ZOTA-26-00008: REGULATION OF DATA CENTERS

PLANNING COMMISSION RECOMMENDED TEXT *8/14/2026*

Section 1-11: Definitions

…

Data center means all or a portion of a permanent building primarily engaged in the storage, management, processing, and transmission of digital data, housing computer and network equipment, systems, servers, appliances and other associated components related to digital data operations, regardless of whether such facility serves on- or off-site users. Data centers may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at the data center. The term excludes server rooms.

Data center, major means a data center with more than 40,000 square feet of total floor area and/or an energy capacity of 25 mw or greater, and which may include one or more electrical substations.

Data center, minor means a data center with up to 40,000 square feet of total floor area, with a maximum energy capacity of 25 mw, and which may include one electrical substation

…

Server room means one or more designated areas within a principal use, except a data center, housing computer and network equipment, systems, servers, appliances, and other associated hardware components related to digital data operations for its own use.

ZOTA-26-00008: REGULATION OF DATA CENTERS

PLANNING COMMISSION RECOMMENDED TEXT *8/14/2026*

Section 8-1 Agricultural Rural (A-R) Zone

…

e) Prohibited Uses. (Other uses substantially similar to those listed herein shall also be deemed permitted.)

36. Major and minor data centers

ZOTA-26-00008: REGULATION OF DATA CENTERS

PLANNING COMMISSION RECOMMENDED TEXT *8/14/2026*

Section 8-2 Agricultural Buffer (A-B) Zone

…

e) *Prohibited Uses. (Other uses substantially similar to those listed herein shall also be deemed permitted.)*

36. Major and minor data centers

ZOTA-26-00008: REGULATION OF DATA CENTERS

PLANNING COMMISSION RECOMMENDED TEXT *8/14/2026*

Section 8-3 Agricultural- Natural Areas (A-N) Zone

…

e) *Prohibited Uses. (Other uses substantially similar to those listed herein shall also be deemed permitted.)*

36. Major and minor data centers

ZOTA-26-00008: REGULATION OF DATA CENTERS

PLANNING COMMISSION RECOMMENDED TEXT *8/14/2026*

Section 8-15 Professional Office (P-1) Zone

…

b) Principal Uses. (Other uses substantially similar to those listed herein shall also be deemed permitted.)

…

~~12. Computer and data processing centers~~

c) Accessory Uses (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)

…

11. Server rooms

ZOTA-26-00008: REGULATION OF DATA CENTERS

PLANNING COMMISSION RECOMMENDED TEXT *8/14/2026*

Section 8-16 Neighborhood Business (B-1) Zone

…

c) Accessory Uses (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)

…

11. Server rooms

e) Prohibited Uses. (Other uses substantially similar to those listed herein shall also be deemed permitted.)

…

2. Major and minor data centers, warehouses, ~~as well as~~ and storage uses, except as accessory uses herein.

ZOTA-26-00008: REGULATION OF DATA CENTERS

PLANNING COMMISSION RECOMMENDED TEXT *8/14/2026*

Section 8-17 Downtown Business (B-2) Zone

…

c) *Accessory Uses (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)*

…

11. Server rooms

ZOTA-26-00008: REGULATION OF DATA CENTERS

PLANNING COMMISSION RECOMMENDED TEXT *8/14/2026*

Section 8-19 Downtown Frame Business (B-2B) Zone

…

b) Principal Uses. (Other uses substantially similar to those listed herein shall also be deemed permitted.)

…

~~23. Computer and data processing centers~~

c) Accessory Uses (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)

…

7. Server rooms

e) Prohibited Uses. (Other uses substantially similar to those listed herein shall also be deemed permitted.)

