAS, on September 25, 2025 by Ordinance O25-064, the City Council enacted a temporary moratorium, on new warehouse and data center development to allow time for City staff to study best practices, evaluate community impacts, and develop appropriate standards specific to data centers; and

WHEREAS, residents and community stakeholders raised concerns regarding potential impacts of data centers on neighborhood compatibility, noise and vibration, air quality, water use and water quality, energy consumption, greenhouse gas emissions, and long-term utility affordability; and

WHEREAS, unregulated or insufficiently regulated data center development may place disproportionate strain on municipal infrastructure, including electric and water systems, and may result in unintended cost burdens for residents and existing businesses; and

ORDINANCE NO. 026-022
DATE OF PASSAGE March 24, 2026

WHEREAS, the City of Aurora has adopted sustainability and climate goals through its 2019 Sustainability Plan intended to reduce greenhouse gas emissions, improve energy efficiency, protect water resources, and promote environmentally responsible development; and

WHEREAS, municipalities across the country are adopting performance-based standards and benchmarking requirements for high-energy and high-water-use facilities to ensure transparency, accountability, and responsible operation; and

WHEREAS, establishing clear standards to guide the review, design, and operation of data centers which will provide regulatory certainty for applicants, protect public health and welfare, promote responsible economic development, and ensure compatibility with surrounding land uses; and

WHEREAS, the City Council of the City of Aurora has determined that it is necessary and desirable to amend Chapter 49 of the Code of Ordinances, City of Aurora, being the Zoning Ordinance, in order to update and improve certain Sections of said Ordinance to better carry out the purpose and intent of said Ordinance regarding data centers; and

WHEREAS, on March 4, 2026, the Planning and Zoning Commission, after publication of notice, held a public hearing on the amendments to said Ordinance and recommended approval of the amendment attached hereto and incorporated herein and hereinafter referred to as Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows:

Section One: That the City Council of the City of Aurora, Illinois finds as fact all of the preamble recitals of this Ordinance.

Section Two: That this Ordinance shall be in full force and effect, and shall be controlling, at 12:00 a.m. on March 25, 2026, and that the temporary moratorium on datacenters and warehouses adopted by the City Council in Ordinance No. 25-064, shall hereby be repealed at the same time.

Section Three: That all Ordinances or part of Ordinances in conflict herewith are hereby repealed insofar as any conflict exists.

Section Four: That any section, phrase or paragraph of this Ordinance that is construed to be invalid, void or unconstitutional shall not affect the remaining sections, phrases or paragraphs of this Ordinance which shall remain in full force and effect.

Section Five: That the amendments to Chapter 49 of the Code of Ordinances, City of Aurora, being the Zoning Ordinance, are hereby adopted as set forth in said Exhibit "A".

ORDINANCE NO. 026-022

LEGISTAR NO. 26-0112

PASSED AND APPROVED ON: March 24, 2026

AYES 11 NAYS 1 NOT VOTING 0 ABSENT 0

ALDERMAN	Vote
Alderman Barreiro, Ward 1	yes
Alderwoman Garza, Ward 2	yes
Alderman Mesiacos, Ward 3	yes
Alderman Núñez, Ward 4	yes
Alderman Franco, Ward 5	yes
Alderman Saville, Ward 6	yes
Alderman Bañuelos, Ward 7	yes
Alderwoman Smith, Ward 8	yes
Alderman Bugg, Ward 9	yes
Alderwoman Baid, Ward 10	no
Alderman Larson, At-Large	yes
Alderman White, At-Large	yes

ATTEST:

City Clerk Jennifer Stallings

Mayor John Laesch

CHAPTER 49: ZONING

***

49-103.3 Definitions

***

3305 Data Center Facility: This 3300 Use Category is comprised of facilities, whether a single building, or a series of buildings rehabilitated or constructed, which house working servers that primarily provide the storage, management, distribution, and processing of digital data. These facilities include essential infrastructure like networked computers, data storage systems, environmental controls, and security systems. These uses include but are not limited to electronic storage data center facilities and cryptocurrency center facilities.

***

49-104.3 Conditional Uses And Structures

(a) In General.

(1) In the exercise of its home rule authority and the powers conferred by the Illinois Municipal Code and this ordinance, the city council may, from time-to-time permit by specific ordinance the following conditional uses of land or structures in accordance with the procedures set forth in chapter 34 of this code.

(2) The term “conditional use” as used throughout this ordinance shall be construed as having the same meaning

and construction as the term “special use” as used in Illinois law and provisions of this code enacted prior to the effective date of this amendatory ordinance of 2020.

(3) Whenever the city council has previously approved a special use upon any real property or as part of any planned development, such special use shall be regarded as a conditional use for the purposes of this code.

~~(3)~~(4) Development Agreement. At the Zoning Administrator’s sole discretion, a conditional use is conditioned on the owner entering into an agreement with the City concerning the required regulations and performance standards, their applicability to the facility, and other germane matters. City staff is authorized to prepare, negotiate, and have the City execute such agreements, the terms of which cannot be inconsistent with the Zoning Ordinance.

(b) *Conditional Uses*. The Conditional Uses as identified in Table One: Use Categories shall apply.

(c) *Specific Regulations*.

***

(25) Data center facility (3305) as shown in Table One: Use Categories and PDD Planned Development Districts

within Office, Research, and Light Industrial, and industrial areas under the following conditions:

a. Applicants must submit, in addition to the application materials otherwise required by the Zoning Administrator, the following reports and studies as part of a conditional use request for a data center facility:

i. A baseline pre-development sound study with minimum and maximum dB (A) levels measured for a continuous weeklong period be submitted with the first petitions filed for the development.

ii. A Noise Modeling Study completed by a third-party acoustical engineer and submitted demonstrating compliance with the applicable standards to the underlying zoning district and this Section (25).

iii. A Water Consumption and Quality Modeling Report completed by a third-party engineer and submitted demonstrating compliance with Illinois Environmental Protection Agency requirements, the applicable standards to the underlying zoning district, and to this Section (25). The study should include the following: proposed water source

identification, including but not limited to Municipal potable water supply, surface water withdrawals, reclaimed or recycled water, and any supplement or emergency water sources; estimated average daily water demand (gallons per day); estimated peak daily water demand; estimated annual water consumption; seasonal variability in water use; and projected Water Use Effectiveness as defined in this Section (25). This study must also describe water efficiency strategies, including but not limited to, cooling system type (e.g., closed-loop, hybrid, air-cooled, liquid cooling); water reuse and recycling systems; stormwater capture and reuse, where feasible; and leak detection, monitoring, and automated controls. When closed-loop or hybrid cooling systems are proposed, the Study shall specify the source of make-up water; blowdown volumes and frequency; chemical additives used in cooling water; temperature and quality characteristics of any discharged water; and the method and location of discharge (e.g., sanitary sewer, on-site treatment, reuse, or

permitted surface discharge). The Study shall evaluate potential impacts to water quality, including risks of chemical contamination from cooling system additives, biocides, corrosion inhibitors, and other treatment chemicals; risk of accidental releases or leaks; spill prevention and response measures; and on-site storage and handling practices for water treatment chemicals. The Study shall include a Water Quality Protection Plan outlining secondary containment for chemical storage; monitoring protocols for discharge quality; and emergency response procedures for releases or system failures. The study shall specifically address measures to prevent thermal pollution; measures to prevent discharge of contaminants that may degrade receiving waters; and whether any wastewater pretreatment or cooling is required prior to discharge.

~~i.~~iv. Energy Consumption Modeling Report completed by a third-party engineer and submitted demonstrating compliance with the

applicable standards to the underlying zoning district.

b. Chillers must be designed to meet the following requirements:

i. Evaporative chillers utilizing potable water are prohibited.

ii. Roof-mounted chillers cannot be located within one thousand five hundred (1,500') feet of any residential, hospital or educational use, measured from the nearest part of the sound attenuation screen or parapet of the building to the property line of the residential, hospital or educational use. The authorization of a conditional use for this purpose will not be affected by subsequent establishment of a residential, hospital or educational use within the restricted area established herein.

iii. Any ground-mounted chillers cannot be located within one thousand (1,000') feet of any residential, hospital or educational use, measured from the nearest part of the equipment yard to the property line of the residential, hospital or educational use. The

authorization of a conditional use for this purpose will not be affected by subsequent establishment of a residential, hospital or educational use within the restricted area established herein.

iv. Upon data center decommissioning and use change, obsolete roof-mounted or ground-mounted chillers and associated equipment must be removed.

c. Generators must be designed to meet with the following requirements.

i. Roof-mounted generators are prohibited.

ii. All generators must, at a minimum, comply with the state standards set forth in the Municipal and Cooptative Electric Utility Transparent Planning Act (Public Act 104-0458), or as subsequently amended, including but not limited to Tier 4 emission standards in 415 ILCS 5/39(a).

iii. All generators must be equipped with vibration isolation systems.

iv. Generators cannot be located within one thousand (1,000') feet of any residential, hospital or educational use, measured from the

nearest part of the equipment yard to the property line of the residential, hospital or educational use. The authorization of a conditional use for this purpose will not be affected by subsequent establishment of a residential, hospital or educational use within the restricted area established herein.

v. Upon data center decommissioning and use change, obsolete generators and associated equipment must be removed.

d. Data Center Facilities must be designed to meet the following performance standards:

i. Noise Standards.

1. Data center facilities must comply with all federal and state regulations related to noise thresholds. In additional noise levels must not exceed the following constant-minimum noise thresholds as measured at the facility property line:

i. Daytime hours 57 dB (A)weighted 7am-7pm; and

ii. Nightime hours 47 dB (A)weighted 7pm-7am.

ii. Vibrations Standards. Data center facilities must have continuous vibration monitoring at spacing of no less than 500 feet along all property lines within 1,000 feet of residential, hospital or educational uses.

iii. Energy Usage Standards.

1. Data center facilities must be designed to maintain a Power Usage Effectiveness of no more than one and two-tenths (1.2). As used in this Chapter “Power Usage Effectiveness” or “PUE” is defined as the ratio of total building energy consumption divided by the total Information Technology equipment (servers, switches, storage devices, etc.).

2. Data centers must be designed to comply with the energy code requirements specified in whichever of the following is most stringent:

i. The latest adopted International Energy Conservation Code (IECC);

ii. The latest published ASHRAE Standard 90.4 (Sections 6 & 8); or

iii. Illinois-specific data center energy code requirements adopted by rule, which may include more detailed criteria such as Mechanical Load Component (MLC) and Electrical Load Component (ELC) measures.

3. Modular nuclear reactors, small modular reactors or any other nuclear-based energy are prohibited.

iv. Water Usage Standards. Data center facilities must maintain a Water Usage Effectiveness of no more than two tenths (0.2). As used in this Chapter, “Water Usage Effectiveness” or “WUE” is defined as the ratio of total potable building water consumption (liters) to Information Technology equipment (kilowatt-hour).

e. Screening. Except as expressly modified below, data center facilities must be designed to comply with the following requirements:

i. Roof-mounted mechanical equipment must be fully enclosed on all sides by a sound-attenuating screen or parapet equal in height

to, or taller than, the tallest roof-mounted chiller or associated mechanical equipment, and must be designed to blend with the architectural style, materials, and color of the building.

ii. Ground Mounted Mechanical Equipment must be fully enclosed on all sides by a sound attenuating wall extension or other sound attenuating enclosure, subject to approval by the zoning administrator, equal in height to, or taller than, the tallest ground-mounted chiller and generator or associated mechanical equipment and must blend with the architectural style, materials, and color of the building.

f. On-Site Renewable Energy and Resilience Requirement.

i. All new or expanded data centers shall install and operate, at a minimum, one of the following:

1. On-Site Clean Energy: On-site renewable energy generation with a nameplate capacity sufficient to supply not less than twenty-five percent (25%) of the facility's peak electrical demand, as

demonstrated in the approved electrical load study; or

2. On-Site Resilience Storage: On-site energy storage capable of supplying not less than fifty percent (50%) of the facility's peak electrical demand for a minimum duration of fifteen (15) minutes, for purposes including grid stabilization, brownout mitigation, and peak-load support. Energy storage systems shall be configured to prioritize discharge during utility-declared peak events and grid emergencies to reduce localized voltage sag, transformer overload, and outage risk in surrounding neighborhoods.

ii. Feasibility Alternative Compliance. Where the applicant demonstrates, through a third-party feasibility analysis approved by the City, that on-site installation is infeasible due to site constraints, safety limitations, or grid interconnection restrictions, the applicant shall comply through one or more of the

following off-site measures, subject to approval by the City:

1. Procurement of new renewable energy generation located within the regional grid serving the municipality, under long-term contract, in an amount equal to the on-site requirement;
2. Investment in distributed energy resources or community-scale battery storage projects located within the municipality or its utility service area.

(26) Pre-2026 Data Center Facility which were allowed to be built as Warehouse, Distribution and storage services under the then-existing Zoning Ordinance, before March 25, 2026, are allowed to continue to operate as Warehouse, Distribution and storage services until and unless the Data Center Facility undergoes wholesale re-development of the property, a building, or a facility on the property. For purposes of this section, “wholesale re-development” means that a total of 50% or more of the footprint square footage of a single building structure is demolished and rebuilt as part of a planned improvement to the property, whether the demolition and rebuilding is done at once or over time. Wholesale re-

development does not include rebuilding after natural disasters or fire even if 100% of the building structure is demolished. Any wholesale re-development of a Pre-2026 Data Center Facility must comply with all Post-2026 Data Center Facility Standards.

***

3305 Data Center Facility

E	R-1	R-2	R-3	R-4	R-4A	R-5	R-5A	B-1	B-2	B-3	O	DC	ORI	M-1	M-2	Additional Regulations
													C	C	C	Section 49-104-3(c)(25)

***

Table Two: Schedule of Off-Street Parking Requirements:

Sub Category One	Sub Category Two	Sub Category Three	Parking Standards
Structure 2500: Manufacturing and Industrial buildings and structures			1 space per 1,000 SF of GFA up to 150,000 sq ft plus 1 space per 2,500 SF in excess of 150,000 SF of GFA
Structure 2600: Warehouse, storage or distribution facility			1 space per 1,000 SF of GFA up to 150,000 sq ft plus 1 space per 2,500 SF in excess of 150,000 SF of GFA
	Structure 2610: ~~Electronic~~ Data ~~Storage~~ Center Facility		1 space per 7,000 SF of GFA , plus to address potential future parking needs, the site must also be designed to accommodate land banked parking pursuant to, and in the quantity required by, Structure 2600: Warehouse, storage or distribution facility's parking in Table Two: Schedule of Off-Street Parking Requirements in

			the Aurora Zoning Ordinance.

CITY OF AURORA, ILLINOIS

ORDINANCE NO. O26-023
DATE OF PASSAGE March 24, 2026

An Ordinance Amending Chapter 49 of the Code of Ordinances, City of Aurora, by modifying Section 49-103.3 Definitions and Section 49-108.10 "ORI" Office, Research and Light Industry District regarding warehouses and Section 49-108.10 "ORI" Office, Research and Light Industry District, Section 49-109.2 "M-1" Manufacturing District, Limited and Section 49-109.3 "M-2" Manufacturing District, General regarding performance standards

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, on September 25, 2025 by Ordinance O25-064, the City Council enacted a temporary moratorium, on new warehouse an to allow time for City staff to study best practices, evaluate community impacts, and develop appropriate standards specific to warehouses; and

WHEREAS, the City Council of the City of Aurora has determined that it is necessary and desirable to amend Chapter 49 of the Code of Ordinances, City of Aurora, being the Zoning Ordinance, in order to update and improve certain Sections of said Ordinance to better carry out the purpose and intent of said Ordinance; and

WHEREAS, on February 18, 2026, the Planning and Zoning Commission, after publication of notice, held a public hearing on the amendments to said Ordinance and recommended approval of the amendment attached hereto and incorporated herein and hereinafter referred to as Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows:

Section One: That the City Council of the City of Aurora, Illinois finds as fact all of the preamble recitals of this Ordinance.

Section Two: That this Ordinance shall be in full force and effect, and shall be controlling, at 12:00 a.m. on March 25, 2026, and that the temporary moratorium on datacenters and warehouses adopted by the City Council in Ordinance No. 25-064, shall hereby be repealed at the same time.

Section Three: That all Ordinances or part of Ordinances in conflict herewith are hereby repealed insofar as any conflict exists.

Section Four: The amendment set forth in Exhibit "A" shall not apply to the properties identified in Exhibit "B," as those sites are in various stages of development and have proceeded in reliance on the regulations in effect at the time of application. Any pending or approved applications for those properties shall continue to be reviewed and acted upon in accordance with the provisions of the previous ordinance.

Section Five: That any section, phrase or paragraph of this Ordinance that is construed to be invalid, void or unconstitutional shall not affect the remaining sections, phrases or paragraphs of this Ordinance which shall remain in full force and effect.

Section Six: That the amendments to Chapter 49 of the Code of Ordinances, City of Aurora, being the Zoning Ordinance, are hereby adopted as set forth in said Exhibit "A".

ORDINANCE NO. 026-023

LEGISTAR NO. 26-0114

PASSED AND APPROVED ON: March 24, 2026

AYES 12 NAYS 0 NOT VOTING 0 ABSENT 0

ALDERMAN	Vote
Alderman Barreiro, Ward 1	yes
Alderwoman Garza, Ward 2	yes
Alderman Mesiacos, Ward 3	yes
Alderman Núñez, Ward 4	yes
Alderman Franco, Ward 5	yes
Alderman Saville, Ward 6	yes
Alderman Bañuelos, Ward 7	yes
Alderwoman Smith, Ward 8	yes
Alderman Bugg, Ward 9	yes
Alderwoman Baid, Ward 10	yes
Alderman Larson, At-Large	yes
Alderman White, At-Large	yes

ATTEST:

Jennifer Stallings

City Clerk Jennifer Stallings

Mayor John Laesch

CHAPTER 49: ZONING

***

***

49-103.3 Definitions

3300 Warehouse, Distribution & Storage Services: This 3300 Use Category is comprised of establishments which primarily provide storage for general merchandise, refrigerated goods, other warehouse products ~~or computer systems and associated components~~. Uses in this category provide the facilities to store goods but do not sell the goods they handle. They may also provide a range of services related to the distribution of goods, such as labeling, breaking bulk, inventory control and management, light assembly, order entry and fulfillment, packaging, pick and pack, price marking and ticketing, or transportation arrangement ~~or processing and distribution of large amounts of data~~. This includes but is not limited to the following: Cartage (local), express hauling, ~~Electronic Storage Data Centers, cryptocurrency facilities,~~ and warehousing and distribution facilities, but excluding motor freight terminals. Motor Freight Terminals are categorized under 3310 Vehicle Terminals and Storage.

***

(11) *Performance Standards.*

h. *Standards*

5. Vibrations. ~~Vibration shall not be discernible at any property line to the human sense of feeling for three (3) minutes or more duration in any one (1) hour. No vibration at any time shall produce an acceleration of more than 0.1 gravities or shall result in any combination of amplitudes and frequencies beyond the "safe" range of Table 7 United States Bureau of Mines Bulletin No. 442 "Seismic Effects of Quarry Blasting", on any structure. The methods and equations of said Bulletin No. 442 shall be used to compute all values for the enforcement of this provision.~~No activity or operation shall cause or create earth borne vibrations in excess of the displacement values given below. Measurements shall be made at or beyond the adjacent lot line or the nearest residence district boundary line, as described below:

a. Vibration displacements shall be measured with an instrument or complement of instruments capable of simultaneously measuring in three (3) mutually perpendicular directions. The maximum vector shall be less than the vibration displacement permitted. For the purpose of this Section, steady state vibrations are vibrations which are continuous, or vibrations in discrete impulses more frequent than one hundred (100) per minute. Discrete impulses which do not exceed one hundred (100) per minute shall be considered impact vibrations.

b. The maximum permitted displacements shall be determined by the following formula:

D = K / f

D = Displacement in inches

K = A constant to be determined by reference to the following tables

f = The frequency of the vibration transmitted through the ground expressed in cycles per second

c. In the general industrial district, the maximum earth displacement permitted at the points described below shall be determined by use of the formula above and the appropriate K constant shown in Table 1 below:

Table 1

K Value to be Used in Measuring Vibrations

In any Neighboring Lot	**K**
Steady State	0.008
Impulsive	0.015
Less that 8 pulse per 24-hour period	0.037

In any Residential District	
Steady State	0.003
Impulsive	0.006
Less that 8 pulse per 24-hour period	0.015

***

49-109.2 "M-1" Manufacturing District, Limited

(e) *Bulk Restrictions.*

(11) *Performance Standards.*

g. Vibrations: ~~There shall be no uses that create heavy earth-shaking vibrations that are noticeable at the property line of the subject premises.~~ No activity or operation shall cause or create earth borne vibrations in excess of the displacement values given below. Measurements shall be made at or beyond the adjacent lot line or the nearest residence district boundary line, as described below:

1. Vibration displacements shall be measured with an instrument or complement of instruments capable of simultaneously measuring in three (3) mutually perpendicular directions. The maximum vector shall be less than the vibration displacement permitted. For the purpose of this Section, steady state vibrations are vibrations which are continuous, or vibrations in discrete impulses more frequent than one hundred (100) per minute. Discrete impulses which do not exceed one hundred (100) per minute shall be considered impact vibrations.

2. The maximum permitted displacements shall be determined by the following formula:

D = K / f

D = Displacement in inches

K = A constant to be determined by reference to the following tables

f = The frequency of the vibration transmitted through the ground expressed in cycles per second

3. In the general industrial district, the maximum earth displacement permitted at the points described below shall be determined by use of the formula above and the appropriate K constant shown in Table 1 below:

Table 1

K Value to be Used in Measuring Vibrations

In any Neighboring Lot	**K**
Steady State	0.008
Impulsive	0.015
Less that 8 pulse per 24-hour period	0.037
In any Residential District	
Steady State	0.003
Impulsive	0.006
Less that 8 pulse per 24-hour period	0.015

***

49-109.3 "M-2" Manufacturing District, General

(e) *Bulk Restrictions.*

(11) *Performance Standards.*

g. Vibrations. ~~There shall be no use that creates heavy earth-shaking vibrations that are noticeable at any district boundaries separating residential and business uses from an M-2 manufacturing district.~~ No activity or operation shall cause or create earth borne vibrations in excess of the displacement values given below. Measurements shall be made at or beyond the adjacent lot line or the nearest residence district boundary line, as described below:

1. Vibration displacements shall be measured with an instrument or complement of instruments capable of simultaneously measuring in three (3) mutually perpendicular directions. The maximum vector shall be less than the vibration displacement permitted. For the purpose of this Section, steady state vibrations are vibrations which are continuous, or vibrations in discrete impulses more frequent than one hundred (100) per minute. Discrete impulses which do not exceed one hundred (100) per minute shall be considered impact vibrations.
2. The maximum permitted displacements shall be determined by the following formula:

   D = K / f

   D = Displacement in inches

   K = A constant to be determined by reference to the following tables

f = The frequency of the vibration transmitted through the ground expressed in cycles per second

3. In the general industrial district, the maximum earth displacement permitted at the points described below shall be determined by use of the formula above and the appropriate K constant shown in Table 1 below:

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In any Neighboring Lot	**K**
Steady State	0.008
Impulsive	0.015
Less that 8 pulse per 24-hour period	0.037
In any Residential District	
Steady State	0.003
Impulsive	0.006
Less that 8 pulse per 24-hour period	0.015

***

3300 Warehouse, storage or distribution facility

E	R-1	R-2	R-3	R-4	R-4A	R-5	R-5A	B-1	B-2	B-3	O	DC	ORI	M-1	M-2	Additional Regulations
													CP	P	P	

***

Exhibit “B”

Properties

2355 Mitchell Road – Parcel # 15-02-302-001

3080 Bilter Road – Parcel # 07-05-102-007

2695 W. Sullivan Road – Parcel # 14-12-225-005

560 Exchange Court & 580 Exchange Court – Parcel # 14-12-225-005 and 07-21-102-021

CITY OF AURORA, ILLINOIS

ORDINANCE NO. O26-024
DATE OF PASSAGE March 24, 2026

An Ordinance Amending Chapter 12, Article II "Building Code" of the Code of Ordinances, City of Aurora, by modifying Section 12-17.1 Additions, Insertions, Deletions and Changes.

