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

Updated File No. PDA-003-26-ZTX
As amended and approved June 10, 2026

To: City of St. Louis Planning Commission

From: Don Roe, Executive Director

Subject: Updated Framework for Data Center Regulation

Date: June 5, 2026 **updated with amendments made during the June 10, 2026 meeting**

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. Amendments made during the June 10th Planning Commission meeting are highlighted in **red text.** General explanations of standards are outlined in blue, sans serif text.

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.

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 gross square footage greater than 250,000 and less than 500,000, or with** a Maximum Power Demand of 30 megawatts or more.

The threshold between Standard and Major Data Centers was selected to acknowledge federal regulatory contexts for data centers and to address land use concerns of larger facilities by ensuring they are located exclusively in industrial districts. 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. At its June 10 meeting, the Planning Commission also added a gross square footage parameter at the threshold between Standard and Major Data Centers to further ensure successful integration of Standard facilities into eligible zoning districts.

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.

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 mitigation of their climate impact.

g. Data Center, Standard

Standard Data Center means a data center with gross square footage **greater than 10,000 and less than 250,000, and** Maximum Power Demand of more than 5 megawatts but less than 30 megawatts.

At its June 10 meeting, the Planning Commission also added a gross square footage parameter at the threshold between Standard and Major Data Centers to further ensure successful integration of Standard facilities into eligible zoning districts.

h. District Energy System

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

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 facility's highest level of connected electricity load for critical IT and building systems and equipment, as set by a single contract 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.).

Updates to the definition on June 10th are intended to better align with how Ameren contracts with customers for electric service.

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
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. The use table prohibits data centers in the "L" district, which is the district immediately surrounding the Arch Grounds. This excludes a small portion of Downtown, with 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.
- Major data centers would only be permitted conditionally in the most intensive industrial district: "K" - Unrestricted.

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 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.
7. **A scope, schedule, and budget for implementation of the renewable energy threshold.**
8. **Whether the applicant has executed an Interconnection Study Agreement, Construction Agreement, and/or Electric Service Agreement with an electric service provider and/or has proof of on-site, connected to the grid generation or behind the meter that demonstrates how the applicant will meet renewable energy thresholds. If so, the applicant shall provide a copy in their application.**

An applicant seeking a 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. Plans to remove infrastructure and equipment from the site should the data center cease operation.
6. 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.
7. 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. **All information and documents presented at such a meeting shall be made publicly available and submitted during the application process.**
    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: 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 days following the Meeting, the applicant shall invite and document community feedback. Applications shall not be submitted within a minimum of 30 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.

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:

8. Location Requirements

a. 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:

- **i.** 150 feet for Micro Data Centers;
- **ii.** 300 feet for Standards Data Centers; and
- **iii.** 600 feet for Major Data Centers.

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

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.

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.

9. Area Standards

a. The facility shall comply with the Height and Setback limitations of the underlying zoning district.

b. The facility shall provide 1 off-street parking space for every 5 permanent employees.

c. In the H, I, and L Districts:

i. A new Data Center within a building 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.

ii. 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 framework, with a number of small refinements:

- c.i 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 recommended 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.
- c.ii 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.

[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

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 12.) 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 as a threshold at which to enact new land use requirements.

10. Noise and Vibration Controls

- **a.** The facility shall have no unabated nuisance violations.
- **b.** The facility shall be subject to provisions of Ordinance 68130 or its successor.
- **c.** 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.

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.

11. Building Systems & Equipment Design & Screening

- **a.** The building shall be designed and operated with a Cool Roof, Green Roof, or rooftop photovoltaic solar panels to reduce urban heat impacts.
- **b.** 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.
- **c.** Noise-emitting equipment, such as Backup Generators, shall be physically enclosed within acoustically treated structures and placed away from primary frontages.
- **d.** 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.
- **e.** 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.

12. Site & Urban Design Standards

- **a.** 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.
- **b.** 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 subsection does not conflict with streetscaping designs or plans of the Board of Public Service, Community Improvement Districts, or other formal political subdivision or tax district where the Data Center is located. 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.

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

d. Primary structures shall include these design features:

- **i.** Windows, doors, or similar fenestration shall be distributed both horizontally and vertically and comprise at least 30 percent of the façades.
- **ii.** Glass transparency on windows shall be greater than 80 percent. Faux windows and covered windows are prohibited.
- **iii.** Signs must meet the requirements of the underlying code.
- **iv.** 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.
- **v.** 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.
- **vi.** 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.
- **vii.** 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 mitigation for urban heat impacts. This includes a number of 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.

13. Water Responsibility

a. 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.

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

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

- **i.** 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.

ii. 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.