…

2. Major and minor data centers, warehouses, ~~as well as~~ and storage uses, except as accessory uses herein.

ZOTA-26-00008: REGULATION OF DATA CENTERS

PLANNING COMMISSION RECOMMENDED TEXT *8/14/2026*

Section 8-20 Corridor Business (B-3) Zone

…

c) *Accessory Uses (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)*

…

12. Server rooms

ZOTA-26-00008: REGULATION OF DATA CENTERS

PLANNING COMMISSION RECOMMENDED TEXT *8/14/2026*

Section 8-21 Wholesale and Warehouse Business (B-4) Zone

…

c) *Accessory Uses (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)*

…

11. Server rooms

d) *Conditional Uses*

8. Minor data centers, but only when the following conditions are met:

a. Applications shall provide the following information:

1) A water consumption plan outlining the total water requirements of the data center, including cooling needs, and any strategies to reduce or mitigate excessive water usage. The plan shall demonstrate that the water usage will not significantly strain Lexington-Fayette County's water supply.

2) A water conservation and sustainability plan which includes measures to minimize the data center's impact on water resources, such as the use of water-efficient cooling technologies and closed-loop systems.

3) An energy consumption plan outlining estimates of peak electricity demand and strategies for mitigating strain on local power infrastructure, including proposed improvements or alternatives to minimize the need for additional transmission lines.

4) Transmission line impact assessment identifying the need for new or upgraded transmission lines to meet the data center's electricity requirements. This assessment shall include the potential environmental impact on public land, including tree removal from public land and rights-of-way.

5) Noise plan which includes measures to comply with the noise standards specified in subsection (b)(2) below.

6) A stormwater management plan that complies with the stormwater manual, and sewer capacity assurance approval by the Division of Water Quality.

7) Information relating to the energy efficiency of the proposed design. Such facilities should demonstrate compliance with recognized energy efficiency metrics, including a Power Utilization Efficiency (PUE) target between 1.1. and 1.3, as well as a LEED certification for data centers at the silver level or higher.

8) Information relating to the utilization of water, baseline water conditions, and water quality measures.

9) A decommissioning plan prepared by a registered professional engineer shall be provided, containing the following:

i. The estimated decommissioning timeframe and cost of removal of all structures, foundations, conduit, equipment, and interconnection facilities, and roads;

ii. The salvage value of any equipment in current dollars and the calculations supporting the decommissioning estimate. The estimated salvage value of the material using current, publicly available material indices and/or firm quotes from a decommissioning or recycling company experienced in the decommissioning of data centers shall be provided.

iii. The manner in which the Data Center will be decommissioned, including provision and a timetable for the removal of all structures, foundations, conduit, equipment, and interconnection facilities and for the revegetation and restoration of the property to its original condition or preparation of the site in a condition compatible with the prior zoning of the parcel(s); and

iv. If approved, the applicant shall provide a performance bond, letter of credit, or other financial assurance payable to the LFUCG, sufficient to assure that decommissioning of the site can be achieved by a third party in the event that the applicant defaults in that obligation, which financial assurance shall be provided prior to commencement of construction.

b. The use shall comply with the following noise standards, in addition to the standards of Sections 14-70 through 14-80 of the Code of Ordinances:

1) Mechanical equipment, including generators, utility substations, and other power supply equipment, shall be fully enclosed and vertically screened on all sides by 100% opaque walls with sound attenuation properties.

2) The use shall not produce continuous sound that exceeds an average of 30 decibels over any 30-minute period for 24 hours per day, measured at any adjacent property boundary between the data center site and a residential zone or use.

3) After issuance of the certificate of occupancy for each data center building, the Urban County Government may obtain sound studies or require the data center operator to provide a sound study to verify that the operation is in compliance with the requirements of subsection (b)(2) above. If a data center is found to be in violation of these requirements, the Urban County Government shall issue a notice of violation, and proceed through the zoning enforcement process established by Section 5.

c. No data center building, air handlers, power generators, water cooling and storage facilities, utility substations, or other associated utility infrastructures shall be located within 1,500 feet of a residential zone or use, or an agricultural zone located outside the urban service area.

d. No data center shall be located within 1,500 feet of a school, daycare center or other childcare service, hospital, healthcare facility, rehabilitation center, or park.

e. The use shall provide the same 50-foot-wide perimeter landscaping that is required in Section 18-3(A)(1)(10) along all common boundaries, except street frontage, that abut a residential zone.

f. Generators associated with the use shall be tested no more than once per week per unit. Such testing shall only occur during the hours of 12:00 PM to 6:00 PM, Monday through Friday. Except for generator testing or commissioning activities, generator use shall be limited to backup and emergency use only when the primary source of electricity is interrupted or unavailable. Continuous generator use outside of power outages or interruptions is prohibited.