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the City of Aurora has experienced increasing development interest in data center facilities; and

WHEREAS, data centers have historically been regulated under zoning and land use classifications applicable to warehouses, despite having fundamentally different operational characteristics and infrastructure demands, including significantly higher electricity loads, water consumption for cooling, backup power generation, and continuous mechanical operations; and

WHEREAS, on September 25, 2025 by Ordinance O25-064, the City Council enacted a temporary moratorium, on new warehouse and data center development to allow time for City staff to study best practices, evaluate community impacts, and develop appropriate standards specific to data centers; and

WHEREAS, residents and community stakeholders raised concerns regarding potential impacts of data centers on neighborhood compatibility, noise and vibration, air quality, water use and water quality, energy consumption, greenhouse gas emissions, and long-term utility affordability; and

WHEREAS, unregulated or insufficiently regulated data center development may place disproportionate strain on municipal infrastructure, including electric and water systems, and may result in unintended cost burdens for residents and existing businesses; and

ORDINANCE NO. 026-024
DATE OF PASSAGE March 24, 2026

WHEREAS, the City of Aurora has adopted sustainability and climate goals through its 2019 Sustainability Plan intended to reduce greenhouse gas emissions, improve energy efficiency, protect water resources, and promote environmentally responsible development; and

WHEREAS, municipalities across the country are adopting performance-based standards and benchmarking requirements for high-energy and high-water-use facilities to ensure transparency, accountability, and responsible operation; and

WHEREAS, establishing clear standards to guide the review, design, and operation of data centers which will provide regulatory certainty for applicants, protect public health and welfare, promote responsible economic development, and ensure compatibility with surrounding land uses; and

WHEREAS, on March 3, 2026, the Rules, Administration and Procedures Committee, held a meeting on the amendments to Chapter 12, Article II "Building Code" of the Code of Ordinances, City of Aurora, being the Building Code, and recommended approval of the amendment attached hereto and incorporated herein and hereinafter referred to as Exhibit "A".

WHEREAS, the City Council of the City of Aurora has determined that it is necessary and desirable to amend Chapter 12, Article II "Building Code" of the Code of Ordinances, City of Aurora, in order to update and improve certain Sections of said Ordinance to better carry out the purpose and intent of said Ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows:

Section One: That the City Council of the City of Aurora, Illinois finds as fact all of the preamble recitals of this Ordinance.

Section Two: That this Ordinance shall be in full force and effect, and shall be controlling, upon its passage and approval.

Section Three: That all Ordinances or part of Ordinances in conflict herewith are hereby repealed insofar as any conflict exists.

Section Four: That any section, phrase or paragraph of this Ordinance that is construed to be invalid, void or unconstitutional shall not affect the remaining sections, phrases or paragraphs of this Ordinance which shall remain in full force and effect.

Section Five: That the amendments to Chapter 12, Article II "Building Code" of the Code of Ordinances, City of Aurora, being the Zoning Ordinance, are hereby adopted as set forth in said Exhibit "A".

ORDINANCE NO. 026-024

LEGISTAR NO. 26-0115

PASSED AND APPROVED ON: March 24, 2026

AYES 11 NAYS 1 NOT VOTING 0 ABSENT 0

ALDERMAN	Vote
Alderman Barreiro, Ward 1	yes
Alderwoman Garza, Ward 2	yes
Alderman Mesiacos, Ward 3	yes
Alderman Núñez, Ward 4	yes
Alderman Franco, Ward 5	yes
Alderman Saville, Ward 6	yes
Alderman Bañuelos, Ward 7	yes
Alderwoman Smith, Ward 8	yes
Alderman Bugg, Ward 9	yes
Alderwoman Baid, Ward 10	no
Alderman Larson, At-Large	yes
Alderman White, At-Large	yes

ATTEST:

City Clerk Jennifer Stallings

Mayor John Laesch

2024 International Building Code

***

Sec 12-17.1 Additions, Insertions, Deletions and Changes

***

107.2.1.2 Data Center Engineered Modeling details is added to read:

The code official will require to be filed, engineers report(s) and attestation(s) that the proposed permit details for a data center has been modeled for sound and vibration. The accompanied reports shall demonstrate compliance with all local, State and Federal regulations.

***

107.3.4.2 Data Center Testing Deferred Submittals is added to read:

The code official will require the facility to perform a full operation sound and vibration test and engage city selected sound and vibration engineers to prepare report(s) and attestation(s) that the constructed data center has been tested for sound and vibration. The accompanied testing reports shall demonstrate compliance with all local, State and Federal regulations prior to the issuance of temporary or full certificates of occupancy where sound and vibration generating equipment are being added. The costs of the testing plus ten (10%)

percent will be reimbursed by the facility prior to the earlier of 30 days or issuance of any certificate of occupancy.

***

City of Granite City
Inspection Department 2000 Edison, Ground Floor Granite City, IL 62040 Phone:(618) 452-6218 Fax:(618) 452-6246

AGENDA
PLAN COMMISSION
April 2nd, 2026

A meeting of the Plan Commission will be held on Thursday, April 2nd, 2026, at 7:00 p.m. at The Mill, 1311 20th St., Granite City, Illinois.

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Approval of Minutes dated February 5th, 2026.**
4. **Council Report**
5. **Petition/Public Hearing**

   The purpose of this meeting is to consider an amendment to Zoning Ordinance No. 3818, specifically Sections 4-1620 (M-3 Heavy Industrial District) and 4-1820 (M-5 River/Port Industrial District), to permit the establishment and operation of Data Centers within these zoning districts; establish Article 17 to set standards and requirements for Data Center developments.

   - **Presentation Regarding Petition**
   - **Comments and questions from the board to petitioner Cathy Hamilton**
   - **Public Comments (3 Minutes Per Speaker)**
   - **Plan Commission Vote Regarding Petition**

   The Plan Commission's recommendation may be presented to the City Council on April 21, 2026, pending Plan Commission's findings.

6. **New Business:**
7. **Old Business:**
8. **Adjournment**

Copies: Mayor
City Clerk / Posting
Member of Plan Commission

Section 4-1600 "M-3" HEAVY INDUSTRIAL DISTRICT

Section 4-1610 LOT AND BUILDING REQUIREMENTS

Every principal building erected in any "M-3" district shall conform to the applicable requirements indicated below:

	REQUIREMENTS
A. Minimum lot area	None
B. Minimum lot width (at established building line)	None
C. Minimum lot depth	None
D. Minimum setbacks	
1. from front lot line	None
2. from side lot line	None
3. from rear lot line	None
E. Maximum building height	None

Section 4-1615 RESTRICTIONS

Any building or premises may be used for any purpose not in conflict with any ordinance of the City of Granite City regulating nuisances. Provided that no building shall be erected, reconstructed, converted, enlarged or structurally altered for residential purpose except for resident watchmen and caretakers employed on the premises. Further provided that no building or occupancy permit shall be issued for any of the following uses until and unless the location of such use is approved by the City Council after report by the Chief of the Fire Department, the Health Officer, and the Planning Commission.

Section 4-1620 PERMITTED USES

A. Any use permitted in the "M-2" Light Industrial Manufacturing District

B. Cement, lime, gypsum or plaster manufacture

C. Fuel manufacture

D. Petroleum and its products (refining of)

E. Smelting of tin, copper, zinc or iron ores

F. Wholesale storage of gasoline

G. Basic iron and steel products and manufacturing

H. Recycling facility

I. Junk yard, auto salvage

J. Data Centers

Section 4-1800 "M-5" RIVER/PORT INDUSTRIAL DISTRICT

Section 4-1810 LOT AND BUILDING REQUIREMENTS

Every principal building erected in a "M-5" district shall conform to the applicable requirements indicated below:

	REQUIREMENTS	
A. Minimum lot area		None
B. Minimum lot width (at established building line)		None
C. Minimum lot depth		None
D. Minimum setbacks		
1. from front lot line		10 ft.
2. from side lot line	10 ft.	
3. from rear lot line	10 ft.	
E. Maximum building height		120 ft.

Section 4-1820 PERMITTED USES

A. Any use permitted in the "M-2" Light Industrial District

B. Manufacture, storage and distribution of food products, textiles and pharmaceuticals

C. Assembly plants

D. Coal or coke storage or transfer

E. Fertilizer manufacturing, storage or transfer

F. Grain handling, storage and transfer

G. Iron, steel, aluminum or related product processing, manufacturing, or transfer

H. Kennels per Article 5, Section 5-800 of this ordinance

I. River related equipment (cranes, conveyors, lifts etc.) necessary for port/river transfer

J. Storage, transfer and distribution of petroleum and chemical products

K. Warehousing and storage buildings

L. Accessory buildings, structures and facilities and uses customarily incident to above uses.

M. Telecommunications Towers and Related Equipment, as defined in Section 5-1400, with no height restrictions. All other restrictions and conditions of use as described in Section 5-1400 are applicable, except that no Special Use Permit is required, and the equipment is not required to be of a monopole type.

N. Medical heliport.

O. Data Centers

Proposed New Language

ARTICLE 17 – DATA CENTERS

Section

SECTION 17-100 PURPOSE AND INTENT

The purpose of this Article is to establish performance standards governing the development and operation of data centers within the City. These standards are intended to protect public health, safety, and welfare; ensure compatibility with surrounding land uses; promote efficient use of infrastructure and natural resources; minimize adverse environmental and community impacts; and provide economic development benefit to the community.

SECTION 17-200 DEFINITIONS

BEST MANAGEMENT PRACTICES (BMPs) - Structural and non-structural measures used to manage stormwater runoff.

CORRELATED COLOR TEMPERATURE (CCT) - measure of light color in Kelvins.

DATA CENTER. A data center is a physical facility that houses computer systems, servers, storage devices, and networking equipment. The facilities are designed to support the storage, processing, and distribution of large amounts of data for organizations. Data centers play a crucial role in enabling various online services and applications, including cloud computing, e-commerce, and social media.

DATA CENTER, ACCESSORY USE - Ancillary uses or structures secondary and incidental to a data center use, including but not limited to: administrative, logistical, fiber optic, storage, and security buildings or structures; sources of electrical power such as generators used to provide temporary power when the main source of power is interrupted; electrical substations; utility lines, domestic and non-contact cooling water and wastewater treatment facilities; water holding facilities; pump stations; water towers; environmental controls (air conditioning or cooling towers; fire suppression, and related equipment), and security features, provided such data center accessory uses/structures are located on the same tract or assemblage of adjacent parcels developed as a unified development with a data center. The use shall not include energy generation systems used or intended to be used to supply power to the data center during normal operations.

DBA (A-WEIGHTED DECIBEL LEVEL) - A unit of sound level measurement expressed in decibels measured using the A-weighting network as specified in ANSI standards, which adjusts sound measurements to approximate the frequency response of the human ear, de-emphasizing very low- and very high-frequency sounds.

DARK SKY (IDA) - Outdoor nighttime lighting that is designed, installed, and operated to minimize light pollution, including skyglow, glare, light trespass, and ecological disruption, through the use of fully shielded luminaires, appropriate light levels, warm color temperatures, and lighting controls,

consistent with the principles and guidance of the International Dark-Sky Association (IDA).

FOOTCANDLE - Enough light to saturate a one-foot square with one lumen of light.

FULL CUTOFF FIXTURE - A fixture emitting no light above the horizontal plane.

ILLICIT DISCHARGE - Any discharge to a stormwater system not composed entirely of stormwater, except as allowed by permit.

LIGHT TRESPASS - Unwanted light transmitted beyond the boundaries of the property.

STORMWATER MANAGEMENT PLAN (SWMP) - A plan prepared by a licensed professional engineer detailing stormwater quantity and quality controls in accordance to local, state and federal regulations.

SECTION 17 – 300 APPLICATION

A. These standards apply to all data centers, whether principal or accessory use.

B. These standards apply to new facilities and/or major expansions

C. Data centers shall only be permitted with an approved Planned Unit Development or Development Plan in the following zoned districts M-3, M-4 and M-5.

D. Throughout these regulations the terms "Applicant", "Developer", "Owner", and "Operator" shall be used interchangeably and shall apply to each regardless of the term used therein.

E. Where conflicts arise between these standards and other City regulations, the more restrictive requirement shall govern.

F. The standards set forth in this Article constitute minimum standards as they relate to data centers and related uses. The City may, in its judgment apply additional, stricter, or supplementary standards to individual developments should the City, in its sole discretion, deem it reasonable to do so.

G. At the City's discretion, the Applicant may be required to enter into a funding agreement with the City whereby the Applicant pays for the additional fees associated with expert studies, engineering, legal or other consulting and expert services related to evaluating or verifying the application and/or project.

H. A road maintenance agreement shall be executed between the developer, City and any affected township or road district prior to construction and meet the following requirements:
    1. Outline responsibilities for maintaining, repairing, and restoring public roadways used for equipment delivery, construction traffic, and ongoing operations associated with the project.
    2. Include provisions, if applicable, for the following: pre-and post-construction road condition assessments, required repairs or upgrades to accommodate construction traffic, ongoing maintenance during the construction period, and financial security (such as a letter of credit) to guarantee roadway restoration.

I. A construction plan shall be submitted to the City outlining the conditions and requirements

of construction which may include but not limited to; construction routes; hours/days of operation; construction lighting; stormwater management plan; nuisance mitigation prior to building permit issuance.

J. Development plans shall be in accordance with and comply with the numerous regulatory agency requirements administered by local, state and federal authorities. Such agencies include but are not limited to: Metro-East Sanitary District; Madison County; Illinois Environmental Protection Agency (Land, Water and Air); Illinois Department of Natural Resources. Some regulatory submissions and/or approvals will be at the time of building permits.

Section 17-400 REQUIREMENTS

A. *Purpose.* To ensure that the development of data centers occurs in a manner that is compatible with surrounding land uses and mitigates the unique visual and operational impacts associated with large-scale, technology-intensive facilities and minimizes any adverse impacts to adjoining properties to the maximum extent practical. These standards are intended to promote high-quality site and building design while supporting responsible economic development.

SECTION 17-405 ENVIRONMENTAL AND COMMUNITY IMPACT ANALYSIS

A. The applicant shall provide an environmental and community impact analysis upon application for regulatory consideration. The environmental and community impact analysis shall include:

1. A narrative description of the nature of the on-site activities and operations.
2. Description that the disposal of materials will be accomplished in a manner that complies with state and federal regulations.
3. An evaluation of the potential impacts and/or mitigation measures of the proposed use, both positive and negative, upon:
    a. Emergency Services and Fire Protection
    b. Water supply
    c. Sewage disposal
    d. Solid waste disposal
    e. School district and other taxing districts budget
    f. City revenues and expenses
4. The City may request based on environmental impacts that are likely to be generated by the applicant to further furnish evidence that the impact generated by the proposed use falls within acceptable levels, as regulated by applicable laws and ordinances.

SECTION 17- 410: SITING AND DESIGN GUIDELINES

A. *Building Placement and Orientation.*

1. Buildings shall be sited and oriented to achieve the following:
    a. Minimize visual impacts of the bulk of the building when examined on a line-of-sight basis from adjacent public streets and public and private properties.
    b. Provide safe and convenient vehicular access to the site, including sufficient on-site queuing areas at security gates.
    c. Accommodate adequate parking.
    d. Minimize impacts on natural resources including working with the existing site topography where applicable in an effort to minimize grading.
    e. Incorporate appropriate stormwater management practices in compliance with local, county, state, and federal regulations.
2. Connection to public water and public sewer utilities shall be required.
3. Building height shall not exceed 75 feet. All primary and accessory structures shall be constructed with complimentary materials on all elevations, employing a consistent design approach, harmonious character, and matching façade colors.

B. *Buffer Yards, Setbacks and Screening.*

1. The buffer yard may be located within the required building setback lines. No impervious surface is permitted within the buffer yard aside from sidewalks, trails, and other minor associated improvements.
2. Service Areas, refuse collection areas, and service entrances shall be screened from view from existing or planned roads and all adjacent residential properties. Screening may consist of opaque fences or walls at least 8-foot tall located no further than 10-feet away from the subject area.
3. Data center sites abutting residential properties shall include an enhanced buffer yard with required plantings located on an earthen berm with a grade no steeper than 4:1. Use of existing vegetation (other than that deemed nuisance and scrub) for landscaping and screening is strongly encouraged and may be substituted for new berms and plantings if approved by the City.
4. Where the combined footprint of the principal structure or structures is less than 100,000 square feet:
    a. A minimum 100-foot setback from the principal and accessory structures adjacent to the public right-of-way shall be provided along the entire length of any street frontage of any property upon which the data center is located. A minimum building side and rear setback shall be 50-foot.
5. Where the combined footprint of the principal structure or structures is between 100,000 square feet and 250,000 square feet:
    a. A minimum 175-foot setback from the principal and accessory structures adjacent to the public right-of-way shall be provided along the entire length of any street frontage of

any property upon which the data center is located. A minimum building side and rear setback shall be 50-foot.

6. Where the combined footprint of the principal structure or structures exceeds 250,000 square feet:
   a. A minimum 225-foot setback from the principal and accessory structures adjacent to the public right-of-way shall be provided along the entire length of any street frontage of any property upon which the data center is located. A minimum building side and rear setback shall be 50-foot.
7. A landscaping plan shall be submitted by a licensed landscape architect for the approval of the City which provides a dense landscape buffer consisting of the following:
   1. Plantings not identified on the most current invasive species or watch lists.
   2. Be hardy within USDA hardiness Zone 6b.
   3. Shall be arranged in groupings to allow for ease of maintenance and to provide a natural appearance.
   4. The Zoning Administrator may approve alternative compliance landscape plans for projects that implement low-impact development practices or seek sustainable development or green building certifications from nationally recognized organizations, such as the International Code Council, the U.S. Green Building Council, the International Living Future Institute, the U.S. Green Building Initiative, or SITES.

C. *Fencing*
1. No fence may exceed 12 feet in height unless deemed necessary by the City.
2. Screened fencing shall include composite panels, decorative metal, steel picket, solid masonry, pre-cast, or stone walls.
3. Security fencing shall be limited to decorative metal fencing; barbed or razor wire may not be used.

D. Mechanical Equipment and Screening.

1. In an effort to minimize any adverse impacts of utility substations and emergency generators on the public viewshed, said utility substations and emergency generators shall be located within the side or rear yards of the principal building and shall be prohibited in any front yard. On-site substations do not require a buffer or screening between the principal building and the substation.
2. Ground Mounted Mechanical Equipment:
   a. Ground-mounted mechanical equipment adjacent to and serving the principal building shall be completely screened behind an opaque wall or fence with a minimum height of 10-ft and architecturally designed to complement the design of the principal structure(s). When equipment is located between buildings, a combination of walls and gates may be used at the openings between buildings.
   b. When in or adjacent to any industrial or commercial use or zoning district, ground-mounted equipment screening is only required from any existing or planned road.

c. Ground-mounted equipment is prohibited in any required setback.

d. Utility substations shall include year-round opaque landscaping or a fully opaque decorative screen wall a minimum of 10-ft in height to minimize visual impact.

e. Utility substations shall be setback from all adjoining property lines 225-ft. unless otherwise approved by the City.

3. Roof Top:

a. All rooftop-mounted equipment shall be screened by a parapet wall, equipment penthouse, or visually solid screen on all four sides that is constructed of materials complementary to those used in the exterior construction of the principal building. Roof-top equipment to be screened includes, but is not limited to, cooling, ventilation, and power supply machinery.

b. Roof top equipment that is visible above the parapet wall shall be set back from the exterior or parapet wall a distance no less than the height of said equipment.

c. Roof-top equipment may exceed the applicable maximum district building height by no more than 10-ft when completely screened.

E. On-Site Substations.

1. Substations within the public viewshed shall include year-round opaque landscaping primarily by utilizing evergreens or a fully opaque decorative screen wall consistent with the architectural design of the site's principal structure(s) a minimum of 10-ft in height to minimize visual impact.

2. High-voltage equipment shall not be visible from the public viewshed unless screened by a fully opaque decorative screen wall, a minimum of 10-ft wall consistent with the design of the site's principal structure(s) and supporting landscaping.

F. Emergency Generators.

1. Emergency generators within the public viewshed shall be housed in architecturally compatible enclosures consistent with the design of the site's principal structure(s) or behind a fully opaque decorative screen wall a minimum of 10-ft in height and designed in a manner consistent with the design of the site's principal structures.

G. Public Viewshed.

1. The City reserves the right to permit exceptions for equipment that is not visible to the public and demonstrates compliance with noise regulations.

Section 17-415: Sound/Noise

A. *Purpose.* To prevent excessive noise from data center operations that may adversely impact public health, safety and or nearby properties.

1. A sound study of the pre-existing conditions of the proposed property shall be submitted showing existing ambient noise levels at the property line prepared to

industry standards.

B. Maximum allowable sound limits from all equipment shall not exceed 65dBA as measured at property lines.

C. Noise Modeling Requirements.

1. Before the issuance of any construction permit, the applicant shall submit:
    a. Modeling for worst-case operating conditions (summer peak day + nighttime scenario)
    b. Impacts at all property lines
    c. Proposed mitigation measures with quantifiable sound reductions
2. City staff may require additional consultant/expert review of submitted requirements at the applicant/owner/operator expense. Noise levels may be adjusted with the recommendations an acoustic professional based on pre-construction noise studies.

D. *Emergency Generator Operation.*

1. Emergency generators shall only be utilized during emergency events and during scheduled testing periods.
2. When more than one (1) principal building is located within the development emergency generators shall be located in the center of the clustered buildings to minimize adverse impacts as practical.
3. Routine emergency generator testing shall be limited to weekdays between the hours of 10:00 a.m.–4:00 p.m. excluding holidays.
4. The schedule of routine generator testing shall be required to be submitted to the Zoning Administrator for review and approval. Any changes to the approved testing schedule shall also be required to follow this process.
5. Testing shall not exceed 60 minutes per generator per month.

E. Cooling System Noise.

1. Cooling systems, rooftop fans, and HVAC units shall include:
    a. Acoustic barriers, baffles, or shrouds
    b. Variable-speed fans to prevent nighttime exceedances
    c. Placement away from residential property lines whenever feasible
2. Cooling systems shall not be roof-mounted unless the applicant proves equal or superior noise performance.

F. Post Construction Compliance Testing Required.

1. Testing for compliance with noise regulations shall be required after the site has been issued final occupancy and is fully operations. The following shall be required:
    a. Testing shall occur within 90 days of issuance of full occupancy and after full operational status has been achieved.

b. Measurements shall be taken by an independent, qualified acoustic engineer.

c. Testing shall occur under reasonable worst-case operational conditions.

d. Results shall be submitted to the Zoning Administrator.

Section 17-420: Water

A. *Purpose*. To ensure that data center operations present no adverse impacts to the public water supply, groundwater sustainability, or the availability of water for residential and commercial users.

B. Applicants shall disclose proposed cooling technology and maximum daily water demand at full buildout.

C. Liquid cooled, closed loop cooling systems with limited evaporation technology shall be required unless there is a more advanced technology available at the time of application of a building permit.

D. Developer shall provide verification from the public water supplier demonstrating:

1. Adequate source capacity

2. Adequate treatment and distribution system capacity.

E. If infrastructure expansion is needed, the applicant shall fund or construct improvements without burdening existing users or the City.

F. Any blowdown or processed water shall be treated to meet all local, state, and federal requirements prior to discharge.

Section 17-425. Exterior Lighting

A. *Purpose*. To ensure data centers minimize light pollution, protect nighttime environments, and reduce nuisance lighting impacts on nearby residential properties and neighborhoods, wildlife, and dark skies.

B. A lighting/photometric plan and study and analysis shall be required and shall be prepared and sealed by a qualified professional and required to demonstrate compliance with all lighting standards. Said plan and study shall be required to demonstrate 0.1 foot-candles measured at the property line next to residentially used or zoned property measured line-of-sight and from any point on the receiving residential property. For all other adjoining non-residential property 0.5 foot-candles shall not be exceeded.

C. Dark Sky (IDA) compliance shall be required when designing site lighting.

D. All site lighting shall comply with the Illuminating Engineering Society (IES) standards.

E. *Horizontal Surfaces*. For the lighting of predominantly horizontal surfaces, such as, but not limited to, parking areas, roadways, vehicular and pedestrian passage areas, loading docks, building entrances, sidewalks, bicycle paths, and site entrances, luminaires shall be aimed down, and shall meet Illuminating Engineering Society of North America (IESNA) full cut-off/fully shielded criteria.

F. *Non-Horizontal Surfaces*. For the lighting of predominantly non-horizontal surfaces, such as, but not limited to, facades, landscaping, and signs, luminaires shall be shielded and shall

be installed and aimed to not project their output into the windows of neighboring residences, adjacent uses, past the object being illuminated, skyward, or onto a public roadway.

G. *Adjacent Residential Uses*. The illumination projected onto a residential use shall at no time exceed 0.1 footcandle, measured at line-of-sight and from any point on the receiving adjoining residential property.

H. *Adjacent Non-Residential Uses*. The illumination projected from any property onto a non-residential use shall at no time exceed 0.5 initial footcandle, measured at line-of-sight from any point on the receiving property.

I. *Glare*. Vegetation screens shall not be employed to serve as the primary means for controlling glare. Rather, glare control shall be achieved primarily using such means as cutoff luminaires, shields and baffles, and appropriate application of luminaire mounting height, wattage, aiming angle, and luminaire placement.

J. *LED Lights*. All site lighting shall be LED and shall have a correlated color temperature that does not exceed 3000K.

