

RESOLUTION NO. 236 -2026

A RESOLUTION DECLARING A MORATORIUM: 1) ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ZONE MAP AMENDMENTS SEEKING TO CHANGE THE ZONE OF ANY PROPERTY IN LEXINGTON-FAYETTE COUNTY, IF THE APPLICATION INCLUDES A PRELIMINARY DEVELOPMENT PLAN REFLECTING A DATA CENTER AS THE PROPOSED USE; AND, 2) ON THE ACCEPTANCE AND REVIEW OF DEVELOPMENT PLANS FOR DATA CENTERS, IN ANY ZONE; AND, 3) ON THE URBAN COUNTY GOVERNMENT'S ISSUANCE OF ANY PERMITS, APPROVALS, AND AUTHORIZATIONS NECESSARY TO THE OPERATION OF DATA CENTERS, IN ANY ZONE, IN ORDER TO PROVIDE THE URBAN COUNTY GOVERNMENT TIME TO EXAMINE AND REVIEW THE REGULATION, PROCESSING, AND IMPACT OF DATA CENTERS IN LEXINGTON-FAYETTE COUNTY, AND TO PROVIDE TIME TO REVIEW, CONSIDER, AND AMEND, IF NECESSARY, ANY ORDINANCES RELATED TO DATA CENTERS IN LEXINGTON-FAYETTE COUNTY SO THAT IT MAY ENSURE THE PROPER INTEGRATION OF THESE USES INTO THE ADOPTED LAND USE AND ZONING SCHEME; SAID MORATORIUM BEING IN PLACE FROM THE EFFECTIVE DATE OF THIS RESOLUTION UNTIL OCTOBER 31, 2026.

WHEREAS, a moratorium on the acceptance and processing of applications for zone map amendments seeking to change the zone of any property in Lexington-Fayette County, if the application is for the express purpose of creating a data center; and, a moratorium on the acceptance and review of development plans for data centers in any zone within the Urban County Government, and a moratorium on the issuance of any permits, approvals, and authorizations necessary to the operation of data centers, in any zone, are necessary and appropriate so that the Urban County Council may consider and weigh the benefits in allowing data centers in Lexington-Fayette County, given the recent uptick in demand for same, with the burdens they may impose on local resources, as identified by residents and appointed officials, such as: (1) the environmental impact of data centers within Lexington-Fayette County; (2) nuisances created by data centers within Lexington-Fayette County; and, (3) residential energy costs related to the operation of data centers.

WHEREAS, the Urban County Council is soon to initiate a request that the Planning Commission make recommendations on a Zoning Ordinance Text Amendment(s) to better define and regulate data centers, and which, if implemented, could further impact which zones allow the use, and which will require the Planning Commission hold a public hearing on any Zoning Ordinance Text Amendment it recommends;

WHEREAS, the Urban County Government will then need sufficient time to study the recommended Zoning Ordinance Text Amendment(s), review any research the Urban County Council deems appropriate, and review the comments received from residents and appointed officials regarding data centers;

WHEREAS, this review is estimated to take at least four to six months, in order for the Planning Commission and the Urban County Council to consider the concerns described herein, and in order to implement any appropriate changes relating thereto, including any amendments to ordinances, if such amendments are determined to be necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That a moratorium is hereby declared on the acceptance and processing of applications for zone map amendments that seek to change any zone in Lexington-Fayette County, if the application includes a preliminary development plan reflecting a data center as the proposed use on the property.

Section 2 - That a moratorium is also hereby declared on the acceptance and review of development plans for data centers in any zone within the Urban County Government.

Section 3 – That a moratorium is also hereby declared on the issuance of any permits, approvals, and authorizations necessary to the operation of data centers, in any zone within the Urban County Government.

Section 4 – That all Divisions within the Urban County Government are directed to refuse to accept, process, review or issue any zone map amendment applications, development plans, or permits/approvals/authorizations as referenced in Sections 1-3, with the exception of applications already filed, if any, for the duration of this moratorium.

Section 5 – That the purpose of this moratorium is to allow the Urban County Government sufficient time to review and consider issues related to data centers, and

implement any changes relating thereto, including any amendments, if determined to be necessary, to any ordinances related to data centers in Lexington-Fayette County.

Section 6 – That this moratorium shall be place upon the effective date of this Resolution until October 31, 2026.

Section 7 – That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: June 9, 2026

Linda Gorton

MAYOR

ATTEST:

Allan

CLERK OF URBAN COUNTY COUNCIL

MOTION

I move to place on the docket a resolution initiating Zoning Ordinance text amendments to regulate data centers in Lexington-Fayette Urban County Government, including but not limited to sections 8 and 21, in order to provide new definitions, change allowable or permitted uses in various zones, and provide clarity on development plan considerations, to ensure proper integration of this land use into the urban county planning and zoning scheme.

Councilmember

To be made at the June 9, 2026 Council meeting