g. All external ventilation on structures associated with the data center shall be designed in a manner that does not result in waste heat, or heat generated as a byproduct of data center operations, adversely impacting adjacent properties. Exhausts, chimneys, and other sources of waste heat should be designed in a manner that directs waste heat away from adjacent properties.

h. All data centers shall utilize a closed-loop cooling system or other available systems, excluding evaporation-based systems.

i. The Board of Adjustment shall specifically consider and be able to find:

1) That the proposed use will not constitute a public nuisance by creating excessive noise, odor, traffic, dust, or damage to the environment or surrounding properties; and

2) That the proposed use will not overburden public infrastructure or utilities.

e) Prohibited Uses

…

18. Major data centers

…

o) Special Provisions

…

In addition to the uses permitted in Subsection (b) of this section, the following uses shall also be permitted in an Office/Warehouse Project:

As principal permitted uses:

a. Offices and laboratories ~~and data processing centers~~, limited to a maximum of seventy-five percent (75%) of the floor area of the building or project. This square footage limitation shall not apply if the project is located within the defined Infill and Redevelopment Area.

ZOTA-26-00008: REGULATION OF DATA CENTERS

PLANNING COMMISSION RECOMMENDED TEXT *8/14/2026*

Section 8-22 Light Industrial (I-1) Zone

…

c) Accessory Uses (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)

…

11. Server rooms

d) Conditional Uses

…

8. Minor data centers, but only when the following conditions are met:

a. Applications shall provide the following information:

1) A water consumption plan outlining the total water requirements of the data center, including cooling needs, and any strategies to reduce or mitigate excessive water usage. The plan shall demonstrate that the water usage will not significantly strain Lexington-Fayette County's water supply.

2) A water conservation and sustainability plan which includes measures to minimize the data center's impact on water resources, such as the use of water-efficient cooling technologies and closed-loop systems.

3) An energy consumption plan outlining estimates of peak electricity demand and strategies for mitigating strain on local power infrastructure, including proposed improvements or alternatives to minimize the need for additional transmission lines.

4) Transmission line impact assessment identifying the need for new or upgraded transmission lines to meet the data center's electricity requirements. This assessment shall include the potential environmental impact on public land, including tree removal from public land and rights-of-way.

5) Noise plan which includes measures to comply with the noise standards specified in subsection (b)(2) below.

6) A stormwater management plan that complies with the stormwater manual and sewer capacity assurance permit issued by the Division of Water Quality.

7) Information relating to the energy efficiency of the proposed design. Such facilities should demonstrate compliance with recognized energy efficiency metrics, including a Power Utilization Efficiency (PUE) target between 1.1. and 1.3, as well as a LEED certification for data centers at the silver level or higher.

8) Information relating to the utilization of water, baseline water conditions, and water quality measures.

9) A decommissioning plan prepared by a registered professional engineer shall be provided, containing the following:

i. The estimated decommissioning timeframe and cost of removal of all structures, foundations, conduit, equipment, and interconnection facilities, and roads;

ii. The salvage value of any equipment in current dollars and the calculations supporting the decommissioning estimate. The estimated salvage value of the material using current, publicly available material indices and/or firm quotes from a decommissioning or recycling company experienced in the decommissioning of data centers shall be provided.

iii. The manner in which the Data Center will be decommissioned, including provision and a timetable for the removal of all structures, foundations, conduit, equipment, and interconnection facilities and for the revegetation and restoration of the property to its original condition or preparation of the site in a condition compatible with the prior zoning of the parcel(s); and

iv. If approved, the applicant shall provide a performance bond, letter of credit, or other financial assurance payable to the LFUCG, sufficient to assure that decommissioning of the site can be achieved by a third party in the event that the applicant defaults in that obligation, which financial assurance shall be provided prior to commencement of construction.

b. The use shall comply with the following noise standards, in addition to the standards of Sections 14-70 through 14-80 of the Code of Ordinances:

1) Mechanical equipment, including generators, utility substations, and other power supply equipment, shall be fully enclosed and vertically screened on all sides by 100% opaque walls with sound attenuation properties.