Section 17-430. Stormwater Management

A. *Purpose*. To establish stormwater management standards for data centers to ensure protection of public infrastructure, water quality, and natural resources; to prevent flooding and erosion; and to regulate non-stormwater discharges.

1. Stormwater Management Plan Required. All applicants shall submit a Stormwater Management Plan (SWMP) for review and approval to be compliant with local, county, state and federal regulations.

B. *Stormwater Quality Controls.*

1. Acceptable methods for achieving runoff reduction include, but are not limited to, infiltration practices, extended detention, green infrastructure, permeable pavements, and reuse systems, as approved by the city.

2. The City may require additional detention, downstream system improvements, and stream channel grade protection if modeling shows adverse impacts at the sole expense of the Developer.

3. Groundwater Protection Required

   a. Infiltration Best Management Practices (BMPs) shall be maintained between the bottom of the facility and seasonal high groundwater.

   b. Applicants shall submit site-specific soil and groundwater evaluations prepared by a qualified professional prior to approval of infiltration practices, if required.

   c. Infiltration BMPs are prohibited within or downgradient of areas containing fuel storage, chemical storage, transformers, generators, or loading areas

C. *Extreme Storm and Flood Resilience.*

1. Detention and water quality treatment capacity shall be constructed concurrently with each phase of development. No temporary or permanent loss of required capacity is

permitted during buildout.

2. Stormwater systems relying on pumps shall include redundant pumps, backup power, and fail-safe overflow pathways. Primary reliance on pumped systems without redundancy is prohibited. Pumps, backup power and other requirements of the stormwater system shall be at the sole expense of the Developer.

D. *Non-Stormwater Discharge Prohibitions.*

1. The following discharges shall be prohibited from entering the stormwater system:
   a. Cooling tower blowdown
   b. Fire system test water
   c. HVAC condensate (unless otherwise approved)
   d. Treated process water
   e. Water softener regeneration or brine discharge
2. Such discharges shall be managed through approved disposal methods.

E. *Long-Term Ownership and Operation and Maintenance.*

1. All applications shall submit a Stormwater Operations and Maintenance (O&M) Plan.
2. The City retains the authority to inspect, require corrective action, and enforce maintenance obligations for the life of the facility, regardless of ownership or operational changes.
3. The city may require third-party inspection of said facilities at the expense of the owner/operator.

Section 17-435. Community Benefit Agreement (CBA) Required

A. *Purpose.* To ensure that large-scale data center developments provide measurable, enforceable, and lasting benefits to the residents and the city, while mitigating impacts associated with intensive land use, energy consumption, infrastructure demands, and environmental effects and address the following generally:

1. Promote equitable economic development and local workforce participation.
2. Ensure that public infrastructure and services are not unduly burdened by data center operations.
3. Address site-specific impacts related to utilities, transportation, noise, air quality, water resources, and emergency services.
4. Provide transparency, accountability, and enforceable obligations.
5. Align private investment with the City's economic development and community benefit objectives.
6. Agreements shall be approved by the City prior to application of a building permit.

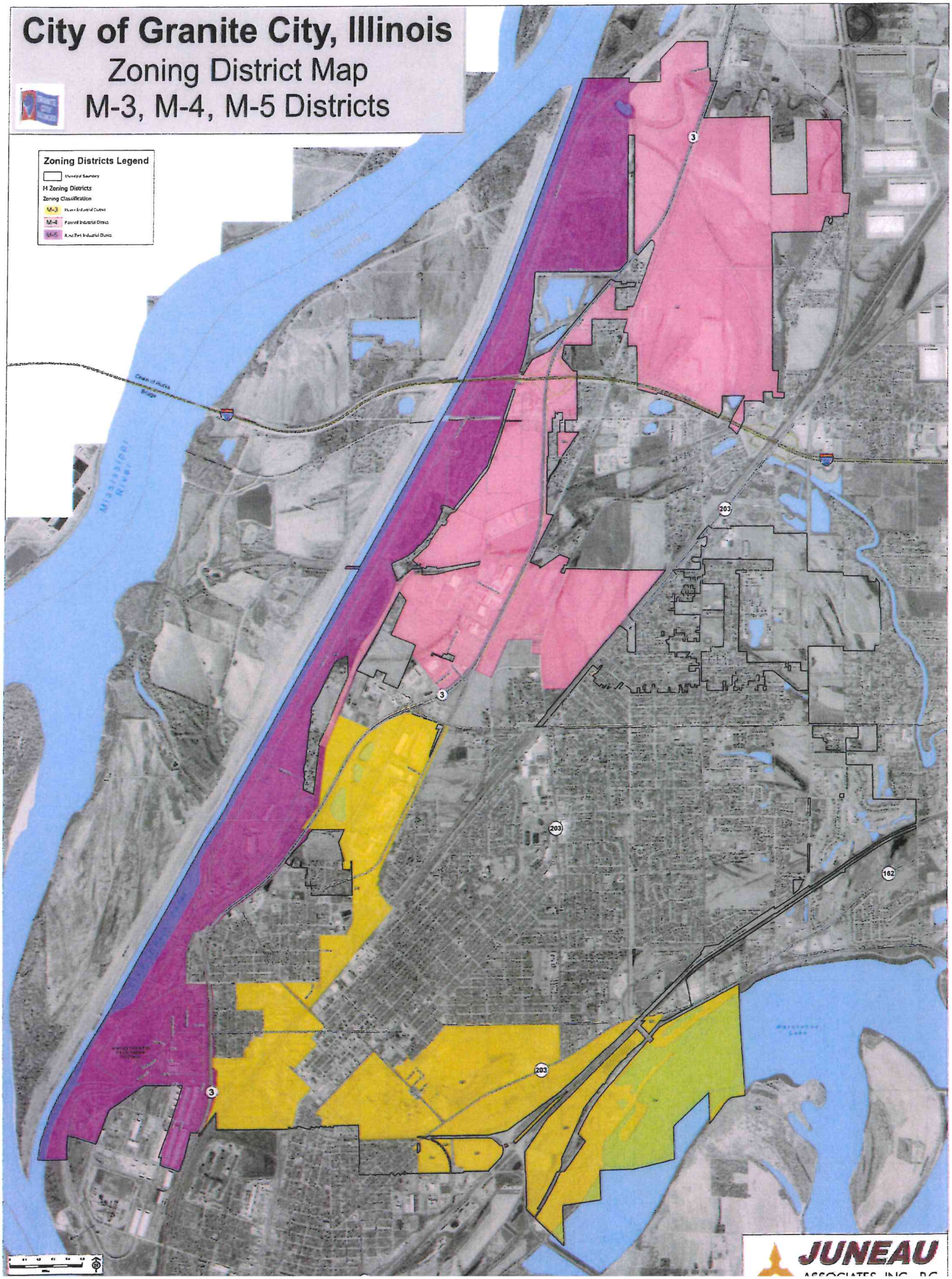
Section 17-440. Site Closure/Decommissioning

A. The City reserves the right to request a site closure/decommissioning plan upon application in the City's sole discretion.

City of Granite City, Illinois

Zoning District Map

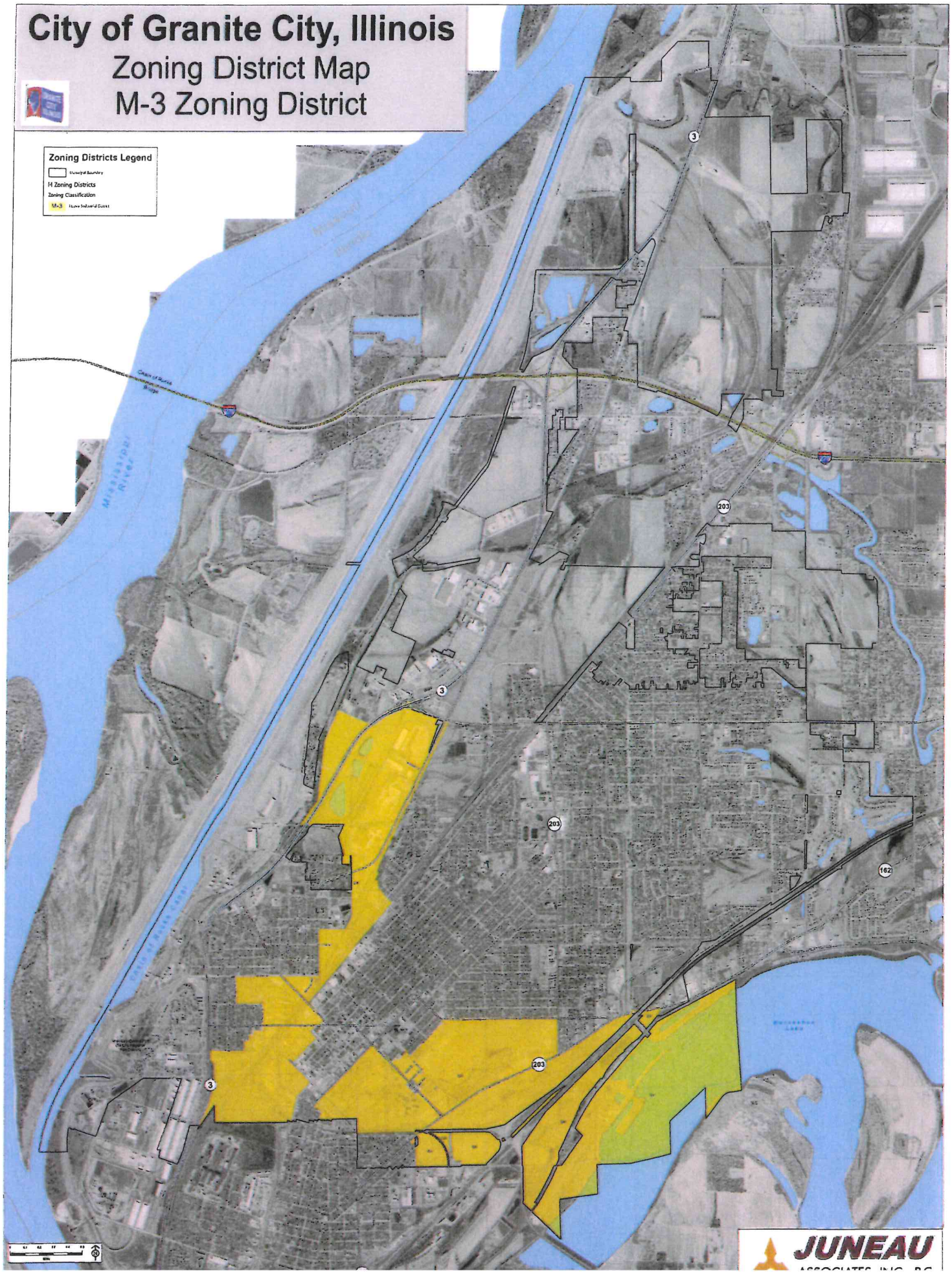
M-3, M-4, M-5 Districts



City of Granite City, Illinois

Zoning District Map

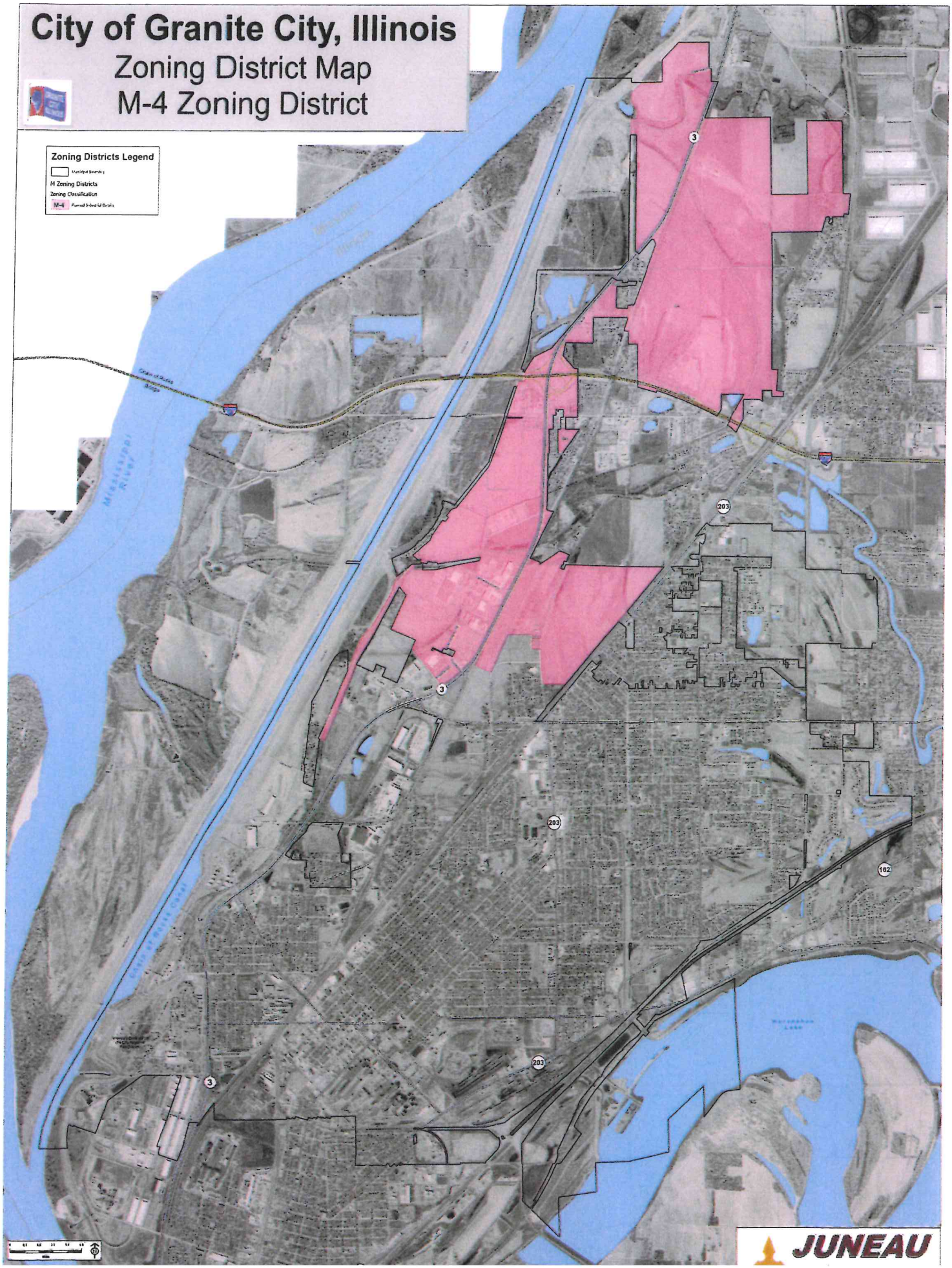
M-3 Zoning District



City of Granite City, Illinois

Zoning District Map

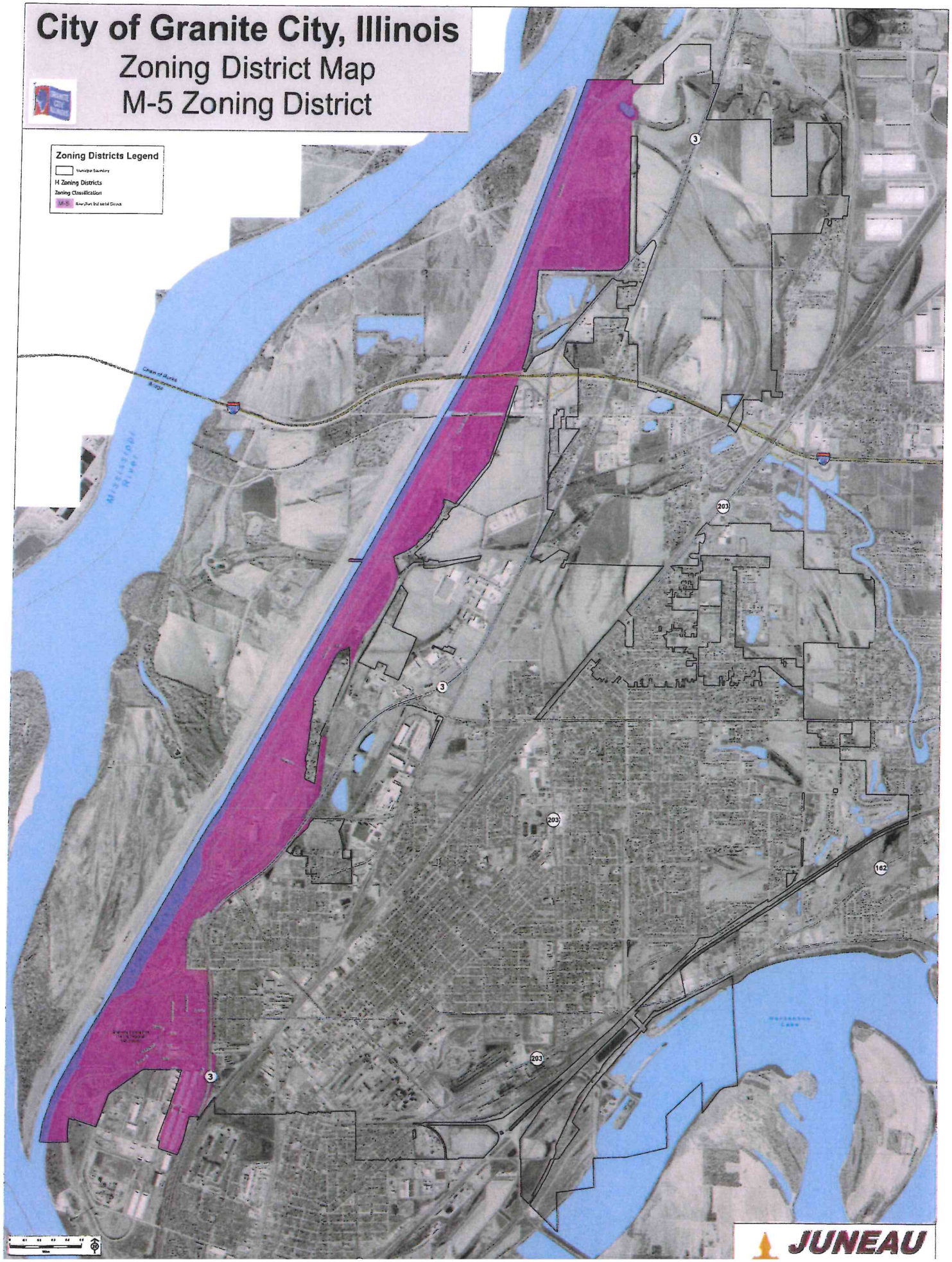
M-4 Zoning District



City of Granite City, Illinois

Zoning District Map

M-5 Zoning District




ISO-NE
Northwest
MISO
NYISO
PJM
SPP
CAISO
Southwest
Southeast
ERCOT

PUBLIC NOTICE

The City of Granite City Plan Commission will conduct a public meeting on Thursday, **April 2nd, 2026 at 7:00 P.M. at The Mill, located at 1311 20th St, Granite City.**

The purpose of the meeting is to consider an amendment to Zoning Ordinance No. 3818, specifically Sections 4-1620 (M-3 Heavy Industrial District) and 4-1820(M-5 River/Port Industrial District), to permit the establishment and operation of Data Centers within these zoning districts; and establish Article 17 to set standards and requirements for Data Center developments.

All interested citizens and stakeholders are invited to attend and provide input during the proceedings.

Plan Commission Minutes
February 5th, 2026

CALL TO ORDER

Chairman Dan Comer called the meeting of the Plan Commission to Order on Thursday, February 5th, 2026, at 7:00 PM.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ATTENDANCE/ROLL CALL

Members Present: Mark Davis, Shirley Howard, Rodger Goodman, Kay Rollins, Don Scaturro, Frank Orris III, Joe Hackler, Dan Comer, Dan Monroe, Greg Faulkner, Scott Smith.

Also present were City Attorney Tonya Genovese
Council Members: Dan McDowell
Building & Zoning Administrator: Greg Koberna

COMMENTS BY THE CHAIRMAN

The Plan Commission serves in an advisory capacity to the City Council, which will make the final determination on this matter. Chairman Comer stated that, following a meeting with Mayor Mike Parkinson, it was determined that the process should be slowed down. As a result, there will be no vote on Article 17 at this evening's meeting.

Tonight's meeting will be for informational purposes only. Economic Developer Cathy Hamilton will provide a presentation, and the Commission will hear comments and concerns from members of the public who wish to speak.

MINUTES/AGENDA

Motion to approve the Minutes from the previous meeting April 10th, 2025, and this evening's Agenda was made by Mark Davis and second by Shirley Howard. All in favor. Motion carried.

COUNCIL REPORT

No Report.

Economic Developer Cathy Hamilton -

The speaker welcomed attendees and expressed appreciation for the large turnout, noting the project as an exciting opportunity for the community that will require collaboration and understanding.

Due to technical difficulties, the presentation was delivered verbally.

The city has begun increasing community engagement and transparency efforts, including launching a dedicated website (datacentersgranitecity.com) that provides access to agendas, meeting packets, timelines, and project updates. The website also includes a portal for residents to submit comments, questions, and information for consideration. Responses may not be provided individually, but common themes may be addressed through frequently asked questions. Additional public engagement opportunities such as work sessions, town halls, and open houses in the future.

It was clarified that no data center developer has formally submitted a project at this time. The City is currently in a fact-finding phase, working to better understand data centers, identify best practices, and prepare zoning regulations for potential future proposals.

The speaker addressed public concerns, noting that common questions—regardless of support or opposition—include topics such as water usage, sound, and lighting as well as a substantial rise in water and electricity rates. Residents were encouraged to review prior City Council materials from November 18, 2025, for additional context.

It was stated that no City officials, including the Mayor or City Council members, have signed or been asked to sign non-disclosure agreements (NDAs), and none will be signed. The process will remain public and transparent.

The city has been notified by a developer that Granite City is under consideration for a project, which initiated the current process. However, no formal application has been received.

As part of next steps, the city anticipates entering into a funding agreement with a developer if a project moves forward. This would require the developer to cover the cost of third-party experts (e.g., legal, zoning, sound studies and environmental) to assist in project evaluation, ensuring no financial burden on taxpayers.

The speaker clarified that the current meeting focuses on zoning matters such as land use, setbacks, buffers, and vegetation, while economic development considerations will be addressed separately.

Regarding economic development incentives, the mayor's position is that any project must provide immediate and tangible benefits to residents, specifically emphasizing the goal of lowering property taxes. Long-term benefits alone (10–20 years) are not considered acceptable. The city is already working with other taxing districts on this matter.

A Mayor's Speaking Series event is scheduled for March 10, 2026, which will focus on economic development aspects, including jobs, tax impacts, and input from industry professionals and regulators. The event will also provide opportunities for residents to engage directly with companies and experts.

The speaker concluded by expressing appreciation for community engagement and noted that the city will benefit from continued public involvement and feedback throughout the process.

Public Comment

Chairman Dan Comer stated that the floor would now be open for public comments and concerns. He further noted that anyone wishing to speak must first sign in at the front of the auditorium.

The following speakers spoke on matters related to data centers, including comments and concerns.

Don Degonia

Matt Lanahan

Charles Bailey Jr

Chris Hankins

Kevin Townsends

Taylor Wyatt

Walter Puryear

Carla Kohler

Noelle "Wrenne" Abreus

Jacob Sedabres

John Schmitt

Economic Developer Cathy Hamilton presented additional information on zoning, as well as Article 17.

The speaker presented the zoning framework related to potential data center development, emphasizing that the petition originates from the city. The discussion focused on clarifying the zoning process, including location considerations and development standards.

Officials stated there are no proposed changes to zoning boundaries, no rezoning of properties, and all areas under consideration are already zoned for industrial use and compliant with the Comprehensive Plan. The properties, particularly those in the M-4 district, have maintained industrial zoning classifications since the 1990s.

The proposed amendment, Article 17, establishes minimum development standards to guide future projects and strengthen protections for residents. Additional standards may be negotiated through the Planned Unit Development (PUD) process.

Potential development areas were identified within M-3, M-4, and M-5 districts. These locations have historically been designated for industrial use.

Any future project would be subject to the standard review process, including Plan Commission review and public hearings. The speaker emphasized that Article 17 is intended to ensure baseline standards are in place, rather than negotiating without guidelines, thereby providing greater structure and community protection moving forward.

Public Comment

Chairman Dan Comer re-opened the floor to any additional comments from the public.

The following speakers spoke on matters related to data centers, including comments and concerns.

Daniel Watson

Sandy Rodgers

Jeremy Johnson

Bob Madewell

Topher Sudlik

Cody Thomas

Jamie Gregory

Morgan Bennett

James Bailey Sr

Chairman Dan Comer closed the floor to public comments, as no further individuals wished to speak.

Closing Remarks: Chairman Dan Comer stated that the Planning and Zoning Commission serves as an advisory body comprised of City residents who are equally impacted by the matter. He noted that all public comments have been considered and that the Commission will make a recommendation to the City Council, which will have final authority. He added that the Commission will continue to evaluate the matter and strive to act in the best interest of the community.

NEW BUSINESS- None

OLD BUSINESS-None

UNFINISHED BUSINESS-None

Adjournment

Motion to Adjourn is made by Frank Orris III and second by Joe Hackler. All in favor.

Respectfully submitted,
Katelyn Rozell
Secretary,
Plan Commission

PLAN COMMISSION ADVISORY REPORT
Hearing Date: February 5th, 2026

The Plan Commission was convened on February 5, 2026, to review zoning considerations related to potential data center development within the city. The meeting was informational in nature, with no formal vote taken, and included both staff presentations and public input. The Commission reiterated its role as an advisory body to the City Council, which will make the final determination on any zoning amendments or development proposals.

The City is currently in a fact-finding phase, as no formal development application has been submitted, although a developer has expressed interest, prompting preliminary review. Officials emphasized a commitment to a transparent and public process, with no non-disclosure agreements in place. A dedicated website has been launched to provide updates, documents, and a platform for public input, and additional engagement opportunities such as town halls and work sessions in the future.

The proposed Article 17 amendment would establish minimum development standards, including setbacks, buffering, landscaping, and site design requirements. Additional conditions may be addressed through the Planned Unit Development (PUD) process. No rezoning or changes to zoning boundaries are proposed, and all areas under consideration are already zoned for industrial use and consistent with the Comprehensive Plan. Potential development areas include M-3, M-4, and M-5 districts.

Financial considerations discussed included the possibility of developer funded agreements to cover third-party review costs, ensuring no financial burden on taxpayers. The City also emphasized that any future project must provide immediate and tangible benefits to residents, including efforts to reduce property taxes, with broader economic development topics to be addressed separately at future events.

Public comment was received during two separate periods, with recurring concerns focused on water usage, noise, lighting, and potential impacts on utility costs. All comments were acknowledged and entered into the public record for consideration.

The Plan Commission will continue evaluating zoning standards and community input before making a formal recommendation to the City Council. No action was taken at this meeting, and the matter remains under review.

**********End of Advisory Report**********

MEMO

TO:	COLLINSVILLE PLANNING COMMISSION
FROM:	TRAVIS TAYLOR, AICP, COMMUNITY DEVELOPMENT DIRECTOR
RE:	DATA CENTER TEXT AMENDMENT DISCUSSION
STRATEGIC GOALS:	GOAL 4: PRESERVE AND IMPROVE EXISTING NEIGHBORHOODS GOAL 3: ENCOURAGE TOURISM AND ECONOMIC DEVELOPMENT
DATE:	MARCH 6, 2026

Recently, the St. Louis metro region has experienced rising interest in data centers locating in the St. Louis area, including the Metroeast. The recent interest in this area is part of a larger interest in data center production within the Midwest. According to the Weldon Cooper Center for Public Service's *Data Centers in the Great Lakes Region: Fact Sheets* (n.d.), 20% (525 Data Centers) of US Data Centers are located around the Great Lakes, with another 224 Data Centers planned for construction between 2025 and 2030. The majority of Midwest data centers are currently located in or planned for both Illinois and Ohio. Most data centers are located in large and medium metro counties, counting for over 96% of all operational data centers (Ferraira et al, 2026).

From a local viewpoint, communities such as Troy, Granite City, and St. Charles have seen interest from hyperscale data center developers. While, as of the date of this memo, the City of Collinsville has not been approached or had any conversations with any hyperscale data centers or developers, staff believes it is appropriate to get ahead of the trend and appropriately plan for these potential uses. To date, the City has only seen interest in the City's data center regulations from one crypto mining businesses, which prompted the Planning Commission to consider and vote favorably on a potential Data Center Moratorium in 2025.

Under the City's current regulations, Data Centers (called out as "Data Processing, Hosting and Related Services, NAICS 518) are allowed by right in the City's Business Park 1, Business Park 2, Business Park 3, Business Park 4, and Industrial zoning districts. Exhibits 1-3 of this report depict the locations of these zoning districts throughout the City. These uses have no further supplementary regulations or restrictions than those outlined for any commercial development/land use. As such, staff believes the City's current regulations may not adequately address this use and its potential adverse impact on the city. For discussion purposes, with this memo staff intends to provide a high-level overview of data centers, their potential impacts, and the options the City has to place appropriate protections through development and performance standards.

What is a Data Center?

Simply, data centers "consist of networks computer systems used for data storage and processing" (Morley, 2022). Data Centers can be further categorized into several tiers (Ferraira et. al, 2026), which correspond with scale and use:

- Crypto: Designed primarily for cryptocurrency mining.

- Retail: Offers data center space for multiple small-to-medium clients
- Telco: Telecommunications providers. Often integrated with network hubs and other communication infrastructure
- Wholesale: Large blocks of space and power leased to single, or few, tenants.
- Hyperscale: Large-scale facilities purpose built for big tech companies (Oracle, Amazon, Google, Meta, etc).

The City has minimal experience permitting data centers, with the most notable being that of a "telco" data center for AT&T at 423 West Clay Street. This facility goes mostly unnoticed as a data center due to its scale. This facility serves as not only a data center, but also an office building for the telecommunications provider.

The recent demand for data centers has shifted significantly away from smaller-scale developments, in favor of wholesale or hyperscale developments which are typically larger in scale and carry more significant demands on infrastructure. This demand and growth is fueled by cloud computing, service digitization, and artificial intelligence (AI) advancements/utilization (Ferraira et al, 2026).

Why are data centers controversial?

Development of data centers have dominated the media and planning circles lately as they bring potentially a myriad of adverse impacts on infrastructure and neighborhoods. Some of the major concerns with data centers revolve around electricity usage, water usage/disposal, and noise and vibration.

A primary concern for most communities and regions center around large electricity demands of data centers. Data centers require a significant amount of energy related to both running the processing units, but also cooling these units. By 2030, it is estimated that the average data center will exceed 50 Megwatts (MW) of "installed capacity," equivalent to the energy demands of approximately 70,000 households (Ferraira et al, 2026). AI-focused facilities could require between 300-1,000 MW (Nichols, 2025). With growing demands on energy infrastructure, come questions and concerns related to siting of these facilities, transmission capacity, and community impact (Nichols, 2025). The significant demands on electricity leads data centers to site new major utility infrastructure, and coordinate early with energy providers. Data centers' stress on infrastructure and high demands for energy, may be resulting in rising costs for residents (Levy, 2025). The rising costs have even prompted Illinois Governor JB Pritzker to call for a pause on new state-wide incentives for data centers during his 2026 State of the State address (Pritzker, 2026).

Another concern, centers around water usage. Due to the nature of the use, data center's servers require constant cooling systems, which may take on a variety of forms. Data centers may choose to cool servers in two main ways, evaporative cooling, or non-evaporative cooling. Some evaporative cooling methods require consistent and large amounts of water. This not only stresses utility infrastructure and water

supplies, but also brings into question how used water is disposed of and managed. Non-evaporative cooling, such as closed-loop systems appear to offer some solution to direct water needs, as they recycle water through their cooling system, reducing the amount of water needed on a constant basis (National League of Cities n.d.).

Another major consideration for data centers is the potential nuisances created for surrounding properties. Anecdotally, the potential for noise and, to a lesser extent, vibration accounts for the primary reason data centers in recent years have made the news. The constant operational nature of data centers lends to the potential for constant noise and potential vibrations (Nichols, 2025). This may be exacerbated by backup energy production systems, such as generators, which not only turn on during an energy outage, but typically cycle on and off at various times throughout the year for testing purposes. Noise and vibration concerns, while problematic in typical commercial settings, may be of particular concern when data centers are sited near residential properties, parks, or other sensitive uses

From a planning perspective, long-term use of land and structures should also be a consideration. Some discussions around data centers hypothesize a potential for an "AI bubble" (Sanchez, 2026). This could result in a significant slowing, stagnation, or decrease in industry if the bubble should burst. As seen with the plight of malls, data center growth and use may not be sustained in the future, resulting in vacant, purpose-built structures which have limited adaptive reuse (Morley, 2025). Some considerations include provisions such as land reservation for future parking needs, bonds to cover future demolition costs, or even adaptive reuse plans (Morley, 2025). Further, there are additional considerations and concerns a burst of the AI bubble may have adverse implications related to excess energy production, resulting in higher energy costs for nearby areas as smaller-load users pay costs originally shouldered by data centers (Sanchez, 2026).

While there are some claims that some of these issues outlined are being addressed as data centers continue to evolve with demands of not only the industry but local governance, these still remain real and potential concerns the City should consider when crafting regulations.

What are the potential benefits of data centers?

While in the news due to potential adverse impacts of their development, data centers may bring benefits to a community. This is especially true if communities leverage development for community benefits. Some communities are entering into agreements with developers for private investments into utility infrastructure upgrades to support the development or other contributions (including financial) directly to the community via development agreement (Abbott et al, 2025).

An important consideration about possible benefits is employment generation. While direct, long-term employment by data centers is typically minimal (Nichols, 2025), they are usually higher earning positions (Urban Land Institute, 2024). Data Center development is, also, extremely capital intensive and could result in significant up-front construction activity, and therefore temporary construction jobs.

Large data center projects could “create hundreds or perhaps a few thousand” up-front construction jobs over a multi-year development (Bureau of Business, 2018). Such employment, though temporary, could have indirect economic impacts for the community and region as these employees will now find themselves in Collinsville and the immediate area, potentially patronizing businesses. While long-term employment opportunities may be well-compensated, it should be noted that total employment does not typically rival that of other commercial or industrial land uses (Urban Land Institute, 2024).

Other noteworthy, potential benefits for data centers revolve around tax generation. From a property tax perspective, hyperscale data centers are large, expensive capital investments, filled with “high value equipment and infrastructure” (Urban Land Institute, 2024). This may result in large property valuations, higher than potentially other commercial or industrial land uses. As these properties could account for a significant portion of the tax levy for the community’s taxing bodies, residents may realize lower property tax bills. Further, and more specific to Collinsville, data centers with large energy consumption may generate significant utility tax revenues. Collinsville currently has a 4% utility tax, meaning utility taxes from a data center could lead to major revenue windfalls for the community.

How do we plan for potential data center development?

As noted by several professional organizations, the clear path to mitigating adverse impacts of data centers relies on proper zoning and permitting procedures specific to the data center land use (National League of Cities n.d.; Nichols 2025). It is staff’s opinion that the Planning Commission and City Council carefully evaluate the potential benefits and costs of data center development.

The first step in planning for data centers is appropriate siting. The City will need to evaluate and determine where data centers are most appropriate and if scale of the data center matters in terms of its location. Presently, data centers, as a whole, are allowed by right in all of the City’s “Business Park” and industrial districts. For reference, the maps in Exhibits 1-3 depict all zoning districts where data centers are currently permitted by right. Further, the City may need to explore data center permissibility depending on the scale of the development, as that may dictate where data centers make sense. Some communities clearly differentiate between data center size and type and allow them in different districts based on their potential impacts.

The second step is to determine how these uses are permitted. The City has multiple options related to use permissibility within the current zoning regulations. These include: permitted by right (i.e. no public hearing or public body approvals necessary), permitted via Special Use Permit, and permitted via planned use/planned district designation. The latter options require public hearings and approvals by the Planning Commission and potentially City Council. These options allow the Commission to consider developments against specific approval criteria on a case-by-case basis and allow the Commission and Council to place conditions on a specific request, to help mitigate potential adverse impacts.

One of the most important steps is the establishment of development requirements and performance standards. Through regulations specific to data centers, the City can attempt to mitigate potential adverse impacts related to those concerns outlined within this memo, such as energy use, water use, noise/vibrations, environmental concerns, future-proofing reuse capabilities of structures, etc. Some potential requirements could include:

- Third party modeling reports/studies related to noise, vibration, energy use, etc
- Use-specific noise standards
- Cooling system limitations, such as a ban on potable water usage or requiring closed-loop systems
- Annual performance standards and reporting requirements related to noise, water, and energy use
- Additional equipment screening, generator testing schedule requirements, and setback considerations
- Proactive adaptive reuse planning
- Require incorporation of renewable energy
- Development agreements to ensure up-front community benefits

Fortunately, several other communities are currently going through this exercise, allowing us some insight into trending best practices. For the Commission's review, staff has attached reports and ordinances from three communities referenced above, St. Louis, MO; Aurora, IL; and Troy, IL.

Staff is asking for additional feedback from the Commission with regards to both zoning district permissibility, permitting process, and necessary conditions/requirement for the land use. With guidance from the Commission, Staff will bring a complete ordinance for public hearing and consideration at a future meeting date.

MEMO

RESOURCES

Abbott S, Chiu J, Elgoweili N. 2025. *Lightening the Load Scaling Clean Solutions for Data Centers and Communities*. RMI. Young Gifted and Green.

Bureau of Business. 2018. *Economic and Fiscal Impacts of Sarpy County Data Centers*. University of Nebraska- Lincoln.

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National League of Cities. (n.d.) *Data Centers and Environmental Considerations*. National League of Cities. EPI Center for Scientific Evidence in Public Issues.

Nichols C. 2025. The Physical Footprint of Artificial Intelligence. *Zoning Practice. Vol 42, No. 10*

Pritzker JB. 2026. *State of the State Address*. https://gov-pritzker-newsroom.prezly.com/gov-pritzker-proposes-eighth-balanced-budget. Accessed 3-2-2026.

Sanchez T. 2026. *What the Data Center Boom Means for Planners*. Planetizen. https://www.planetizen.com/blogs/137025-what-data-center-boom-means-planners. Accessed 3-3-2026.

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University of Virginia Weldon Cooper Center for Public Service. (n.d.) *Data Centers in the Great Lakes Region: State Fact Sheets. Welson Cooper Center for Public Service* https://www.coopercenter.org/GLDC-state-fact-sheets. Accessed 3-2-2026.

Urban Land Institute. 2024. *Local Guidelines for Data Center Development*. Washington, D.C.: Urban Land Institute.

MEMO

EXHIBITS

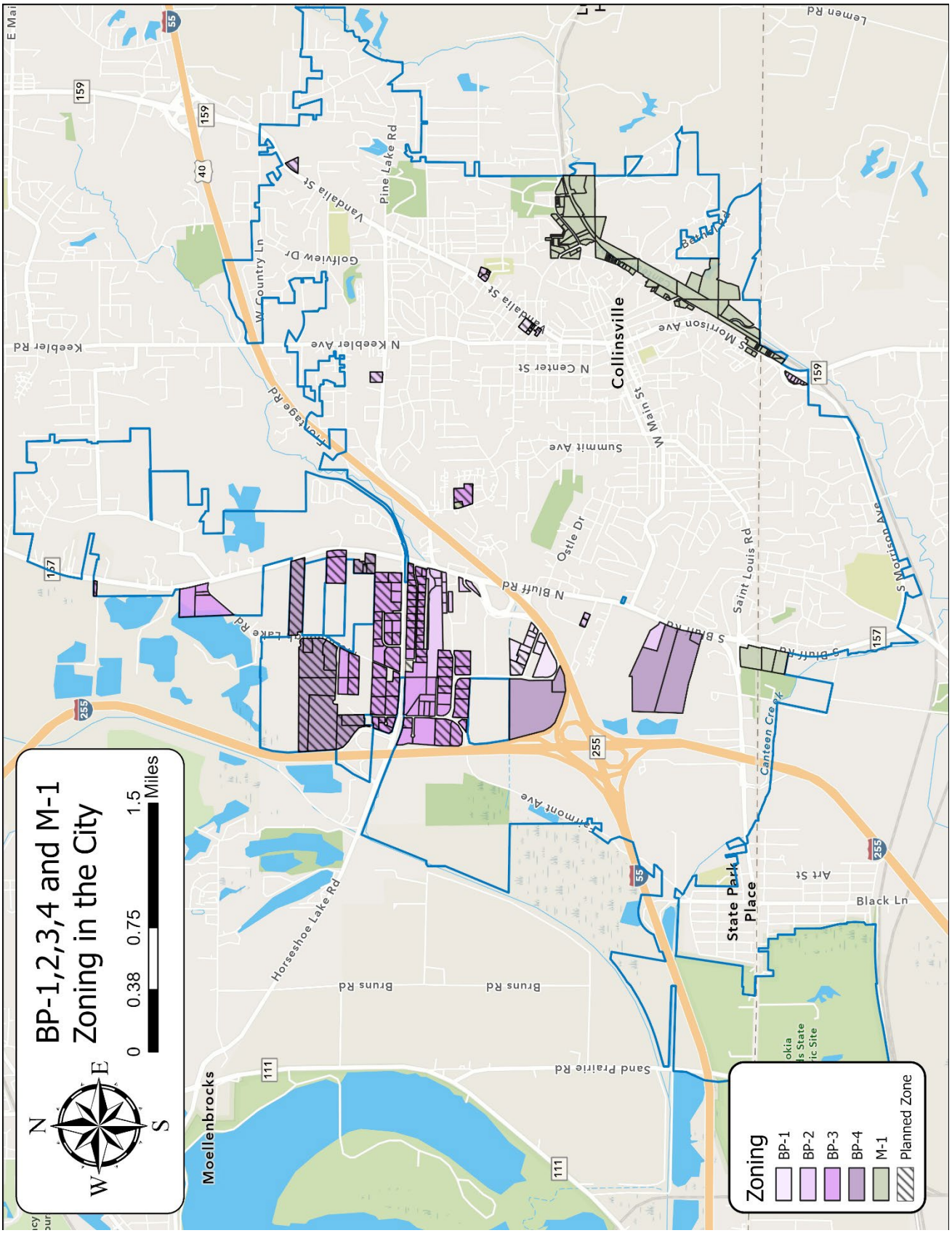
Exhibit 1 – City Map of Data Center Zoning Districts
Exhibit 2 – Eastport Map of Data Center Zoning Districts
Exhibit 3 – Lebanon Road Map of Data Center Zoning Districts

ATTACHMENTS

Draft Framework for Data Center Regulation – St. Louis
Ordinance No. 2025-46 – City of Troy
Aurora Staff Report

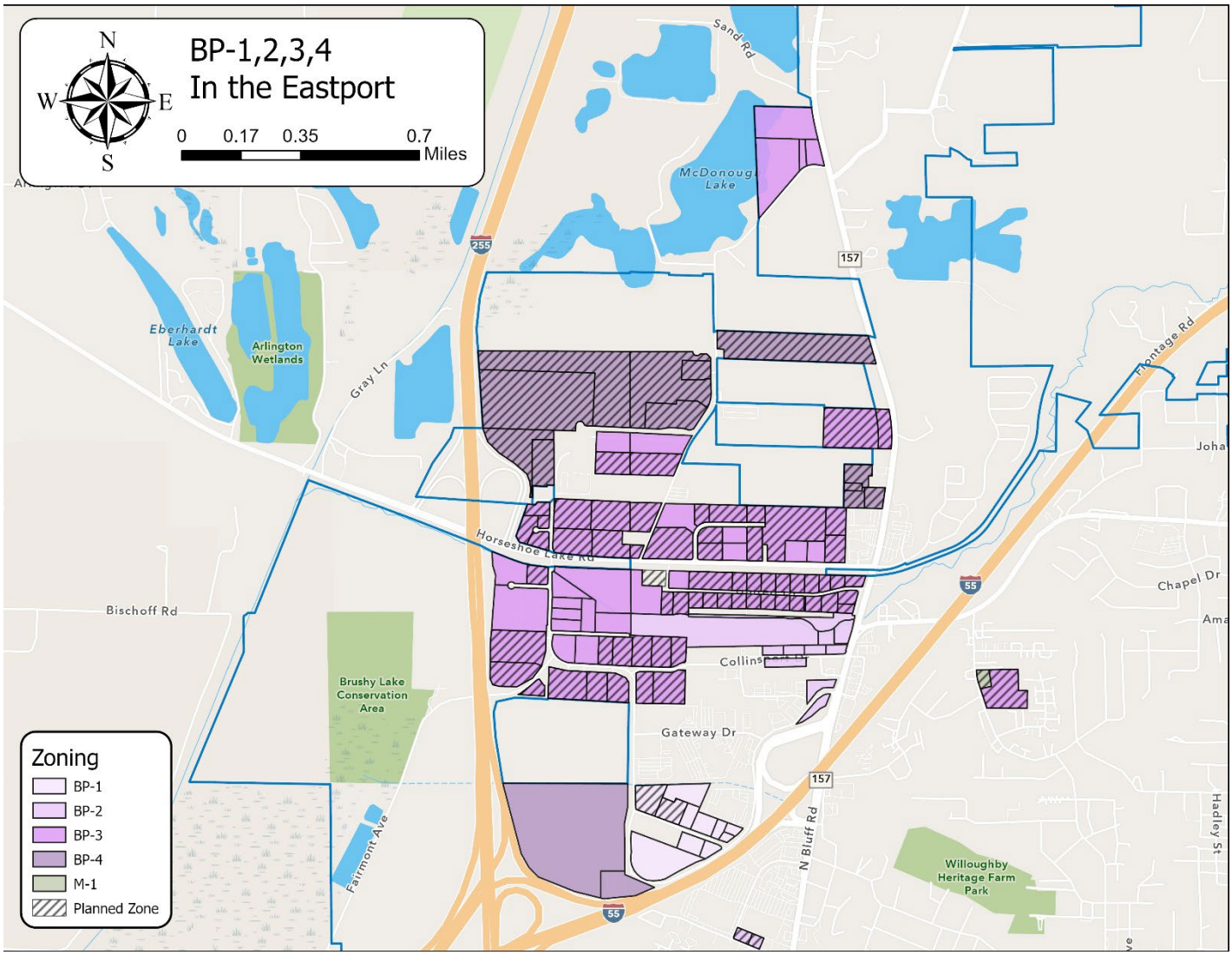
MEMO

EXHIBIT 1



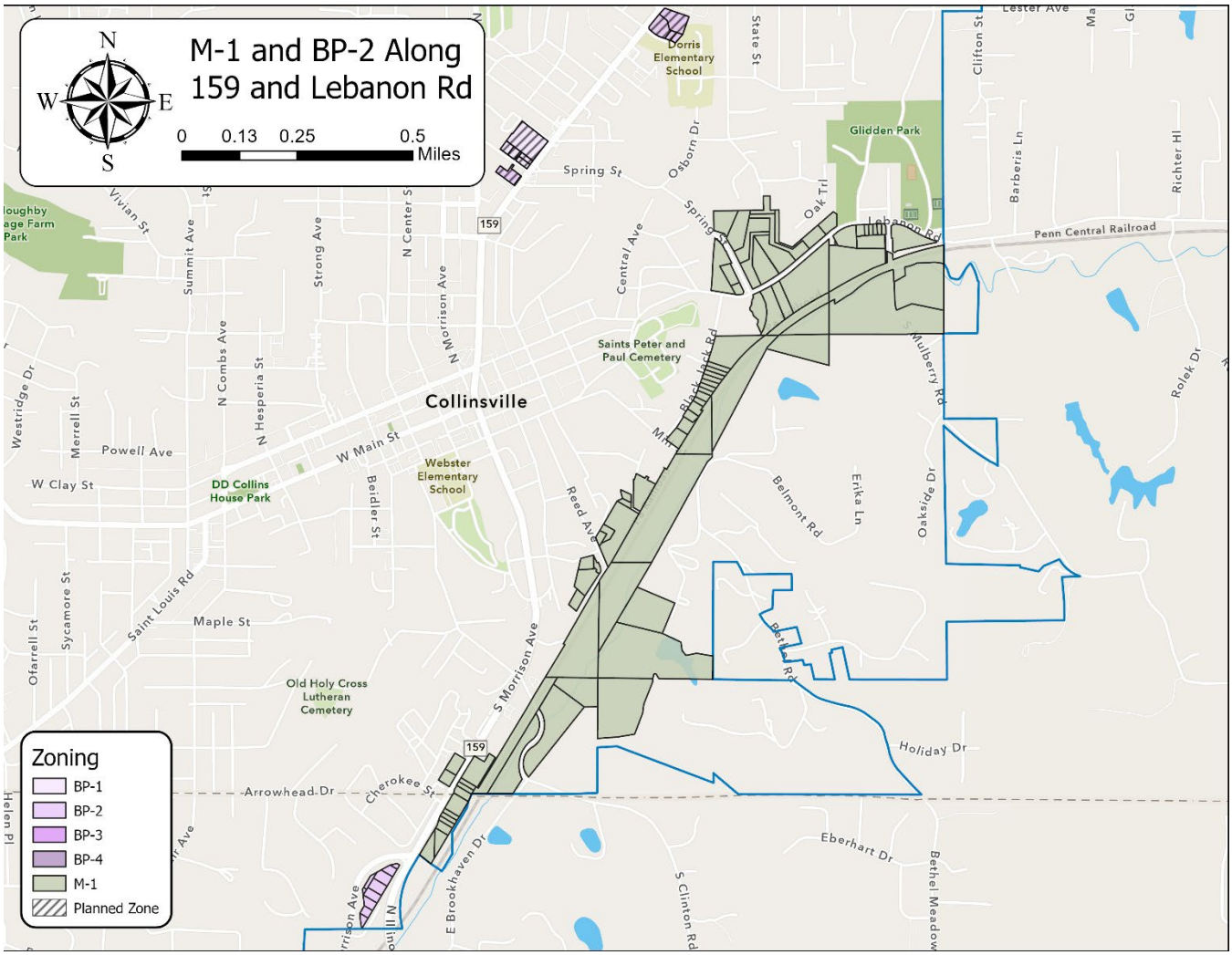
MEMO

EXHIBIT 2



MEMO

EXHIBIT 3



CITY OF ST. LOUIS
PLANNING & URBAN DESIGN AGENCY
Cara Spencer, **Mayor**

File No. PDA-003-26-ZTX

To: City of St. Louis Planning Commission

From: Don Roe, Executive Director

Subject: DRAFT Framework for Data Center Regulation

Date: February 5, 2026 DRAFT

This report outlines a preliminary approach to guiding the development for data centers in the City of St. Louis, including zoning definitions, application requirements, a use table, and standard conditions and requirements. This report focuses on zoning standards, which are the specific purview of the Planning Commission; however, it also references other policy tools that can complement zoning to guide the development of data centers in the city, maximize benefits to the St. Louis community, and minimize negative impacts.