2) The use shall not produce continuous sound that exceeds an average of 30 decibels over any 30-minute period for 24 hours per day, measured at any adjacent property boundary between the data center site and a residential zone or use.

3) After issuance of the certificate of occupancy for each data center building, the Urban County Government may obtain sound studies or require the data center operator to provide a sound study to verify that the operation is in compliance with the requirements of subsection (b)(2) above. If a data center is found to be in violation of these requirements, the Urban County Government shall issue a notice of violation, and proceed through the zoning enforcement process established by Section 5.

c. No data center building, air handlers, power generators, water cooling and storage facilities, utility substations, or other associated utility infrastructures shall be located within 1,500 feet of a residential zone or use, or an agricultural zone located outside the urban service area.

d. No data center shall be located within 1,500 feet of a school, daycare center or other childcare service, hospital, healthcare facility, rehabilitation center, or park.

e. The use shall provide the same 50-foot-wide perimeter landscaping that is required in Section 18-3(A)(1)(10) along all common boundaries, except street frontage, that abut a residential zone.

f. Generators associated with the use shall be tested no more than once per week per unit. Such testing shall only occur during the hours of 12:00 PM to 6:00 PM, Monday through Friday. Except for generator testing or commissioning activities, generator use shall be limited to backup and emergency use only when the primary source of electricity is interrupted or unavailable. Continuous generator use outside of power outages or interruptions is prohibited.

g. All external ventilation on structures associated with the data center shall be designed in a manner that does not result in waste heat, or heat generated as a byproduct of data center operations, adversely impacting adjacent properties. Exhausts, chimneys, and other sources of waste heat should be designed in a manner that directs waste heat away from adjacent properties.

h. All data centers shall utilize a closed-loop cooling system or other available systems, excluding evaporation-based systems.

i. The Board of Adjustment shall specifically consider and be able to find:

1) That the proposed use will not constitute a public nuisance by creating excessive noise, odor, traffic, dust, or damage to the environment or surrounding properties; and

2) That the proposed use will not overburden public infrastructure or utilities.

…

e) Prohibited Uses

…

18. Major data centers

ZOTA-26-00008: REGULATION OF DATA CENTERS

PLANNING COMMISSION RECOMMENDED TEXT *8/14/2026*

Section 8-23 Heavy Industrial (I-2) Zone

…

e) Prohibited Uses

…

2. Major and minor data centers

ZOTA-26-00008: REGULATION OF DATA CENTERS

PLANNING COMMISSION RECOMMENDED TEXT *8/14/2026*

Section 8-24 University Research Campus (P-2) Zone

…

b) *Principal Uses. (Other uses substantially similar to those listed herein shall also be deemed permitted.)*

…

~~10. Computer and data processing centers~~

…

e) *Prohibited Uses. (All uses other than those listed as principal, accessory, or conditional uses, or substantially similar to principal, accessory, or conditional uses shall be prohibited. The uses below are provided for illustration purposes and for the purpose of limiting permitted uses and are not intended to be a total listing of all the uses that are prohibited.)*

…

10. Major and minor data centers

ZOTA-26-00008: REGULATION OF DATA CENTERS

PLANNING COMMISSION RECOMMENDED TEXT *8/14/2026*

APPENDIX 22C Industrial Redevelopment Planned Unit Development (PUD-3) Zone

Section 22C-4 – Permitted Uses.

…

c) *Accessory Uses (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)*

…

4. Server rooms

ZOTA-26-00008: REGULATION OF DATA CENTERS

PLANNING COMMISSION RECOMMENDED TEXT *8/14/2026*

Section 23A-9 Community Center (CC) Zone

…

b) Principal Uses.

…

~~10. Computer and data processing centers~~

c) Accessory Uses.

…

15. Server rooms

ZOTA-26-00008: REGULATION OF DATA CENTERS

PLANNING COMMISSION RECOMMENDED TEXT *8/14/2026*

Section 23A-10 Economic Development Zone

…

b) *Principal Uses.*

…

~~2. Computer and data processing centers~~

c) *Accessory Uses.*

…

11. Server rooms