The report has three main sections:

1. Background (page 2), which describes the status of data center standards in St. Louis;
2. Key Research Themes & Findings (page 3), which shares a summary of what staff has learned; and
3. Zoning Framework (page 9), which outlines a preliminary approach and compares it to the current system for regulating data centers. This is also presented in consolidated form in Exhibit 'A' (page 21).

The framework presented in this report is still a work in progress, and will be improved through community feedback, stakeholder conversation, discussion with the Planning Commission, and discussion with the Board of Aldermen. The Planning Commission may act to recommend the proposed zoning approach to the Board of Aldermen, but is not obligated to do so during the February meeting. Planning staff is *not* recommending action at the February meeting; instead, staff recommend that feedback from the public hearing and from the Commission is used to update the recommended zoning standards for presentation and action at a future meeting.

This recommended approach will be presented at the February 11, 2026 meeting of the Planning Commission, which will also include a public hearing. The meeting will be held in a hybrid format, with members of the public welcome to attend and participate both in-person and online:

Location: 1520 Market Street, 2nd Floor Board Room
Zoom details: tinyurl.com/42v6upep
(253) 215-8782
Meeting ID: 816 9925 8307
Password: 149154

Written comments may also be submitted to the Planning Commission in advance of the February 11 hearing via an online form at tinyurl.com/5er5nb9w or at planning-commission@stlouis-mo.gov.

Section 1
Background

The United States and globe are in the midst of a digital infrastructure build-out that is unprecedented in its scale and complexity. Data centers, which are part of the backbone of internet infrastructure, are a major part of this build-out. Like many other parts of the country, the St. Louis region is seeing very large-scale data center proposals, and is challenged to appropriately respond. St. Louis has had several (at least 12) data centers for some time, largely located in repurposed office buildings Downtown. However, new, high-profile proposals around the region are many times the size of existing data centers, in both their physical footprint and in the scale of energy use. For example, the largest existing data center in St. Louis known to the City has access to 20 megawatts of electricity, while proposals in rural parts of the state and region would operate with 500 megawatts of power and cover hundreds of acres.

In April of last year, the Planning Commission discussed the emergence of this new land use and the need to establish tailored zoning standards, and set it as a priority for the coming year. At the time, data centers were regulated either as "warehousing" or "office," which are not effective proxies for data centers. As staff began to understand and share more about the complexity and intensity of the use, the Commission recognized the urgency and complexity of the task.

In September of 2025, Mayor Spencer enacted Executive Order 92,[1] which established an interim framework for managing data center applications, and directed staff to research data centers and develop a recommended approach within five months. The Board of Aldermen subsequently passed Resolution 111,[2] which mirrors and affirms Executive Order 92. Roughly five months have since elapsed.

Since that time, staff have been researching data centers and options for effectively regulating them. Research included a review of literature on the subject, tours of existing facilities, interviews with subject matter experts, and a review of other cities' approaches to regulation. Based on those findings, this report outlines a preliminary approach, with a focus on zoning. In accordance with state and local law, changes in zoning policy must be reviewed and recommended by the Planning Commission prior to their consideration at the Board of Aldermen.

The City is also in the process of fully overhauling its antiquated zoning code to align with modern zoning practices and help implement newly-adopted plans such as the Strategic Land Use Plan. This Zoning Upgrade (ZOUP) is on track to have a new code, new districts, and a new map available for consideration by the fall of 2026. Data center standards will need to be integrated into this new structure, even if policies are passed prior to the new code's enactment.

The table on the next page describes the evolution of data center zoning standards prior to Executive Order 92, under Executive Order 92, and in relation to the development of new standards.

[1] Executive Order 92 can be found online at tinyurl.com/5sk3epeb.
[2] Resolution 111 can be found online at tinyurl.com/5dr6dxys.

Summary: History of Data Center Standards in St. Louis

Before Executive Order 92 / Resolution 111	Under Executive Order 92 / Resolution 111 (Current)	In Progress
The use was not defined Treated either as an "office" or "warehousing" use (i.e., of data) Conditional use in commercial and mixed-use districts (i.e., "F" thru "H") Permitted by right Downtown and in industrial districts (i.e., "I" thru "L") No specific standards for evaluating them as conditional uses	The use is defined Conditional use in commercial, mixed-use, Downtown, and industrial districts (i.e., "F" thru "L") Detailed question set to increase available information to guide conditional use decisions	As directed by EO 92/Res 111: Develop specific, detailed regulations for where data centers may be allowed, and under what conditions — Later to be integrated into the new zoning code developed via the Zoning Upgrade (ZOUP) process

Section 2
Key Research Themes & Findings

As directed by the Executive Order, staff have sought to learn more about data centers, their development, their operations, their benefits, their challenges, and other communities' approaches to regulating the use. The subject has proven to be exceedingly complex, and new information emerges every day. This report endeavors to share high-level findings from staff research, and introduces a preliminary regulatory framework that is responsive to that context.

Overarching Themes

The following four themes emerged through staff conversations and research:

- **A growing part of our future:** Data centers are part of our evolving economy and technological landscape, and stand to provide many benefits to consumers, businesses, and technological innovation to a variety of industries. Data centers and associated infrastructure can also generate *significant* new revenue for municipalities, through a combination of real estate taxes, personal property taxes, utility taxes, and other fees.

- **Environmental impacts and other concerns:** Many community members have concerns about data centers' environmental impact, impact on place, and impact on electricity bills. There is broad-based concern about AI and its impact on employment, wealth inequality, and education. Many aspects of these challenges lie outside of the direct influence or control of local governments, but all merit consideration.

- **Complex and changing fast:** Data centers and the surrounding industry are exceedingly complex and rapidly evolving. Cities are doing their best to establish appropriate regulation for urban places, but it seems no city is fully confident in its approach. Many cities are actively engaged in research efforts and efforts to develop or refine their own regulations. An iterative approach will likely be necessary.

- **Unknowns & uncertainties:** There are many unknowns in the data center and AI industries and their future. Many communities strive to achieve up-front financial or other community benefits, in part to mitigate against future risk. In addition, many communities are concerned with the industry's lack of transparency, particularly around the needs associated with operations. At the same time, participation in this evolving economy could bring benefits to the region, which could be lost through an overly restrictive approach.

Land Use: Key Findings

Data centers, as a land use, have unique characteristics that shape their development and operation. The following is a summary of key takeaways:

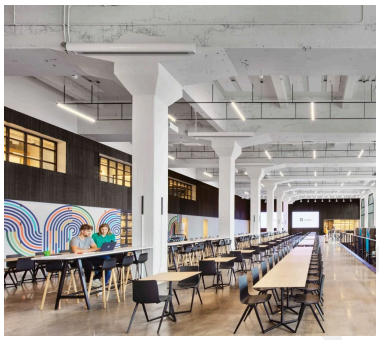
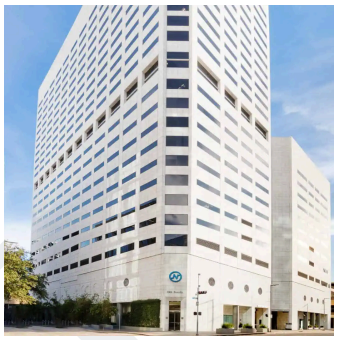
- **Data centers come in many shapes and sizes:** Data centers can vary significantly in both their physical size and their energy demands. Most reporting on data centers has focused on "hyperscale" data centers which are characterized by a large footprint (with campuses that cover hundreds of acres), are used by a single entity (e.g., Google, Meta, AWS, etc.), and have enormous power and energy needs. But data centers can be much smaller, and can repurpose existing warehouse or office buildings.[3] There is speculation that even smaller-footprint data centers could emerge that can be deployed more nimbly to meet compute demand.

  Images below illustrate some of the variation in data centers (including one existing data center in St. Louis,[4] one being developed, and a data center in Northern Virginia).



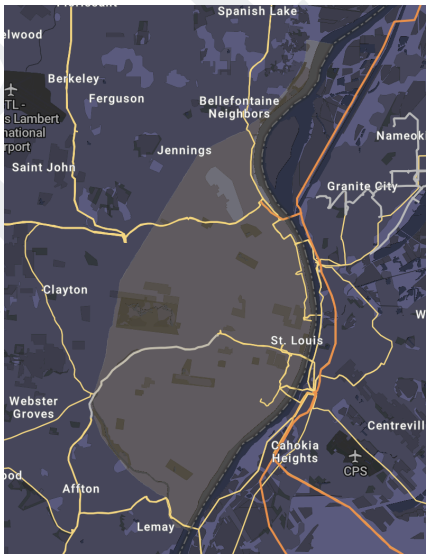
[3] Servers and other equipment associated with operating a data center can be very heavy; adaptive reuse of buildings is constrained, somewhat, by the loads a building's structure can support.
[4] There are currently at least twelve data centers operating in the City of St. Louis.

While not the norm, data centers can be built in a mixed-use format, integrating office and/or active ground floors. Cities generally share a concern for data center's impact on urban vibrancy, and seek to encourage mixed-use development of data centers. The images below show examples of mixed-use data center developments in Seattle, St. Louis's Post Building Downtown, and Houston.

- **Access to electric power drives site selection.** Data centers demand a lot of energy for both cooling and compute needs, and seek sites that can deliver this power. While transmission and distribution can extend power to rural locations for new hyperscale data centers, the direct costs of new infrastructure required for a data center is now developers' financial responsibility.[5]

  In St. Louis, data centers will be drawn to sites along high-voltage transmission lines (shown to the right[6]), which run primarily along railroad rights of way.



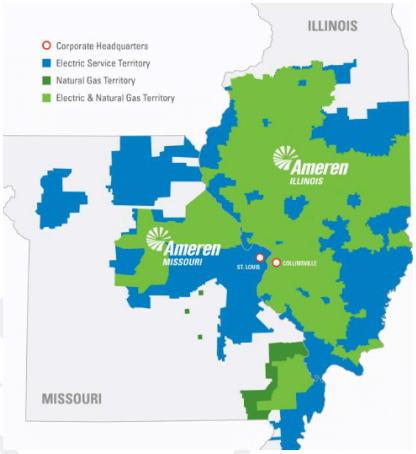
- **Zoning is a limited tool, but cities use it to address a variety of data center concerns.** Zoning is cities' primary tool for regulating land use. Zoning is most effective at addressing issues related to location, size, and the character of development, but cities are using it to the best of their ability to establish standards that promote responsible data center development and increase transparency around data center proposals. For example, cities use zoning to establish noise standards and reporting requirements to address the unique concerns related to data centers (i.e., a low, continuous drone that can occur when data centers aren't designed effectively), and add standards that encourage renewable energy use.

  Data centers nearly always require additional infrastructure for their cooling and backup power[7] needs—these are often the systems which generate the most noise and/or emissions. This infrastructure should also be appropriately regulated.

[5] Under rules approved by the Missouri Public Service Commission (PSC).
[6] National Renewable Energy Laboratory ("National Laboratory of the Rockies") Accelerating Speed to Power
[7] The generators used to supply backup power are also monitored and regulated by Missouri's Department of Natural Resources.

Water, Energy, and Environment: Key Findings

Data centers are widely known for their environmental impact. The following points summarize key research takeaways:



- **Data centers are driving energy demand up.** Data centers use a lot of power. Meeting these power needs is a challenge for utilities across the country, and creates more pressure to bring online new, readily available energy (such as gas), or to delay closure of old fossil fuel facilities, exacerbating emissions that contribute to climate change. Solar and other renewables, especially when combined with battery storage, are excellent options for meeting new demand, and mitigate climate impacts of energy generation.

  Building new energy generation facilities is very costly, and requires long-term planning and investment. Large load tariffs—specialized utility rate structures and contracts designed for customers with exceptionally high energy demands—are the main tool that utilities use to mitigate the potential volatility and risks that providing power to such a large user could entail. Ameren's large load tariffs[8] apply to any electric customer demand 75 megawatts or more. Key elements of the tariffs[9] include:

  - A minimum contract term of 12 years and a 5-year load ramp.
  - An expansion of renewable and clean energy options.
  - A minimum payment of 80 percent of the maximum potential energy use, and automatic extensions.
  - Requirements for early notification of exit, and service termination fees.
  - Caps on the utility's Return on Equity (ROE), past which revenues from large load customers are exclusively dedicated to low-income customers.

  The large load tariffs—particularly the minimum payments and requirement that developers pay for transmission infrastructure—help mitigate the costs borne by other ratepayers. It is difficult to ascertain what the total combined impact of investment in new energy generation and large load tariff policies will be. It should be noted that any new costs are shared by ratepayers across Ameren's entire territory.

  Without adequate planning and demand management, data centers can also impact grid reliability for other customers in a utility's service territory.[10] This can be a serious issue during major weather events (heat and cold), when demands peak.

- **Water use can be reduced.** Traditional data centers relied extensively on water to meet their cooling needs. The industry has largely shifted to closed loop cooling systems, and other advanced technologies

[8] November 24, 2025. PSC Approves Ameren Missouri Large Load Power Rate Plan with Customer Protections. Missouri Public Service Commission. https://psc.mo.gov/Electric/PSC_Approves_Ameren_Missouri_Large_Load_Power_Rate_Plan_with_Customer_Protections--pr-26-40

[9] November 24, 2025. "Missouri Regulators Approve Consumer Protection Plan for Ameren Customers." Sierra Club. https://www.sierraclub.org/press-releases/2025/11/missouri-regulators-approve-consumer-protection-plan-ameren-customers

[10] June 2025. 2025 State of Reliability. North American Electric Reliability Corporation. https://www.nerc.com/globalassets/programs/rapa/pa/nerc_sor_2025_overview.pdf#page=12

like liquid immersion cooling and direct-to-chip cooling, which dramatically reduce water consumption.[11] However, these technologies also increase energy demand. Other advanced technologies can increase efficiency of energy use and stabilize energy demand during peak hours.

- **Some of the largest potential end users have ESG goals.** Very large tech companies like Google, Amazon, and Microsoft have Environment, Social, and Governance (ESG) goals.[12] The use of renewable energy sources, efficient data center design, and community benefits agreements can help advance those goals. Some companies leasing space in a colocation data center have similar goals. However, when the end user of a data center is not yet known or confirmed (as can often be the case), any ESG goals remain unknown.

Economic Development: Key Findings

Data centers represent a new type of infrastructure that can benefit local economies. But the benefits are complex to forecast, and there is significant uncertainty about how the AI economy will evolve. The following points summarize key takeaways.

- **Fiscal benefits can be significant.** Because data centers entail *extensive* capital investment through both construction and equipment purchase/upgrades, real estate and personal property tax revenues are very high relative to other land uses. There is uncertainty inherent in revenue projections tied to the potential "bubble" in the AI economy. The rate of equipment replacement can also vary, making it difficult to predictably estimate personal property tax revenues.

- **Employment is significant during construction.** Data center construction requires participation by many trades and high-skilled workers, and creates many many construction jobs (which have indirect benefits). Data centers also require frequent upgrades to systems and equipment, which involves participation by construction and other industries in an ongoing manner.

- **Few permanent jobs.** Permanent job creation is much smaller, though permanent jobs are high-skill and high-paid.

- **Data centers can strengthen other industries.** If AI and other compute-intensive functions are increasingly integrated into health care, advanced manufacturing, and other industries, these industries will require proximate compute power as a means to mitigate latency.[13] However, increasing integration of AI into the economy is also expected to displace jobs.

- **Cities use a variety of mechanisms to secure up-front benefits.** In part as a means to mitigate against the negative impacts, cities seek to secure community benefits and other commitments as part of data center approvals. This can be most successful or easily structured when the end user is identified and if incentives are being offered.

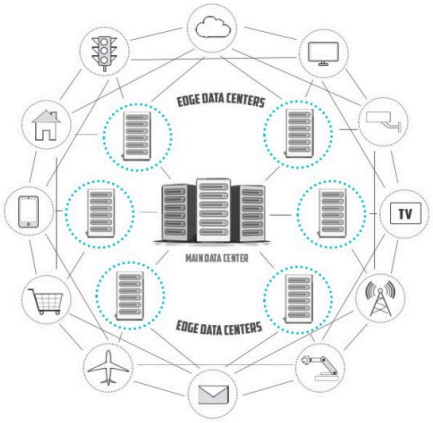
[11] June 25, 2025. Data Centers and Water Consumption. Miguel Yanez-Barnuevo, Environmental and Energy Study Institute. https://www.eesi.org/articles/view/data-centers-and-water-consumption

[12] 2024. Local Guidelines for Data Center Development. Urban Land Institute.

[13] Latency refers to the delay before a transfer of data begins following an instruction for its transfer. Shorter distances between data centers and end users can reduce latency. Low latency is not critical for all end users, but is for some.

Anticipated Context for Data Center Development in St. Louis

St. Louis has its own infrastructural and physical context that will impact the likely shape of data center development in St. Louis.



For example, the City is fairly well-served by energy transmission infrastructure and fiber connections, making it a somewhat more attractive location for data center development. But relative to suburban, rural, or exurban communities, there are not many sites that can accommodate large data centers. We are unlikely to see any proposals of the scale seen in communities like St. Charles and Festus (e.g., with hundreds of acres and 500 megawatts or more). Our ample supply of water has been viewed as a competitive advantage by the industry, but as cooling systems continue to evolve to require less water, this will be less relevant.

We may expect to see smaller "edge" data centers that extend the networks of hyperscalers to expand and improve the reliability of data networks. These can be, relatively speaking, more easily integrated into an urban environment.

Large data centers built in Ameren's territory—and less directly in the MISO transmission region—will have an impact on our energy availability, reliability, costs, and mix.

Policy Tools

St. Louis has different tools at its disposal for guiding the responsible development of data centers. Zoning is the focus of this report.

However, the City may also consider energy benchmarking requirements to track what data centers are actually using (versus just their maximum power access), establishment of a distinct water rate class for the use, and development-specific community benefits and/or development agreements.

Section 3
Zoning Framework

Zoning Precedent & Best Practices Research

To learn how data centers are being regulated at the local level across the country, staff spent substantial time examining regulations other cities have put in place regarding data center siting, design, and operations, and meeting with staff from other cities to discuss their thoughts and experiences. This process involved selecting cities and municipalities that have profiles somewhat similar to St. Louis. Several places were also chosen due to their notable data center activity even if their profiles are otherwise different. Ultimately, staff selected 12 municipalities to study, located throughout the Midwest and Southeast. Staff then studied relevant zoning standards, reached out to city staff members to learn more, and in five instances met virtually with staff members from selected locations to ask questions and gain insights.

Summary of Precedent Research[14]

City / County	# of Data Centers in Area	Code Mentions Data Centers	Code Defines Data Centers	Code Contains By-Right Districts	Code Contains Cond. Use Districts	Site Design Reqs	Utility Reqs	Environ-mental Regs	Emissions Regs	Currently Updating Regs
Kansas City	31	✔	✔	✔	✔	✔			✔	✔
Chicago	171	✔	✔	✔						✔
Atlanta	147	✔	✔		✔	✔	✔	✔		
Louisville	24	✔		✔						✔
Pittsburgh	37			✔						✔
Charlotte	44	✔	✔	✔						
Des Moines	77	✔	✔	✔		✔				
Nashville	27			✔	✔					
Columbus	134	✔		✔						
Indianapolis	35	✔		✔	✔					
Loudoun County, VA	199	✔	✔		✔	✔	✔		✔	✔
Fauquier County, VA	2	✔	✔	✔	✔	✔	✔	✔	✔	
St. Louis (current EO)	12				✔					✔

The following points summarize key observations from staff's precedent research:

- **Cities' approaches are evolving**: Everyone is grappling with rapid changes in the demand for data centers. Many cities that have data center regulations have somewhat piecemeal regulations that were established reactively to proposed developments. Nearly half of the peer cities staff contacted are in the process of expanding or updating their data center regulations. Most of them already have data centers as a defined use in their zoning code or development ordinance, but St. Louis has the potential to demonstrate a more deliberate and comprehensive approach.

[14] Many places have been updating their data center regulations, so the information presented in this table may not reflect recent changes made to other cities' data center regulations.

- **Common concerns:** Staff members from many peer cities shared concerns about the emissions (pollutants, noise, vibrations, and light) from data centers, their intensive utility usage, and maintaining vibrant walkable urban spaces.

- **By-right allowance:** Most cities allow data centers by right in at least one zoning district, with two notable exceptions being Atlanta and Loudoun County, Virginia, which is part of the densest data center development region in the world. Notably, Fauquier County, Virginia, which abuts Loudoun County, permits data centers by right in two zoning districts. However, only two parcels in the entire county carry those zoning designations so they have also effectively made data centers a conditional use by requiring rezoning for any parcel to be able to host a data center.

- **Emerging standards:** There is precedent to require developers of data centers to: disclose expected utility usage, limit noise and vibration emissions to predetermined levels, use recycled water for cooling, activate the ground floor or include a data center in a mixed-use development where appropriate, avoid sites near transit and greenways, and use renewable energy. Peer cities have taken a wide variety of approaches to regulating data center design, but two notable themes are: 1) limiting their ground floor space in denser districts when they are permitted; and 2) requiring visual and/or acoustic buffering to attenuate their aesthetic and auditory impacts on the surrounding community.

Other Best Practice Recommendations

In addition to learning about different place-specific approaches, staff endeavored to synthesize as much third-party research and guidance on data centers as possible, particularly from professional groups such as the American Planning Association (APA). The following points are key recommendations:

- **Data centers should be defined and treated as a specific land use.** They are distinct in many ways, including the potential for consistent noise emissions, relatively low car and foot traffic, and the necessity of having backup generators as a measure of redundancy for service continuity. Many communities have begun to define and incorporate use-specific requirements for data centers in their zoning codes, and the APA recommends proceeding using that model.

- **Governments should be aware of potential nuisance issues**. Communities closest to data centers are at risk of being impacted by construction noise and dust, noise and vibration emissions, and pollution from backup generators. Cities should shield residents from potential negative impacts through measures such as noise mitigation and careful consideration of siting and design elements.

- **Require as much information as possible to accurately assess proposed developments**. Many data center proposals may use non-disclosure agreements or otherwise be opaque to the public or even a city government. This makes it difficult to accurately assess the expected impacts of a proposed project. The more information the developer is required to present up-front, the more informed the public and city officials can be throughout the decision-making process, allowing for appropriate consideration of the entire proposal. This is an issue many communities are facing, and the APA recommends requiring project specifics in writing.

- **Explore ways to mitigate risks and uncertainty.** The astronomical growth of data centers to support the burgeoning use of artificial intelligence (AI), in addition to many other technological functions, has raised concerns that there may be an AI bubble which could result in some data centers not operating long-term. To manage this concern, communities are finding ways to mitigate the risks. For example, Fauquier County, Virginia, encourages data center operators to commit to removing all generators, equipment, and hazardous materials from a site within one year of its ceasing operations. Another example for a different kind of land use is Ferndale, Washington, which requires large retail store developments to submit a

potential reuse plan or to pay a bond for 150 percent of the estimated demolition cost. Many of these approaches, however, rely on tools outside of zoning.

Proposed Policy Approach for St. Louis

Based on their research, staff has developed a preliminary recommendation for data center zoning standards, detailed in the section below. The draft regulations seek to achieve the following seven key goals:

- **Differentiation:** Clearly differentiate between different types of data centers so they can be regulated differently (based on both their physical size and the scale of their energy demand).
- **Transparency:** Ensure that ample information is submitted, even if zoning can only appropriately and effectively regulate some aspects of a development. This information will provide the City and the community with the opportunity to understand the full picture of each proposal.
- **Predictability:** Create clear standards and a clear process so that businesses and community members alike know what to expect.
- **Separation:** Establish minimum distances between data centers and sensitive uses such as housing, schools, faith buildings, and parks. This will help site data centers in locations that help prevent conflicts over noise and the emissions from backup generators.
- **Quality:** Set standards that ensure new developments are high quality, do not use wasteful or out-of-date technologies, and are as supportive as possible of the City's climate goals..
- **Urban vibrancy:** Preserve potential for active ground floors Downtown and in mixed-use districts so that data center developments support other community goals, such as supporting a safe and vibrant pedestrian experience.
- **Policy Coordination:** Coordinate with other existing and potential future policies (e.g., the noise ordinance, energy benchmarking, etc.,) in service of a comprehensive approach.

Policy Details

The specific proposed regulations are outlined (in black) and described (in *green italics*) below, and provided in consolidated form as Exhibit 'A.'

1. **Create a new chapter of the zoning code specific to data centers** (Chapter 26.77: Data Centers)

   A new, standalone chapter will allow for all of the standards, terms, and definitions to be made available in one easy-to-reference location. Incorporating data center zoning standards into the Code's cascading structure would make it exceedingly difficult for applicants and community members to understand the process or what is expected.

   This approach will also make the regulations more adaptive to the work of the Zoning Upgrade.

2. **Establish a purpose statement for the zoning standards** (Section 26.77.010 - Purpose)

   The purpose and intent of this Chapter 26.77, Data Centers, is to define and address the location, establishment, application requirements, and standard conditions for data centers in order to ensure the health, safety, and general welfare of the residents of the City of St. Louis. This chapter seeks to allow for

responsible, predictable development of data centers and associated infrastructure, to encourage best practices, and limit negative impacts.

A clearly-stated purpose is a best practice for the drafting and presentation of zoning policy.

3. Establish definitions for data centers and related terms (Section 26.77.020 - Definitions)

A. Data Center

Data center is a facility whose primary service and dedicated infrastructure is for data processing or data storage, and is used to house computer systems and associated components, such as central processing units, graphical processing units, neural networks, quantum bits, quantum processors, memory, data routing, data storage, server farm, bitcoin mining, crypto processing, virtual private networks, virtual servers, artificial intelligence training or processing, image processing, cloud computing, email servicing, a telecom hotel, telehouse co-location, or any other term applicable to facilities which are used for such purposes shall be deemed to be a data center.

This definition simply describes what a data center is, as a means to distinguish it from an office, warehousing, or telecommunications use. The definition also incorporates the term "facility," which is later defined in order to clarify how different kinds of applications or projects should be reviewed.

The clause describing dedicated infrastructure seeks to clarify that simple "server rooms" (which may be a small closet or room used by any office tenant) should not be considered a data center.

B. Micro Data Center

Micro Data Center is a data center—whether a primary or accessory use—with square footage less than 10,000 gross square feet and maximum power demand less than 5 megawatts.

This definition establishes the smallest of three types of data centers. For this "small" data center type, we are seeking to express both the small physical size and the lower energy demand. The intent is to establish a simpler pathway for the development of this type of data center.

Five megawatts represents a rough, estimated upper limit—under current technology—for very small "edge" data centers which could exist in smaller structures, and for data centers which might be accessory to a large company requiring intensive compute power.

The use of "and" in listing the size of the building and the peak energy demand indicates that a micro data center would have to satisfy both criteria. The idea is that a large footprint, lower-energy data center should be handled with more discretion, as should a small footprint higher-energy data center.

C. Standard Data Center

Standard Data Center is a data center—whether a primary or accessory use—with square footage of more than 10,000 gross square feet or maximum power demand of more than 5 megawatts but less than 75 megawatts.

This definition establishes the middle of three types of data centers. Seventy five (75) megawatts is the threshold at which Ameren's large load tariff policies apply. These policies, approved by the Missouri Public Service Commission (PSC), are special electricity rate structures utilities use for major consumers, like data centers, to prevent stranded generation or transmission assets, and avoid shifting expenses to smaller customers/ratepayers. The approved large load tariffs include higher minimum bills, long-term contracts, upfront fees, and exit penalties. They also establish maximum Return on Equity (ROE) thresholds. This large-load tariff threshold offers a proxy for intensive, higher-complexity projects which the City and community should also handle with greater due diligence. Five (5) to 75 megawatts is a very broad range of potential energy demand. However, staff could not identify a clear rationale for a separate threshold within this range.

D. Large Load Data Center

Large Load Data Center is a data center with a maximum power demand of 75 megawatts or more. Large Load Data Centers shall be understood as an industrial land use.

This definition establishes the largest of the three types of data centers, using the threshold for large-load tariffs as a baseline.

E. Facility

Facility shall refer to a new or expanded data center. Expanded means a structural alteration required to expand a building's footprint by (a) the addition of 25 percent or more space to the interior floor area of a structure used for data center purposes or (b) the addition of exterior generators or cooling equipment.

This definition clarifies that requirements pertain to both new data centers and significant expansions of existing data centers.

F. Data Center Accessory Use/Structure

Data Center Accessory Use/Structure means any structure or building that supports the operation of a Data Center, is located on the same tract or assemblage of adjacent parcels and is developed either as a unified development of or in further support of a Data Center. The category includes but is not limited to administrative, logistical, fiber optic, storage, and security buildings or structures; generators; air handlers; process water and non-contact cooling water and wastewater management and treatment facilities; water holding facilities; pump stations; water towers; environmental controls (e.g., air conditioning or cooling towers, fire suppression, and related equipment), water cooling and storage facilities, security features, and any other associated electric, gas, water, wastewater, and stormwater infrastructure to support operations at the property.

G. Maximum Power Demand

Maximum Power Demand is the maximum energy draw that the facility may use—as set by an agreement with an electric service provider—measured in megawatts.

The correlation between the physical size of a data center and its energy use is very loose. The energy demands of a data center relate to the specific equipment and its energy intensity, which could vary dramatically by facility or over time. Because a data center's energy demands have a direct relation to its land use impacts—such as the number and size of backup generators—it is a more important concept for establishing thresholds between sizes of data centers than physical size. Maximum Power Demand is defined here so the term can be integrated into definitions of the three different types of data centers.

The below definitions all clarify the meaning of terms that are used in the standard conditions, design requirements, and options established in later subsections of the new zoning chapter.

H. Renewable Energy

Renewable Energy means energy derived from wind, solar, geothermal, or other sources of renewable energy as defined in RSMo 393.1025(5) or any other sources certified as renewable by the Missouri Department of Natural Resources pursuant to 10 CSR 140-8.010(3).

I. District Energy System

District Energy System means the Downtown Steam Distribution System and/or the planned Chilled Water Loop.

J. Backup Generators

Backup Generators means engines that are designed to be used for utility power outages to provide continuous electricity, preventing data loss, and service disruption.

K. Cool Roof

Cool Roof means a roofing system designed to reflect more sunlight and emit absorbed heat through high solar reflectance and thermal emittance and through using lighter colors or special coatings that reflect invisible near-infrared light.

L. Closed Loop Cooling System

Closed Loop Cooling System means a system that recycles the same water or water mixture through an underground loop system in order to facilitate the transfer of energy between the closed underground loop and the earth.

M. Transit Center

Transit Center means a location where Metro operates a major hub for MetroBus and/or MetroLink stops as identified by their System Maps. Individual bus stops are not Transit Centers.

Clear definitions for data center types and associated terms is essential for clear interpretation of the standards presented in the rest of the chapter, and allows different types of data centers to be treated differently.Staff research has identified that standard methods for differentiating between the intensity or impact of a use (such as physical size) do not effectively capture the range or diversity of data center proposals because there is not a direct correlation between a facility's physical size and the amount of power it uses. One data center could use many times more power than another facility of the exact same physical size simply by using different equipment that provides much greater compute power.

The level of power used by a data center offers a more reliable proxy for the use's impact on surrounding land uses (i.e., through the potential noise or emissions impacts of generators and cooling equipment), and therefore is the recommended method for differentiating between sizes of data centers.

The proposed Micro Data Center definition allows for smaller, lower-impact facilities to have a much simpler path for review and approval than a larger, more energy-intensive data center. The 5 MW or 10,000 square foot threshold is intended to include and accommodate data centers that might be directly supportive of and accessory to a research, health care, or office use. These data centers can more easily be integrated into a variety of contexts.

The threshold between Standard and Large-Load Data Centers corresponds to the threshold for Ameren's large load tariff policies, which trigger a range of protections that help Ameren manage the uncertainties and impacts of customers for which Ameren must invest more deeply in advance planning and infrastructure.

All existing data centers would be treated as legally nonconforming uses, but expansion that falls under the definition of Facility would trigger the review process laid out in the new zoning standards.

4. Establish a Clear Use Table (Section 26.77.030)

The following Use Table lists how Data Centers are regulated in the various existing zoning districts. Within the table, the user can identify the type of Data Center and how the facility is regulated under each zone, thus identifying whether the use is Permitted (P), whether it requires a Conditional Use Permit (C), or whether it is prohibited (NA).

Use	A - E	F	G	H	I	J	K	L
Micro data center	NA	NA	NA	C	C	P	P	C
Standard data center	NA	NA	NA	NA	C	C	C	C
Large load data center	NA	NA	NA	NA	NA	NA	C	NA

A use table simply clarifies which types of data centers will be allowed either conditionally or by right in which districts. Additional distance requirements outlined in Section 26.77.050 would further buffer data centers from sensitive uses such as housing, schools, faith buildings, and parks. The use table above indicates that:

- *Data centers of all kinds would not be permitted in any residential district or neighborhood commercial district.*
- *Micro data centers would be permitted conditionally Downtown and in the city's most intensive mixed-use district, but permitted by right in industrial districts.*
- *Standard data centers would be permitted conditionally in the most intensive-mixed use district and in industrial districts.*
- *Large-load data centers would only be permitted conditionally in the most intensive industrial district: "K" - Unrestricted.*

For all but Micro Data Centers in industrial districts, data centers would be handled as conditional uses, allowing for site-specific consideration of compatibility, the ability to add additional conditions to improve compatibility, and additional community input at public hearings to shape conditions and decisions to approve or deny.

This use table, together with distance requirements, seeks to align the siting of data centers as closely as possible with the general goals of the Strategic Land Use Plan. (This is discussed further in the comments.) However, because the current Zoning Map and the Strategic Land Use Plan Map are not perfectly aligned, this is an imperfect method. The new districts and map developed via the Zoning Upgrade (ZOUP) are an opportunity to refine this approach.

However, it's important to recognize the likely tradeoffs between economic development and climate goals in allowing data centers, some of which cannot be resolved by zoning regulations. The City of St. Louis Sustainability & Climate Plan sets clear climate goals which will be impeded by the development of large-scale data centers. Unless and until there is a sufficient supply of renewable or clean energy to power data centers, large data centers' development will exacerbate carbon emissions from buildings in the city. And requiring 100% renewable or clean energy could mean that developers will either seek variances from such standards or pass over the city altogether, in which case our community loses out on the economic benefits of local data center development (including tax revenue, firm retention and attraction, and construction job creation). Without knowing an end user of a data center, it's difficult to judge Environmental, Social, Governance (ESG) or sustainability goals of that user. While continuing to evolve, industry trends do seem to indicate major corporations have these types of goals that would require renewable energy be provided. Staff have endeavored to identify renewable energy standards and options which can feasibly be attained within the constraints of our energy sources as a means to balance these goals, but this is an imperfect solution.

In addition, it remains uncertain what the marginal impacts would be on ratepayers of data center development at the scale likely to be proposed in the city. On the one hand, the largest proposals possible with St. Louis's available land and energy infrastructure will not approach the scale of what is proposed in suburban and rural environments, therefore requiring less new capital investment in energy generation (the primary source of costs borne by utilities under large load tariffs). (To the best of our ability, staff estimate that proposals in the City might top out at 150 megawatts with current technology; which is a significantly smaller impact than a single 500 megawatt data center campus.) On the other hand, the cumulative impact of several Large Load Data Centers could, over time, require new energy generation investments. Combined with the uncertainties surrounding the evolution of data center design, server efficiency, AI demand, and development trends in the broader utility territory, there are many unknowns about the direct impact of our city's zoning approach on ratepayers.

Whatever the approach, the City could consider complementary policies that commit some amount of revenue from data center development toward investments that reduce energy burdens, improve residents' energy resilience, and mitigate climate impacts.

5. **Define Application Requirements** (Section 26.77.040)

Applicants seeking permits for any new or expanded data center must include the following information as part of their application submission.

a. The proposed type of data center (i.e., Micro, Standard, or Large-Load)
b. Elevations and interior floor plans indicating areas dedicated to data center functions and areas planned for other uses (e.g., office, retail, research, etc.), if relevant.
c. Site plan clearly identifying the building and its square footage, the location of backup generators and cooling equipment, parking, landscaping, overhead power / transmission lines, on-site battery storage, on-site substations, and any additional Data Center Accessory Uses/Structures.
d. Megawattage of maximum power demand.
e. The facility's proposed cooling system, sources of energy, and whether the facility plans provide its own energy through any renewable sources.

Standard Data Centers and Large-Load Data Centers must also include the following information:

a. Anticipated end users of the data center, and purpose of the proposed facility, such as: data storage; cloud computing; artificial intelligence; cryptocurrency mining; or business applications.
b. Map indicating the location of any new substations or substation upgrades required for the data center, and the location of new power lines serving the proposed data center.
c. The number, size, fuel source, and testing schedule for backup generators.
d. The expected timeline for commencing construction and operation of the facility.
e. The expected noise level to be generated by the proposed facility's cooling systems and generators, and the proposed facility's planned sound attenuation and noise reduction measures to limit the emission of noise and prevent disturbances to nearby residents, based on permissible noise levels outlined in Chapter 15.51 of the City's Revised Code of Ordinances, and in 26.77.050. Expected noise levels shared should include anticipated levels of low-frequency noise.
f. Fire detection and suppression systems that will be installed at the proposed facility.
g. Whether the applicant has executed an Interconnection Study Agreement, Construction Agreement, and/or Electric Service Agreement with an electric service provider.
h. Whether the user plans to participate in any renewable energy program, Power Purchase Agreements (PPAs) or or purchase any Renewable Energy Credits (RECs).
i. Anticipated annual water use and anticipated or committed Power Usage Effectiveness (PUE) and Water Usage Effectiveness (WUE).
j. Plans to participate in the state's sales tax exemption program.
k. The number of construction jobs and permanent jobs associated with the data center.
l. How much tax revenue the community is anticipated to receive as a result of the proposed facility.

Large-Load Data Centers must also include the following information:

a. Whether and how the proposed facility building's facade, height, massing, and orientation will be designed to be compatible with adjacent properties and the surrounding area.
b. A detailed description of sources and uses.
c. Any community benefits offered by the proposed facility or its operators.

d. Plans to remove infrastructure and equipment from the site should the data center cease operation.
e. Documentation of having advertised and held at least one meeting with community members during which project information is shared. Such a meeting is to be advertised no less than 15 days prior to the meeting's date, with notification provided to all Registered Neighborhood Organizations having a geographical boundary within a one-half mile radius of the proposed data center. Such a meeting is to be held at least 30 days prior to submission of an application to the City. If the proposed data center is not located within a one-half mile radius of the geographical boundary of any Registered Neighborhood Organization, or no such list has been established pursuant to Ordinance 72030, applicants shall contact the Neighborhood Stabilization Division for neighborhood organizations representing neighborhoods or block units having a geographical boundary within a one-have mile radius of the proposed data center to which notice shall be recommended. Such notice shall be by certified mail and, if available, email. Include a summary of feedback provided during the meeting(s).

In the event that an applicant is unable to provide any of the above information, the applicant shall indicate that they are unable to provide the information and also describe the reason this information cannot be provided.

This section establishes detailed application requirements to ensure the City and the community have ample access to relevant information about the project, and enough information to inform conditional use recommendations.

This section largely replicates the question set included in Executive Order 92, but simplifies language and provides a shorter question set for smaller proposals which do not require extensive due diligence.

6. Establish Site Requirements, Design Requirements, and Standard Conditions (Section 26.77.050)

Location requirements

a. No permit shall be issued to a parcel with all of its lot lines within 300 feet of another parcel or fraction thereof containing a light rail station or transit center, zoned A, B, C, D, E, classified as residential by the Assessor's Office, or containing a faith building, school, or public park.
b. Standard Data Centers are exempt from these location requirements when rehabilitating, reconstructing, or repurposing an existing building(s) within the I or L District.
c. Micro Data Centers which fully enclose backup generators within the primary structure are exempt from these location requirements.

The suggested location requirements seek to complement the Use Table by removing sites from consideration that: 1) are too close to sensitive uses where noise and emissions could negatively impact quality of life; and/or 2) should be prioritized for uses that support transit access and use. Existing buildings Downtown are exempt from these distance requirements in order to allow repurposing of vacant office buildings. (Other standards will seek to encourage active ground floors and mixed use redevelopment of vacant and underutilized office buildings.) The distance requirements would not apply to Micro Data Centers, which are smaller and less intensive, and can be more easily integrated into areas with other uses.

In considering the location requirements, staff has attempted to balance the appropriate buffering of potential negative impacts of data centers from sensitive uses without being overly restrictive on where permitted data centers can operate within the city. 300 ft may not be the most appropriate distance requirement, but staff believe this is a good starting point for debate. Staff considered using "greenways" as an identified sensitive use, but have decided against

recommending its inclusion in the location requirements. This matches a national trend towards encouraging green and pedestrian infrastructure within and through industrial areas. These encourage the softening of districts with lots of impermeable surface and heat generation. Also, requiring a buffer from existing and planned greenways that go through traditional industrial areas that may be perfectly suited for this use (like the Riverfront Trail) may be overly restrictive.

Reporting requirements & compliance with other laws

a. Data Centers shall:
    i. Not be issued a nuisance letter, and shall maintain compliance with the noise ordinance (Chapter 15.51 of the City's Revised Code of Ordinances), and applicable energy and water benchmarking requirements and data verification by a third party.
    ii. Not exceed a maximum noise level of 55 decibels between the hours of 7am and 10pm or a nighttime maximum noise level of 50 decibels between the hours of 10pm and 7am, as measured from the property line.
    iii. Standard Data Centers and Large Load Data Centers shall annually provide to the Health Department a third-party report of noise emissions to verify compliance with relevant standards. The first annual report shall occur within 30 days of commencement of operation. Readings should be taken at the parcel line of all joining parcels or parcels directly across a street or alley from the parcel containing the data center. The report shall include a measure of decibels (db) as well as a full spectrum analysis, which includes the range of frequencies emitted by the data center.

These standards tie occupancy permits to compliance with other existing and proposed policies that will help monitor the challenges associated with data centers, including noise and energy use. Failure to comply with these requirements could risk revocation of an occupancy permit, offering a strong tool for enforcement. (Note, all revocation procedures allow occupants the opportunity to remedy issues prior to revocation.)

- *Noise: Data centers can be quite loud. Equipment inside the structures generate a lot of noise, and external backup power generation and cooling infrastructure can emit loud incidental and continuous sounds. Mitigating the effect of these sounds on sensitive uses is paramount. Staff believe the combination of the above location requirements (300 ft from sensitive uses) and the existing noise ordinance (Ord. # 68130) should help protect sensitive uses from harmful noises. The standards further enhance the maximum noise levels. Additional reporting requirements and regular monitoring of sound emission are intended to proactively identify issues and ensure management of noise concerns is not solely reactive.*
- *Benchmarking: In an effort to improve understanding of data centers' energy sources and actual energy use (which can be substantially below energy agreement caps established with Ameren), staff are exploring the creation of an Energy Benchmarking Ordinance specific to data centers, which are currently effectively exempt from benchmarking requirements. Such an ordinance would be a separate policy from zoning, but including this as a standard condition would help reinforce a future requirement and clarify requirements.*
- *Nuisance letter: The condition that an operator not be issued a nuisance letter is a standard condition for many uses, and is suggested to be included here.*

Building & site design

a. Data Centers shall:
    i. Be operated with a Closed Loop Cooling System or other system that reduces water use.
    ii. Be designed and operated with a Cool Roof.
    iii. Fully enclose all Backup Generators within the primary structure or an exterior structure.
    iv. Enclose and/or screen all exterior and rooftop cooling equipment, and any other Data Center Accessory Uses/Structures to provide a visual and acoustic barrier from the

property line and surrounding area. Enclosures and/or screens shall be opaque to obstruct from view and reduce frequency and vibrations.

v. Provide landscaping on a minimum of 10 percent of the lot area, inclusive of a mix of evergreen and deciduous trees with a minimum caliper of 2 ½ inch at the time of planting. Trees must be maintained in a healthy condition and replaced if dead.

vi. Provide a tree lawn not less than 3 feet in width along all public streets. Street trees shall be installed in the tree lawn, between the public sidewalk and public street, when the tree lawn has sufficient width, or street trees with gates shall be installed in public sidewalks where the sidewalk has sufficient width and with a minimum of 25 feet between trees. In the K district, Data Centers may install a landscape berm as an alternative to a tree lawn.

vii. In addition, Standard and Large Load Data Centers shall achieve and maintain LEED certification or certification through a similar green building program for the life of occupancy.

Several of these standards—such as Closed Loop Cooling Systems and Cool Roofs—represent best design practices in the evolving industry. Closed Loop Cooling systems dramatically *reduce water use, and Cool Roofs can reduce thermal absorption and mitigate the urban heat island effect.*

Enclosure and screening of Backup Generators and cooling equipment will help reduce visual clutter of this necessary mechanical equipment.

The landscape standards are a slightly enhanced version of the standards applied to drive through restaurants, integrating elements of other communities' data center regulations. The intent is to establish flexible standards that: 1) mitigate the urban heat island effect; 2) ensure trees are included in the pedestrian realm; 3) integrate landscape strategies into screening, noise mitigation, and buffer zones; and 4) provide additional flexibility for developments in the "K" - Unrestricted District.

Other area & operations standards

a. Data Centers shall:
   i. Not exceed more than 50 percent of the gross ground floor area of any building with street frontage, unless in the J or K district. For the purposes of this section, a building with street frontage is any building located within 50 feet of a street right-of-way line.
   ii. Not exceed 500,000 square feet of gross floor area.
   iii. Comply with the Height and Setback limitations of the underlying zoning district.
   iv. Provide 1 off-street parking space for every 5 permanent employees.
   v. Test backup generators only between 10am and 5pm, Monday through Friday.
   vi. Not commence operation until a Willing to Serve Letter is provided.
   vii. Connect to District Energy Systems if located within 50 lineal feet of an existing line. Micro Data Centers are exempt from this requirement.
b. Standard Data Centers shall achieve a 50 percent renewable energy requirement through the utility's renewable energy program, Renewable Energy Credits (RECs) or Power Purchase Agreements (PPAs) within 5 years of commencing operation.
c. Large Load Data Centers shall achieve a 100 percent renewable energy requirement within 5 years of commencing operation. At least 75 percent of the requirement shall be satisfied through the utility's renewable energy program, Power Purchase Agreements (PPAs) or green tariffs, and no more than 25 percent of the requirement shall be satisfied through Renewable Energy Credits (RECs).

This final section addresses basic area requirements (i.e., height, setbacks, and parking), and contains scheduled testing to daytime, weekday hours when noise would be less disturbing to nearby occupants.

The ground floor requirements preserve the possibility of having active civic, office, restaurant, or retail uses in the spaces surrounding the public realm Downtown and in mixed-use districts.

A Willing to Serve letter is a formal confirmation from Ameren that the utility is able to provide power to the proposed data center. Ensuring that electric service is available is necessary to prevent the reliance on backup generators as the primary power source.

7. Application Review Process (Section 26.77.060)

The Zoning Administrator shall provide application materials for any Standard or Large Load Data Center to the Executive Director of the Planning & Urban Design Agency, the Commissioner of Health, the Fire Marshall, and the Office of Building Performance no less than 60 days prior to a scheduled conditional use hearing. These departments and offices may submit findings and recommendations to the Zoning Administrator within 45 days of receiving application materials.

This process is intended to give City departments with expertise on a range of issues the opportunity to weigh in on proposals so that feedback is available to inform conditional use recommendations, including recommended conditions. This mimics similar language found elsewhere in the Zoning Code.

Regulation Comparison

The table below summarizes how the preliminary framework presented above differs from the current approach (under Executive Order 92) and to the approach before any standards were in place.

	Regulations prior to EO 92	**Approach under EO 92**	**Recommended Regulations**
Definitions	Data centers regulated primarily as "warehousing"	Specific definition introduced	Specific definition Several types established
Use Table	"G-H" - Conditional "I-L" - Permitted by right	"F-L" - Conditional	Use table allowing more flexibility for smaller data centers, and restricting larger data centers to industrial districts
Application Requirements	Site plan Elevations Floorplan	Site plan Elevations Floor plan Questions asked at conditional use hearing	Specific requirements as part of up-front application
Site Reqs & Standard Conditions	Ability to add conditions to a conditional use permit	No standards Subject to project-by-project determination following conditional use hearing	Clear standards Ability to add site-specific conditions as needed

Exhibit A
Preliminary Zoning Framework in Consolidated Form

Chapter 26.77: Data Centers

Section 26.77.010 - Purpose
The purpose and intent of this Chapter 26.77, Data Centers, is to define and address the location, establishment, application requirements, and standard conditions for data centers in order to ensure the health, safety, and general welfare of the residents of the City of St. Louis. This chapter seeks to allow for responsible, predictable development of data centers and associated infrastructure, to encourage best practices, and limit negative impacts.

Section 26.77.020 - Definitions

a. **Data center** is a facility whose primary service and dedicated infrastructure is for data processing or data storage, and is used to house computer systems and associated components, such as central processing units, graphical processing units, neural networks, quantum bits, quantum processors, memory, data routing, data storage, server farm, bitcoin mining, crypto processing, virtual private networks, virtual servers, artificial intelligence training or processing, image processing, cloud computing, email servicing, a telecom hotel, telehouse co-location, or any other term applicable to facilities which are used for such purposes shall be deemed to be a data center.
b. **Micro Data Center** is a data center—whether a primary or accessory use—with square footage less than 10,000 gross square feet and maximum power demand less than 5 megawatts.
c. **Standard Data Center** is a data center—whether a primary or accessory use—with square footage of more than 10,000 gross square feet or maximum power demand of more than 5 megawatts but less than 75 megawatts.
d. **Large Load Data Center** is a data center with a maximum power demand of 75 megawatts or more. Macro data centers shall be understood as an industrial land use.
e. **Facility** shall refer to a new or expanded data center. Expanded means a structural alteration required to expand a building's footprint by (a) the addition of 25 percent or more space to the interior floor area of a structure used for data center purposes or (b) the addition of exterior generators or cooling equipment.
f. **Data Center Accessory Use/Structure** means any structure or building that supports the operation of a Data Center, is located on the same tract or assemblage of adjacent parcels and is developed either as a unified development of or in further support of a Data Center. The category includes but is not limited to administrative, logistical, fiber optic, storage, and security buildings or structures; generators; air handlers; process water and non-contact cooling water and wastewater management and treatment facilities; water holding facilities; pump stations; water towers; environmental controls (e.g., air conditioning or cooling towers, fire suppression, and related equipment), water cooling and storage facilities, security features, and any other associated electric, gas, water, wastewater, and stormwater infrastructure to support operations at the property.
g. **Maximum Power Demand** is the maximum energy draw that the facility may use—as set by an agreement with an electric service provider—measured in megawatts.
h. **Renewable Energy** means energy derived from wind, solar, geothermal, or other sources of renewable energy as defined in RSMo 393.1025(5) or any other sources certified as renewable by the Missouri Department of Natural Resources pursuant to 10 CSR 140-8.010(3).
i. **District Energy System** means the Downtown Steam Distribution System and/or the planned Chilled Water Loop.
j. **Backup Generators** means engines that are designed to be used for utility power outages to provide continuous electricity, preventing data loss, and service disruption.

k. **Cool Roof** means a roofing system designed to reflect more sunlight and emit absorbed heat through high solar reflectance and thermal emittance and through using lighter colors or special coatings that reflect invisible near-infrared light.
l. **Closed Loop Cooling System** means a system that recycles the same water or water mixture through an underground loop system in order to facilitate the transfer of energy between the closed underground loop and the earth.
m. **Transit Center** means a location where Metro operates a major hub for MetroBus and/or MetroLink stops as identified by their System Maps. Individual bus stops are not Transit Centers.

Section 26.77.030 - Use Table

The following Use Table lists how Data Centers are regulated in the various zoning districts. Within the table, the user can identify the type of Data Center and how the facility is regulated under each zone, thus identifying whether the use is Permitted (P), whether it requires a Conditional Use Permit (C), or whether it is prohibited (NA).

Use	A - E	F	G	H	I	J	K	L
Micro data center	NA	NA	NA	C	C	P	P	C
Standard data center	NA	NA	NA	NA	C	C	C	C
Large load data center	NA	NA	NA	NA	NA	NA	C	NA

Section 26.77.040 - Application Requirements

Applicants seeking permits for any new or expanded data center must include the following information as part of their application submission.

a. The proposed type of data center (i.e., Micro, Standard, or Large-Load)
b. Elevations and interior floor plans indicating areas dedicated to data center functions and areas planned for other uses (e.g., office, retail, research, etc.), if relevant.
c. Site plan clearly identifying the building and its square footage, the location of backup generators and cooling equipment, parking, landscaping, overhead power / transmission lines, on-site battery storage, on-site substations, and any additional Data Center Accessory Uses/Structures.
d. Megawattage of maximum power demand.
e. The facility's proposed cooling system, sources of energy, and whether the facility plans provide its own energy through any renewable sources.

Standard Data Centers and Large-Load Data Centers must also include the following information:

a. Anticipated end users of the data center, and purpose of the proposed facility, such as: data storage; cloud computing; artificial intelligence; cryptocurrency mining; or business applications.
b. Map indicating the location of any new substations or substation upgrades required for the data center, and the location of new power lines serving the proposed data center.
c. The number, size, fuel source, and testing schedule for backup generators.
d. The expected timeline for commencing construction and operation of the facility.
e. The expected noise level to be generated by the proposed facility's cooling systems and generators, and the proposed facility's planned sound attenuation and noise reduction measures to limit the emission of noise and prevent disturbances to nearby residents, based on permissible noise levels outlined in Chapter 15.51 of the City's Revised Code of Ordinances, and in 26.77.050. Expected noise levels shared should include anticipated levels of low-frequency noise.
f. Fire detection and suppression systems that will be installed at the proposed facility.

g. Whether the applicant has executed an Interconnection Study Agreement, Construction Agreement, and/or Electric Service Agreement with an electric service provider.
h. Whether the user plans to participate in any renewable energy program, Power Purchase Agreements (PPAs), or purchase any Renewable Energy Credits (RECs).
i. Anticipated annual water use and anticipated or committed Power Usage Effectiveness (PUE) and Water Usage Effectiveness (WUE).
j. Plans to participate in the state's sales tax exemption program.
k. The number of construction jobs and permanent jobs associated with the data center.
l. How much tax revenue the community is anticipated to receive as a result of the proposed facility.

Large-Load Data Centers must also include the following information:

a. Whether and how the proposed facility building's facade, height, massing, and orientation will be designed to be compatible with adjacent properties and the surrounding area.
b. A detailed description of sources and uses.
c. Any community benefits offered by the proposed facility or its operators.
d. Plans to remove infrastructure and equipment from the site should the data center cease operation.
e. Documentation of having advertised and held at least one meeting with community members during which project information is shared. Such a meeting is to be advertised no less than 15 days prior to the meeting's date, with notification provided to all Registered Neighborhood Organizations having a geographical boundary within a one-half mile radius of the proposed data center. Such a meeting is to be held at least 30 days prior to submission of an application to the City. If the proposed data center is not located within a one-half mile radius of the geographical boundary of any Registered Neighborhood Organization, or no such list has been established pursuant to Ordinance 72030, applicants shall contact the Neighborhood Stabilization Division for neighborhood organizations representing neighborhoods or block units having a geographical boundary within a one-have mile radius of the proposed data center to which notice shall be recommended. Such notice shall be by certified mail and, if available, email. Include a summary of feedback provided during the meeting(s).

In the event that an applicant is unable to provide any of the above information, the applicant shall indicate that they are unable to provide the information and also describe the reason this information cannot be provided.

Section 26.77.050 - Site Requirements, Design Requirements, and Standard Conditions

1. Location requirements
    a. No permit shall be issued to a parcel with all of its lot lines within 300 feet of another parcel or fraction thereof containing a light rail station or transit center, zoned A, B, C, D, E, classified as residential by the Assessor's Office, or containing a faith building, school, or public park.
    b. Standard Data Centers are exempt from these location requirements when rehabilitating, reconstructing, or repurposing an existing building(s) within the I or L District.
    c. Micro Data Centers which fully enclose backup generators within the primary structure are exempt from these location requirements.
2. Reporting requirements & compliance with other laws
    a. Data Centers shall:
        i. Not be issued a nuisance letter, and shall maintain compliance with the noise ordinance (Chapter 15.51 of the City's Revised Code of Ordinances), and applicable energy and water benchmarking requirements and data verification by a third party.
        ii. Not exceed a maximum noise level of 55 decibels between the hours of 7am and 10pm or a nighttime maximum noise level of 50 decibels between the hours of 10pm and 7am, as measured from the property line.

b. Standard Data Centers and Large Load Data Centers shall annually provide to the Health Department a third-party report of noise emissions to verify compliance with relevant standards. The first annual report shall occur within 30 days of commencement of operation. Readings should be taken at the parcel line of all joining parcels or parcels directly across a street or alley from the parcel containing the data center. The report shall include a measure of decibels as well as a full spectrum analysis, which includes the range of frequencies emitted on the parcel.

3. Building & site design
    a. Data Centers shall:
        i. Be operated with a Closed Loop Cooling System or other system that reduces water use.
        ii. Be designed and operated with a Cool Roof.
        iii. Fully enclose all Backup Generators within the primary structure or an exterior structure.
        iv. Enclose and/or screen all exterior and rooftop cooling equipment, and any other Data Center Accessory Uses/Structures to provide a visual and acoustic barrier from the property line and surrounding area. Enclosures and/or screens shall be opaque to obstruct from view and reduce frequency and vibrations.
        v. Provide landscaping on a minimum of 10 percent of the lot area, inclusive of a mix of evergreen and deciduous trees with a minimum caliper of 2 ½ inch at the time of planting. Trees must be maintained in a healthy condition and replaced if dead.
        vi. Provide a tree lawn not less than 3 feet in width along all public streets. Street trees shall be installed in the tree lawn, between the public sidewalk and public street, when the tree lawn has sufficient width, or street trees with gates shall be installed in public sidewalks where the sidewalk has sufficient width and with a minimum of 25 feet between trees. In the K district, Data Centers may install a landscape berm as an alternative to a tree lawn.
    b. In addition, Standard and Large Load Data Centers shall achieve and maintain LEED certification or certification through a similar green building program for the life of occupancy.
4. Other area & operations standards
    a. Data Centers shall:
        i. Not exceed more than 50 percent of the gross ground floor area of any building with street frontage, unless in the J or K district. For the purposes of this section, a building with street frontage is any building located within 50 feet of a street right-of-way line.
        ii. Not exceed 500,000 square feet of gross floor area.
        iii. Comply with the Height and Setback limitations of the underlying zoning district.
        iv. Provide 1 off-street parking space for every 5 permanent employees.
        v. Test backup generators only between 10am and 5pm, Monday through Friday.
        vi. Not commence operation until a Willing to Serve Letter is provided.
        vii. Connect to District Energy Systems if located within 50 lineal feet of an existing line. Micro Data Centers are exempt from this requirement.
    b. Standard Data Centers shall achieve a 50 percent renewable energy requirement through Renewable Energy Credits (RECs) or Power Purchase Agreements (PPAs) within 5 years of commencing operation.
    c. Large Load Data Centers shall achieve a 100 percent renewable energy requirement within 5 years of commencing operation. At least 75 percent of the requirement shall be satisfied through Power Purchase Agreements (PPAs) or green tariffs, and no more than 25 percent of the requirement shall be satisfied through Renewable Energy Credits (RECs).

Section 26.77.060 - Application Review Process

The Zoning Administrator shall provide application materials for any Standard or Large Load Data Center to the Executive Director of the Planning & Urban Design Agency, the Commissioner of Health, the Fire Marshall, and the Office of Building Performance no less than 60 days prior to a scheduled conditional use hearing. These departments and offices may submit findings and recommendations to the Zoning Administrator within 45 days of receiving application materials.

RETURN TO:

CLERK, CITY OF TROY
116 E. MARKET STREET
TROY, ILLINOIS 62294

CITY OF TROY

ORDINANCE NO. 2025-46

AN ORDINANCE OF THE CITY OF TROY, ILLINOIS ESTABLISHING XV LAND USE, CHAPTER 154, SECTION 154.070: DATA CENTERS OF THE CODE OF ORDINANCES

ADOPTED BY THE CITY COUNCIL OF THE CITY OF TROY

THIS 17th DAY OF NOVEMBER 2025

ORDINANCE NO. 2025-46

AN ORDINANCE OF THE CITY OF TROY, ILLINOIS ESTABLISHING XV LAND USE, CHAPTER 154, SECTION 154.070: DATA CENTERS OF THE CODE OF ORDINANCES

WHEREAS, the City of Troy, Illinois, seeks to establish clear and comprehensive regulations governing the development, operation, and design of data centers within the City; and

WHEREAS, data centers are significant infrastructure components supporting digital, cloud, and business computing needs, which require specialized zoning, design, and utility considerations; and

WHEREAS, the Planning Commission of the City of Troy has reviewed, discussed, and recommended adoption of these standards to ensure public health, safety, and welfare; and

WHEREAS, the City Council of the City of Troy, Illinois, finds it to be in the best interest of the City and its residents to adopt such regulations to promote orderly growth, environmental protection, and compatible land use.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TROY, MADISON COUNTY, ILLINOIS AS FOLLOWS:

Section 1: The facts and statements contained in the preamble to this Ordinance are found to be true and correct hereby adopted as part of this Ordinance.

Section 2: The Troy Municipal Code, Title XV: Land Usage, Chapter 154: Zoning Ordinance Section 154.070 Data Centers shall be added to read in their entirety, as follows:

§ 154.005 DEFINITIONS.

DATA CENTER. A data center is a physical facility that houses computer systems, servers, storage devices, and networking equipment. The facilities are designed to support the storage, processing, and distribution of large amounts of data for organizations. Data centers play a crucial role in enabling various online services and applications, including cloud computing, e-commerce, and social media.

§ 154.070 DATA CENTERS.

(A) Purpose and applicability: Data centers provide a centralized location for an organization's IT infrastructure, enabling them to manage and access their data and applications efficiently. They typically include servers, storage systems, networking equipment (like routers and switches), and power and cooling systems. Data centers are the backbone of the digital world, supporting everything from online banking and email to streaming services and social networks. Data centers can be owned and operated by a

single company, shared by multiple companies (colocation), or provided as a service by specialized companies (cloud providers).

1. Special Use Permits. Data center facilities, as defined herein, require a special use permit in the respective district in which they are allowed and comply with § 154.141 Special Use Permits.
2. In determining compliance with § 154.141 Special Use Permits, the following components of the data center facility shall be evaluated based on the entirety of the circumstances affecting the particular property in the context of the existing and intended future use of the property:
    a. Impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.
    b. Proposed structure in which the facility will be located.
    c. Anticipated parking demand and available private parking supply.
    d. Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.
    e. Anticipated utility demand and confirmation by the provider that facilities are adequate.
    f. Noise study to demonstrate environmental impact on surrounding properties.
    g. Site design, including access points and internal site circulation.
    h. Proposed signage plan.
    i. Compliance with all requirements as provided in the Design guidelines section below.
    j. Other criteria determined to be necessary to assess compliance with § 154.141 Special Use Permits.

(B) Design guidelines. The following design guidelines are the basis for reviewing and approving Special Use Permits. They illustrate key elements and design strategies for planning approval, design, construction, and landscaping of the development. They are designed to ensure compatibility with surrounding areas by minimizing noise, dust, traffic, light, and other negative environmental impacts.

1. Data Centers are permitted only in the I-2 General Industry zoning district and with a special use permit under § 154.141 Special Use Permits.
    a. Lot and dimensional standards shall be as required by the zoning district except as amended herein:
        1. *Setbacks from public rights-of-way:* There shall be a 100-foot minimum setback from the principal and accessory structures adjacent to a public right-of-way
        2. *Minimum building side and rear setback:* 50 feet
        3. *Residential setbacks:* There shall be a 200-foot building setback from any district where residential dwellings are a permitted use.

b. Building design.

1. *Building Height:* Height requirements shall comply with § 154.032 of I-2 General Industrial with additional height considerations with additional setbacks as approved as a condition of the Special Use Permit.

1. *Building elevations:* All primary and accessory structures shall be constructed with complementary materials on all elevations, employing a consistent design approach, harmonious character, and matching façade colors.

2. *Accessory buildings:* Accessory or ancillary buildings, whether attached or detached, shall be constructed with similar design, materials, and construction as the nearest primary structure, if they are visible from a public street right-of-way or adjacent properties not zoned I-1 or I-2.

3. *Roof-mounted equipment:* All roof-mounted equipment shall be thoroughly screened on all four building sides with materials that are consistent and harmonious with the building's façade and character. This screening shall be provided to screen the equipment from off-site view and to buffer sound generated by such equipment. Solar energy systems need not be screened to the extent that the screening prevents or limits functionality or accessibility to direct sunlight. The City shall permit additional exceptions for equipment that is not visible to the public and demonstrates compliance with noise regulations.

c. Landscaping and screening.

1. *Landscaping in setback areas:* The first 50 feet of the minimum setback areas defined in Section (a) Lot and dimensional standards shall be landscaped with the following landscaping features. When a setback area abuts a natural amenity such as a stream, park, or other open space, the landscape plan should integrate with and respect the natural integrity of the amenity. Detention and retention ponds must be designed to be physically, functionally, and visually integrated into adjacent landscape areas.

2. *Berms:* A minimum six-foot-tall berm planted with native species shall be provided within all minimum setback areas, excluding side and rear yard setbacks that are not wide enough to accommodate such a berm. A berm shall not exceed a slope of 3:1 (i.e., for every three feet of horizontal run, the vertical height is one foot) and should be graded to appear as a curvilinear, naturalistic form.

3. *Native Woodland Restoration:* Setback areas shall be planted and restored with a combination of native trees and shrubs indigenous to the area and the property.
    a. Plant diversity: Plantings shall consist of a mixture of species native to the area, with no single species comprising more than 25% of the total plantings.
    b. Distribution: The distribution of plantings within the setback areas shall be designed and certified by a licensed landscape architect. Trees shall be planted at a density no less than one tree per 400 square feet of screening area. The Zoning Administrator may approve alternative compliance landscape plans for projects that implement low-impact development practices or seek sustainable development or green building certifications from nationally recognized organizations, such as the International Code Council, the U.S. Green Building Council, the International Living Future Institute, the U.S. Green Building Initiative, or SITES.
    c. *Protection*: All seedlings shall be protected with four-foot-high protective, biodegradable tree tubes.
    d. *Maintenance:* Newly installed plant material shall be properly maintained in the first two years after planting.
    e. *Native seeding:* Native seeding shall be planted surrounding all trees.
4. Fencing and screening.
    a. No fence may exceed 12 feet in height.
    b. Screened fencing shall include solid masonry, pre-cast, or stone walls.
    c. Security fencing shall be limited to decorative metal fencing, barbed or razor wire may not be used within setback areas.
    d. Any alternative fence design that does not adhere to § 154.047 Fences and Walls standards may be considered and approved by the Planning Commission as part of a Building, Site, and Operational Plan submittal.
5. Mechanical equipment.
    a. Mechanical equipment such as meter boxes, utility conduits, roof and wall projections such as vent and

exhaust pipes, and trash containers visible to the public shall be screened using parapet walls (when on rooftops), opaque fences or walls at least four feet in height located no further than 10 feet away from the subject equipment. Solar energy systems are not included.

b. Cooling towers, generators, and similar major equipment shall be screened from public view using fences, walls, landscaping, or buildings themselves. The method of screening should be architecturally integrated with the principal building in terms of materials, colors, shape and proportions.

6. Service and loading areas.

a. Service and loading areas must comply with § 154.088 and § 154.089.

b. All service and loading areas visible to the public shall be screened using opaque fences or walls at least eight feet in height, located no further than 10 feet away from the subject area.

7. Sound walls. A masonry or decorative concrete wall no taller than 24 feet in height may be installed surrounding utility areas or for noise mitigation purposes only.

d. Sound/noise.

1. Stationary noise levels shall not exceed 60dB (daytime)/ 55dB (nighttime) adjacent to Residential Land Use nor 70dB (anytime) when adjacent to any Non-Residential Land Use.

2. If the stationary noise source emits noise containing a discrete tone, the permissible levels shall be 5dB lower than the applicable levels.

3. If the stationary noise source emits impulsive noise, the permissible levels shall be 5dB lower than the applicable levels.

4. If both a discrete tone and an impulsive noise are omitted, the permissible levels shall be 10dB lower than the applicable levels.

5. The Planning Commission may approve alternative noise mitigation measures if it is demonstrated that they are equivalent to or superior to the existing noise abatement measure stated in this section.

6. With an application for rezoning, a sound study of the proposed property shall be submitted showing existing ambient noise levels at property line prepared to industry standards.

7. At the start of data center operations, if noise levels exceed the allowable thresholds, the developer or property owner shall implement mitigation measures, including but not limited to acoustically treated enclosures for generators, cooling systems, and other operational equipment, and shall design all measures to reduce or redirect sound impacts on adjacent properties, such as directing sound upward or through other effective methods.

8. Within six (6) months of the issuance of a Certificate of Occupancy for each building, the city may obtain or require the data center operator to provide a post-construction sound study confirming continued compliance with these standards.

9. Noise levels may be adjusted based on recommendations by the City staff based on pre-construction noise studies.

e. Parking and circulation.

1. All parking and circulation shall comply with § 154.080 through 154.089.

2. Parking shall be designed to minimize conflicts between automobiles and pedestrians and create a clearly organized system of entrances, driveways, and parking lots and facilities, while still providing adequate and convenient parking spaces.

3. Parking lots and driveways shall be designed for sufficient movement to avoid conflict with vehicular traffic in the street.

4. "Gated parking" is discouraged, but if required, shall be designed to prevent traffic queuing onto a public street. All gated parking areas shall be located in the rear of the building.

5. Large parking areas shall have sidewalk connections to the building entry areas which are safe and attractive.

6. Adjacent properties should be adequately screened from parking structures and lots.

7. No parking shall be permitted on any public street or access road or at any place other than the paved parking spaces provided.

f. Lighting

1. All lighting shall comply with § 154.081 (G) Lighting and supplemented as follows:
    a. Cut-Offs and Shielding. In addition to the referenced section, property owners shall fully shield luminaires emitting more than 1,000 lumens. Those luminaires shall emit no more than 5% of their total Lumen output above 80 degrees from the nadir.
    b. Accent and Architectural Lighting. Property owners shall recess and direct all accent lighting downward onto the illuminated object or area. They may not install accent light emissions visible above any roofline, building, or other associated structure.
    c. Fixture Height. No property owner may install a freestanding fixture within 300 feet of a property line that exceeds 18 feet in height
    d. Safety and Utility Structure Lights. Strobes, emergency, safety, and utility lights are prohibited unless they are for safety; however, property owners may only utilize red strobe lighting at night.
    e. Construction Lighting. The City permits temporary lighting that property owner's shield for construction activities to prevent glare and light spillover and turn it off during non-construction hours.

(C) Submittal Requirements: Applications must include, at a minimum:

1. Completed Special Use Permit application.
2. Copy of recorded deed (s) showing ownership of the subject property.
3. Electronic copy of the legal description that is editable.
4. Plat of survey (to scale) from a professional land surveyor. Survey must include scale, north arrow and dimensions of the subject property.
5. Affidavit of owner's consent (if applicable).
6. Disclosure of beneficiaries (if applicable).
7. The application fee shall be calculated in accordance with the City's current Commercial Permit Fee Calculation schedule of .0045 x the square footage x the cost of construction per square foot.

8. The results and recommendations from the consultation with the Illinois Department of Natural Resources obtained through the Ecological Compliance Assessment Tool (EcoCAT) or a comparable successor tool

9 The results of the United States Fish and Wildlife Service's Information for Planning and Consulting environmental review or a comparable tool.

10. Evidence of consultation with the Illinois State Historic Preservation Office to assess potential impacts if any state-registered historic sites under the Illinois State Agency Historic Resources Preservation Act are present on-site or in the vicinity (if applicable).

11. Proof of compliance with noise regulations of the Illinois Pollution Control Board (if applicable).

12. Preliminary site plan identifying the following:

    a. Subject property including the property lines, setback lines, and right-of-way lines.

    b. Physical features, including but not limited to roads, floodplain (s) with baseline flood elevations (if applicable), wetland (s) (if applicable), existing and proposed building (s) (if applicable), solar panels and equipment (number, location, and spacing of solar panels/arrays). Proposed locations of underground or overhead electric lines and utility poles, landscaping, and detention fencing.

    c. Identification of proposed construction and ongoing maintenance routes from the nearest arterial road as detailed on a map.

    d. Visual screening report that includes the following:

        1. A map of homes within three hundred feet (500') of the facility.

        2. Locations and type of existing vegetation that provides screening of views of the facility.

        3. Topographic features that provide screening of the facility.

13. Interconnection service agreement or evidence of filing required interconnection service applications with the electric utility.

14. Operation and maintenance plan including measures for maintaining safe access to the installation, storm water controls, landscaping maintenance, as well as general procedures for operation and maintenance of the installation.

15. Proof of liability insurance.

16. Preliminary emergency services plan, including but not limited to the project summary, electrical schematic and means of shutting down energy systems throughout the life of the installation, and fire protection and response plan.

17. Copies of all leases for the subject property (if applicable) (the parties to and amount(s) of rent in any such lease may be redacted).

18. Executed copy of the owner/operator's Agricultural Impact Mitigation Agreement (AIMA) with the Illinois Department of Agriculture

19. Road Maintenance Agreement
    a. Shall be executed between the Developer, the City, and any affected Township or Road District prior to construction.
    b. The agreement shall outline responsibilities for maintaining, repairing, and restoring all public roadways used for equipment delivery, construction traffic, and ongoing operations associated with the project.
    c. The agreement must include provisions for: Pre-and post-construction road condition assessments, required repairs or upgrades to accommodate construction traffic, ongoing maintenance during the construction period, and financial security (such as a Letter of Credit) to guarantee roadway restoration and compliance with the terms of the agreement.

(D) Federal and State Compliance. Must demonstrate compliance with applicable federal and state safety standards, including but not limited to those administered by OSHA, NFPA, UL, and the Illinois Commerce Commission.

Section 3: Adoption.
The City of Troy hereby establishes and adopts Section 154.070, entitled “Data Centers,” of Chapter 154, Land Use, of the Code of Ordinances.

Section 4: Severability.
If any provision, clause, sentence, paragraph, or part of this ordinance or its application to any person or circumstance shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect the remainder of this ordinance.

Section 5: Effective Date.

This Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law.

PASSED by the City Council of the City of Troy, Madison County, Illinois, approved by the Mayor, and deposited in the office of the City Clerk this 17th day of November, 2025.

Aldermen Vote:

Dan Dawson	_____	Sam Italiano	_____	Ayes:	____
Tim Flint	_____	Debbie Knoll	_____	Nays:	____
Elizabeth Hellrung	_____	Heather Stirling	_____	Absent:	____
Nathan Henderson	_____	Troy Turner	_____	Abstain:	____

APPROVED:

_____

DAVID NONN, Mayor
City of Troy, Illinois

(SEAL)

ATTEST:

_____

KIMBERLY THOMAS, Clerk
City of Troy, Illinois

ZONING
Protecting Quality of Life

Topics to Consider

- Consider whether data centers and warehouses are appropriate in the proposed zoning districts
- Evaluate compatibility with surrounding land uses, including appropriate separation distances from certain uses
- Consider the long-term community and environmental impacts

Summary of Proposed Changes

Goal: To establish clear and objective zoning standards to address the unique operational, infrastructure, and land use impacts associated with data centers and warehouses, while protecting surrounding properties, and promoting orderly and sustainable development.

Zoning Ordinance Proposed Changes:

Definitions
- Separate definitions for data centers and warehouses

Data Center Amendments

Zoning:
- Data Center are allowed in the ORI, M-1, and M-2 as a Conditional Use which requires a public hearing.

Additional document requirements:
- As part of the Conditional Use, a Development Agreement will be required
- A Noise Modeling Report, Energy Consumption Modeling Report and Water Consumption Modeling Report will be required.

Chiller regulations:
- Prohibits evaporative chillers utilizing potable water
- Provided separation requirements to residential, education and hospital uses:
  - 1,000’ separation requirement to residential for ground-mounted chillers
  - 1,500’ separation requirement to residential for roof-mounted chillers
- Additional screening requirement
  - Requirement for sound attenuation for all ground mounted chillers
  - Requirement sound attenuation screen or parapet for all roof-mounted chillers

Generator Regulations:
- Prohibits roof-mounted generators
- Requires Tier 4 Final emission standards
- Provided separation requirements to residential, education and hospital uses:
  - 1,000’ separation requirement to residential, education and hospital uses for ground-mounted generators
- Additional screening requirement
  - Requirement for sound attenuation for all ground mounted generators

Updated performance standards:
- Additional performance standards for data centers
- Updated vibration standards in the ORI, M-1 and M-2 districts

Parking Requirement:
- Requiring for “banked” parking to demonstrate that parking regulations for a typical warehouse / industrial user can be provided in the future.

ZONING
Protecting Quality of Life

Summary of Proposed Change

Zoning Code Amendments Continued

Warehouses amendments

- Changed warehouses to only be permitted as an accessory use to another permitted use in ORI Office, Research, and L Light Industrial District.
- Limited dock to one (1) dock per 40,000 square feet of building gross floor area.

Building Code Amendments

- Clarified requirements of sound and vibration studies demonstrating compliance as part of the permit review process and prior to temporary certificate of occupancy including remodeling permits.

What This Means

- Gives municipality flexibility and control while still allowing the use where appropriate.
- Ensures public input and builds transparency for these types of uses.
- Protect Quality of Life by evaluating the community and environmental impacts on a case-by-case basis
- Creates a simpler and more effective pathway to violation demonstration and thus compliance.
- Creates local accountability for data centers operating within the city limits.

ZONING
Research

Supporting Information

Zoning

Communities that data centers are permitted by right include Yorkville, West Chicago, Oakbrook, East Dundee, Minooka, Sugar Grove, Bloomington, Hobart IN

Communities that data centers require a conditional use include Naperville, Champaign, Deerfield, Loudoun County VA, Fairfax County VA, Chandler AZ

Separation Requirements

The City of Aurora is proposing separation requirements from residential uses that are equal to or more stringent than other communities existing standards.

- Yorkville — 500’ to residential uses
- Loudoun County, VA — 200’ to residential uses; 400’ to residential for 2nd stories of buildings
- Fairfax County VA — 200’ from residential uses; 300’ from residential uses to generator, chillers, & transformers

Screening Requirements

Communities that require screen walls for equipment includes Loudoun County, VA and Fairfax County, VA. Fairfax County, VA also screens substations.

Yorkville does not require screen walls but does have a 100’ Landscape buffer to non-manufacturing zoned land uses and requires a 8’ tall berm when adjacent to residential subdivisions.

Parking Requirements

Parking requirement varies among all of the communities. They range from1 space per 1000 square feet to Staff Determination. Some base it on the number of employees. In addition to parking requirement for the data center, Minooka required 1 space for each 1,500 square feet of building area as a land bank for potential future parking needs.

NOISE

Revised 2/17/2026

Protecting Quality of Life

Topics to Consider

- Data center agreements with tenants mandate 24/7 availability.
  - Constant heat generation from computer systems require continuous mechanical cooling systems.
  - Need for constant power requires emergency generation for the large power loads of these buildings.

- If unmitigated the 24/7 need for chiller usage can create a pervasive constant noise that neighbors get no relief from.

- Emergency Generator sound during grid power outages can be very loud with many simultaneously running generators needed to meet power demands.

- Emergency Generators must be exercised and tested regularly to ensure they are prepared in case of a grid outage.

- As Data Centers may delay equipment installation as their data halls fill noise generating equipment may not be installed at the time of the first issuance of certificates of occupancy. As such we will need to require sound testing in remodeling permitting processes as well.

Summary of Proposed Change

Goal: Protect Residents Quality of Life and require sensitivity to neighbors' quality of life for all non-emergency generated sounds.

Proposed Zoning Language:

- Each new data center will now have to be approved through City Council through the Conditional Use process.

- Data centers must adhere to the IL Pollution Control Board - Title 35, Subtitle H: Noise. State noise standard uses 9 octave bands and is difficult to measure. Proposing an Aurora Constant Minimum Noise Threshold as a tougher standard with easier enforcement.

- Data center facility shall comply with the Illinois Pollution Control Board's (IPCB) Environmental Regulations for Noise (Title 35 Environmental Protection Subtitle H: Noise Part, 900 and 901). Should the data center meet or exceed either of these Aurora constant noise threshold minimums dB (A) weighted noise levels at data center site property lines within 1500 ft of residential uses the data center shall be required to provide monitoring reports and a 3rd party acoustical engineer prepared scientific sound study which demonstrates compliance with all applicable sound standards within 30 days of COA request.

- Aurora Constant Minimum Noise Thresholds
  - Daytime hours 59 dB (A) weighted 7am-7pm
  - Nighttime hours 49 dB (A) weighted 7pm-7am

Sound Compliance modeling and testing requirements:

- A baseline Third Party Engineer pre-development sound study with the first petitions filed for the development.

- Third Party Engineered Sound modeling and required as part of any zoning entitlement.

- Third Party Engineered Sound study shall demonstrate compliance and comparison to baseline pre project sound study required prior to any temporary or permanent certificate of occupancy request.

- Third Party Engineered Sound study shall demonstrate compliance and comparison to baseline pre project sound study required as part of any subsequent remodeling permit which adds sound producing equipment prior to any temporary or permanent certificate of occupancy request.

- On-Demand Constant Sound Monitoring results and if requested a Third Party Engineered Sound study shall demonstrate compliance and comparison to baseline pre-project sound study required within 30 Days of city request for exceeding the Aurora Constant Minimum Noise Threshold.

- Facilities must provide 24/7 monitoring equipment and meet ongoing performance standards and provide on-demand and annual compliance reporting to the City.

- Data Centers shall additionally be required to "Bank" parking (undeveloped during the data center use) that would have been required for a manufacturing use. This will help maintain more land on the data center site for screening and sound buffering.

NOISE

Revised 2/17/2026

Protecting Quality of Life

Summary of Proposed Change

Chiller and Cooling Equipment (chillers, fans & compressors)

- Separation to residential uses:
  - If roof mounted 1,500 feet min from screening to closest residential, education and hospital use lot lines.
  - If ground mounted 1,000 feet min from screening to closest residential, education and hospital use lot lines.
- Required to be surrounded by full height attenuation screening

Emergency Generators

- Separation to residential, education and hospital use lot lines:
  - 1,000 feet min from screening to closest residential, education and hospital use lot lines.
- Prohibited on rooftops
- Required to be surrounded by full height attenuation screening
- Testing and Exercising activities are limited to 9am to 5pm Weekdays and not on holidays, with no more than 2 generators operating simultaneously.

Proposed Building Code Language:

- 107.2.1.2 Data Center Engineered Modeling details is added to read:
  The code official will require to be filed, engineers report(s) and attestation(s) that the proposed permit details for a data center has been modeled for sound and vibration. The accompanied reports shall demonstrate compliance with all local, State and Federal regulations.

- 107.3.4.2 Data Center Testing Deferred Submittals is added to read:
  The code official will require to be filed, engineers report(s) and attestation(s) that the constructed data center has been tested for sound and vibration. The accompanied testing reports shall demonstrate compliance with all local, State and Federal regulations prior to requests for temporary or full certificates of occupancy where sound and vibration generating equipment are being added

What This Means

- Sets one of the most stringent separation and noise compliance standards in the country.
- Requires constant monitoring of sound exceedances and sharing of records on request.
- Requires sound studies demonstrating compliance and mitigation plans and timelines upon sound exceedances
- Creates a simpler and more effective pathway to violation demonstration and thus compliance.
- Protects the regional aquifers and encourages modern, low-energy cooling and building systems

Supporting Information

- Separation Distance to Residential
  - Loudoun Co VA & Fairfax Co VA 200 feet
  - Yorkville IL 500 data center structure to R lot

- Noise Standards and Studies
  - OakBrook IL 55-70 dBA, Hobart IN 65 dBA,
  - At the Residential Lot Noise Standards (Expect a 6dB reduction for every 50 ft of distance)
    - Loudoun Co VA 55dBA, Yorkville IL 50dBA day& 60dBA night

- Generator Testing Hours
  - 9am-5pm Chandler AZ
  - 5am-7pm May to Sept & 11am-5pm Oct to Apr Loudoun Co VA
  - 11am-5pm Yorkville IL

VIBRATION Revised 2/17/2026

Protecting Quality of Life

Topics to Consider

- Data center agreements with tenants mandate 24/7 availability.
  - Need for constant power requires emergency generation for the large power loads of these buildings
- Emergency Generator vibrations during grid power outages can create vibrations in neighboring properties with many simultaneously running generators required to meet power demands
- Emergency Generators must be exercised and tested regularly to ensure they are prepared in case of a grid outage.
- As Data Centers may delay equipment installation as their data halls fill noise generating equipment may not be installed at the time of the first issuance of certificates of occupancy. As such we will need to require sound testing in remodeling permitting processes as well.

Summary of Proposed Change

Goal: Protect Residents Quality of Life and require sensitivity to neighbors' quality of life for all non-emergency generated vibrations.

Proposed Zoning Language:

- Each new data center will now have to be approved through City Council through the Conditional Use process.
- Data centers must adhere to the revised Aurora bulk restriction performance standards for vibration. Where max permitted displacement in inches = K/frequency in cycles per second.
- Constant vibration monitoring shall be required every 500' of property line within 1,000 feet of residential uses.
- Vibration Isolation mounts are required
- Should the data center exceed the Aurora vibration performance standards at data center site property lines within 1,000 ft of residential uses, the data center shall be required to provide monitoring reports and a 3rd party engineer prepared scientific vibration study which demonstrates compliance with all applicable vibration standards within 30 days of COA request.

Table 1
K Value to be Used in Measuring Vibrations

In any Neighboring Lot	K
Steady State	0.008
Impulsive	0.015
Less that 8 pulse per 24-hour period	0.037
In any Residential District	
Steady State	0.003
Impulsive	0.006
Less that 8 pulse per 24-hour period	0.015

Vibration Compliance modeling and testing requirements:

- Third Party Engineered Vibration modeling and required as part of any zoning entitlement.
- Third Party Engineered Vibration study shall demonstrate compliance prior to any temporary or permanent certificate of occupancy request.
- Third Party Engineered Vibration study shall demonstrate compliance as part of any subsequent remodeling permit which adds generator equipment prior to any temporary or permanent certificate of occupancy request.
- Constant Vibration Monitoring results upon request and Third Party Vibration study demonstrating compliance required within 30 Days of city request.
- Facilities must provide 24/7 monitoring equipment and meet ongoing performance standards and provide on-demand and annual compliance reporting to the City.
- Data Centers shall additionally be required to "Bank" parking (undeveloped during the data center use) that would have been required for a manufacturing use. This will help maintain more land on the data center site for vibration buffering.

VIBRATION

Revised 2/17/2026

Protecting Quality of Life

Summary of Proposed Change

Emergency Generators

- Separation to residential, education and hospital use lot lines:
  - 1,000 feet min from screening to closes residential lot line
- Testing and Exercising activities are limited to 9am to 5pm Weekdays and not on holidays, with no more than 2 generators operating simultaneously.

Proposed Building Code Language:

- 107.2.1.2 Data Center Engineered Modeling details is added to read:
  The code official will require to be filed, engineers report(s) and attestation(s) that the proposed permit details for a data center has been modeled for sound and vibration. The accompanied reports shall demonstrate compliance with all local, State and Federal regulations.
- 107.3.4.2 Data Center Testing Deferred Submittals is added to read:
  The code official will require to be filed, engineers report(s) and attestation(s) that the constructed data center has been tested for sound and vibration. The accompanied testing reports shall demonstrate compliance with all local, State and Federal regulations prior to requests for temporary or full certificates of occupancy where sound and vibration generating equipment are being added

What This Means

- Mimics the most stringent vibration standards in the country, adding both separation minimums and vibration maximums.
- Limits Generator exercising to a daytime timeframe and limits simultaneous generator testing.
- Requires constant monitoring of vibration exceedances and sharing of records upon request.
- Requires vibration studies demonstrating compliance and mitigation plans and timelines upon vibration exceedances
- Creates a simpler and more effective pathway to violation demonstration and thus compliance.

Supporting Information

- Separation Standards to Residential
  - Match setbacks from Elk Grove IL
- Vibration Standards
  - Match Residential Vibration standards for Loudoun Co. VA, Killdeer IL, Lee County IL
  - Allows less Vibration than Oakbrook IL, Lake Villa IL, East Dundee IL
- Generator Testing Hours
  - 9am-5pm Chandler AZ
  - 5am-7pm May to Sept 11am-5pm Oct to Apr Loudoun Co VA
  - 11am-5pm Yorkville IL

ENERGY
Protecting Quality of Life

Topics to Consider

- Data centers use enormous amounts of **electricity** – A single large data center can use as much power as tens of thousands of homes.
- Grid strain raises costs for everyone – High, concentrated electricity demand can increase infrastructure costs and contribute to **higher utility rates** for residents and businesses.
- Climate impacts – If powered by fossil fuels, data centers significantly increase **greenhouse gas (GHG) emissions**, conflicting with local and state climate goals.
- **24/7 energy demand** – Unlike most buildings, data centers operate continuously, increasing baseline electricity demand even during peak grid stress events.

Summary of Proposed Changes

Goal: Limit excessive energy use and require highly efficient operations.

⇨ Each new data center will have to be approved through City Council through the **Conditional Use** process.

⇨ Each new data center will adhere to the most energy-efficient building code published and must be designed to and meet **high energy-efficiency** standards:
"Data center facilities shall maintain a maximum Power Usage Effectiveness (PUE) of 1.2."

⇨ Developers must submit an **Energy Consumption Modeling Report** by a third-party engineer to demonstrate compliance. Existing facilities must meet ongoing performance standards by 2028 and provide **annual compliance reporting** to the City via a public website.

⇨ **Required on-site solar** to cover 25% of peak demand OR **on-site battery storage** to cover 50% of peak capacity for 15 minutes, with prioritized distribution to local neighborhoods first in the event of high-peak events.

⇨ Decommissioned equipment must be removed to avoid **long-term** environmental & visual blight.

⇨ The City of Aurora is supportive of state, regional, or federal requirements that make data centers pay their fair share for utility infrastructure use and upgrades.

What This Means

- Sets one of the most **stringent energy-efficiency standards for data centers** in the country.
- Prevents local inefficient data centers from driving up electricity demand.
- Encourages modern, low-energy cooling and building systems.
- **Protects residents** from **long-term** utility rate impacts and climate change impacts.

WATER
Protecting Quality of Life

Topics to Consider

- High water consumption — Some data centers consume **millions of gallons of water per year** for cooling.
- Water use can **compete with drinking water needs**, especially during droughts or heat waves.
- **Evaporate cooling** can degrade water quality due to chemical treatment and discharge. There are also concerns with where & how **closed-loop systems** supply and discharge their cooling liquids when they periodically recharge.
- Hidden impacts — Residents may not realize that **digital services rely on local water systems**.
- Despite many data centers recently moving away from high-consumption water cooling, **it's still important for the City to set parameters and ensure local water quality and resources are protected regardless of cooling method**.

Summary of Proposed Changes

Goal: Reduce potable water use and protect water quality.

Proposed Changes:

⇨ **No** potable-water evaporative chillers:

"Evaporative chillers utilizing potable water are prohibited."

⇨ Strict water efficiency standard:

"Data center facilities shall maintain a maximum Water Usage Effectiveness (WUE) of 0.2."

⇨ **Third-party Water Consumption Modeling Report** required prior to approval.

⇨ Removal of obsolete cooling equipment when data centers close or change use.

⇨ Facilities must meet ongoing performance standards and provide annual compliance reporting to the City via a public website.

⇨ Developers must agree to high fines for non-compliance.

What This Means

- Prevents data centers from competing with residents for drinking water, and prevents the City and residents from paying for large water use treatment.
- Pushes operators toward air-cooled or recycled-water systems.
- Protects local water quality and reduces chemical runoff risks.
- Makes water use transparent to the City and public.
- Sets performance standards and enforcement methods.

AURORA ILLINOIS

EMISSIONS
Protecting Quality of Life

Topics to Consider

- **Routine generator testing** causes pollution even when there is no outage.
- **Backup diesel generators** emit harmful pollutants including:
  - Nitrogen oxides (NOx)
  - Fine particulate matter (PM2.5)
  - Toxic air contaminants
  - Other greenhouse gases
- Health impacts can include **asthma, heart disease & increased respiratory risk for children and seniors**.

Summary of Proposed Changes

Goal: Protect Residents Quality of Life and require sensitivity to neighbors' quality of life for all non-emergency generated sounds.

⇨ No roof-mounted generators.

⇨ **Minimum: Tier-4 Final emissions standards** required (cleanest diesel engines available). This is a new state requirement that Aurora will be steadfastly enforcing.

⇨ Limits on testing hours and number of generators **running at once**:

"Testing only between 9am-5pm, weekdays only, no holidays, max 2 generators at a time."

⇨ 1,000-foot **emergency generator buffer** from residential properties, schools, or hospitals.

⇨ Public **annual reporting** of emissions compliance and exceedances via website.

⇨ Developers must agree to **high fines** for non-compliance via a development agreement

⇨ Data Centers must submit plans to become net-zero greenhouse gas (GHG) emissions by 2050.

What This Means

- **Reduces** harmful air pollution in nearby neighborhoods.
- **Limits** health impacts from emergency generators.
- **Prevents** late-night generator testing.
- **Improves** accountability and transparency.
- **Reduces** greenhouse gas emissions.

AURORA ILLINOIS

PRIVACY
Protecting Your Personal Biometric Information

What is BIPA?

BIPA is the **Biometric Information Privacy Act,** a law Illinois passed in **2008** to protect people's biometric data — things like fingerprints, face scans, iris scans, voiceprints, and similar biological identifiers — from being collected, stored, or used without clear consent.

Illinois lawmakers recognized that biometric data is uniquely tied to YOU and cannot be changed like a password if it's misused. Early biometric technology was rolling out in places like grocery stores and gas stations, raising concerns about privacy and long-term misuse.

Key BIPA protections:
Companies must tell you in writing if they collect your biometric data.
They must clearly explain why they're collecting it and how long they'll keep it.
They must get your written consent before collecting or storing it.
BIPA prohibits companies from selling or profiting from your biometric information.
If a company violates the law, YOU have the right to sue and seek statutory damages without proving actual harm.

For Consideration

⇨ Biometric data is deeply personal, including face scans, fingerprints, voiceprints, iris scans, and other identifiers tied directly to your body. It follows you for life and cannot be changed like a password.

⇨ Data centers store and process massive amounts of sensitive data, including biometric and AI training data used by companies and governments.

⇨ Illinois has one of the strongest biometric privacy laws in the country, requiring consent, limiting retention, and allowing individuals to enforce their rights.

⇨ Data centers want to repeal or weaken BIPA, claiming it makes it difficult for data centers to develop and operate here.

⇨ If BIPA were repealed or weakened
. Residents could lose control over how their biometric data is collected, stored, sold, or used.
. Companies could face fewer obligations to secure or delete biometric information.
. Individuals could lose the ability to seek remedies if their data is misused or breached.

Proposed Changes

Goal: Protect Aurora citizens' biometric data.

The City is proposing privacy-protecting language in case BIPA is repealed or weakened.

What This Means

. Keeps Aurora residents protected even if state law changes

. Creates local accountability for data centers operating within City limits

. Signals that privacy and AI governance are community values, not just technical issues

AURORA ILLINOIS

Research and Supporting Info

Energy

Illinois

- To qualify for state incentives, large Data Centers must be **either carbon-neutral or meet green building standards.**
- The City of Chicago, City of Evanston, and Village of Oak Park require large commercial buildings (over 50,000 ft^2, 20,000 ft^2, and 10,000 ft^2 respectfully) to report **energy consumption annually**. Evanston is in the process of setting performance targets for buildings as well.

Data Center Power Use Effectiveness (PUE) Averages

- The average PUE of data centers is 1.56; a PUE of 1 would mean the data center's energy consumption is equivalent to only the IT equipment; a target of 1.2 is a common goal of data centers that prioritize energy-efficiency.

Google/Microsoft

- Leading operators now design new data centers to hit low PUE targets and pair them with clean energy procurement. International companies may already need to meet stringent climate standards.

Water

Illinois

- Data centers must meet green building standards, which often include water conservation practices, in order to qualify for state incentives.
- The City of Chicago, City of Evanston, and Village of Oak Park require large commercial buildings (over 50,000 ft^2, 20,000 ft^2, and 10,000 ft^2 respectfully) to report water consumption annually.
- A data center under development in Minooka, IL initially proposed using 3 million gallons of water a day. They changed the design to a closed-loop cooling system that uses far less water.

Arizona

- Local governments raised concerns about data centers competing with drinking water during drought conditions.
- Some jurisdictions in the Phoenix Metro now require water modeling before approving new data centers.

Google

- Publicly committed to becoming "water positive" by replenishing more water than its data centers consume.

Air Quality

Illinois & California

- The IL Climate & Reliable Grid Act (CRGA) and California Air Resources Board (CARB) require Tier-4 Final diesel engines for many stationary sources.

Northern Virginia

- Residents have raised concerns about air quality from generator testing at data centers.

New York City

- Requires permits and emissions controls for backup generators at large facilities.

Data Center Industry Trend

- Growing shift toward battery storage and alternative backup systems to reduce diesel reliance.