14. Backup Power Systems

a. 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.

b. 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.

c. 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.

d. 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.

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

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

g. Backup Generators shall not be tested on days when the St. Louis Air Quality Index (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 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.

15. Environment, Energy & Infrastructure Standards

a. 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.

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

c. 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.

d. 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.

e. 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.

f. 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.

g. 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.

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

i. 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.

j. Standard and Major Data Centers:

i. **Before an occupancy permit is issued, facilities shall demonstrate their ability to begin operation with a minimum of 50 percent of their anticipated annual electricity use from renewable energy through the electric utility's renewable energy programs, PSC-approved large-load renewable energy programs, clean energy riders, and/or onsite and/or behind-the-meter renewable energy generation and storage, including participation in virtual power plant programs. No more than 50 percent of this requirement may be fulfilled through Local RECS.**

ii. Facilities shall achieve and maintain 95 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 this requirement may be fulfilled through Local RECS at any point.

iii. 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.

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.

16. Reporting Requirements for Standard and Major Data Centers

a. Facilities shall comply with all applicable environmental, energy, water, and other reporting requirements established by the City.

b. 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.

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

i. **Energy: Annually report the total energy consumption of the facility to the Office of Building Performance, with copy to the Zoning Administrator.**

ii. 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.

iii. Heat Impacts: Annually report waste heat rejected to the outdoor environment to the Executive Director of the Planning and Urban Design Agency or his/her designee, with copy to the Zoning Administrator, 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.

iv. 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.

v. Air Quality: 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.

17. Public Impact Agreement – Major Data Center

a. 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.

b. 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, including but not limited to:

i. 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:

1. May be in the form of the dedication of lands for public use or impact fees; and
2. Must be related to the Data Center development activities that are the subject of the application; and
3. 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.

ii. 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.

iii. Long-term operational commitments, such as: noise testing, electronic waste disposal, decommissioning, community feedback and engagement commitments before and during operations, and emergency management.

iv. Enforcement, including that the agreement may be enforced by revocation of the applicant's conditional use permit and other remedies available by law.

c. 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.

d. 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.

e. 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.

f. Public comment on the Public Impact Agreement must be accepted during the conditional use hearing process prior to the approval by the Board of Public Service and by the Board of Aldermen.

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

1. Community engagement period
2. Zoning-only building permit application submitted
3. Multi-agency review and recommendations
4. Conditional use hearing
5. Conditional use approval or denial (and potentially applicable appeal process)
6. Public Impact Agreement (if conditional use permit is approved):
    a. Negotiation of PIA by relevant parties

b. Approval of PIA by resolution of the Board of Aldermen
c. Approval of PIA by Board of Public Service

7. Full building permit submission (timing at developer's discretion)
   a. Submission of PIA to the Building Commissioner, with Copy to the Zoning Administrator
   b. Granting of building permit
8. 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 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, structural alterations, or changes in data center classification (i.e., Micro, Standard, or Major).**
c. Expansions of Existing Nonconforming Uses and/or Nonconforming Structures. Full compliance is required for any enlargements or structural alterations of Existing Nonconforming Structures and/or Nonconforming Uses as defined in Section 26.08-330-26.08.331. Enlargement shall include an increase in Backup Generator capacity.
d. 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 while accounting for specific types of data center expansion that could increase their impact on surrounding properties and residents.

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 and utility providers 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

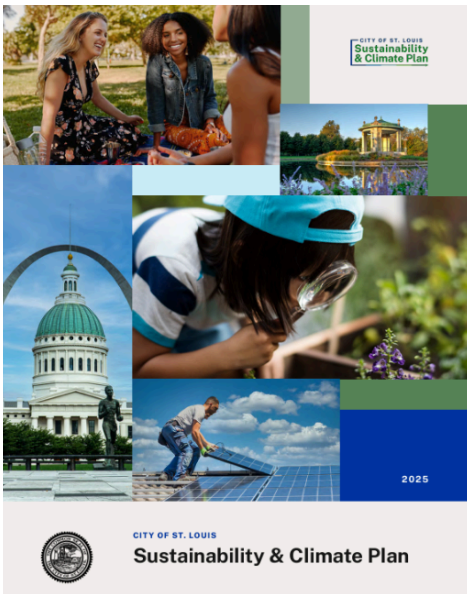
[3] The full Strategic land Use Plan document can be found at:
https://www.stlouis-mo.gov/government/departments/planning/planning/adopted-plans/strategic-land-use/index.cfm

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 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.

[4] Read more about the Sustainability & Climate Plan here: https://www.stlouis-mo.gov/sustainability/plan/index.cfm

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, as amended, 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, as amended, is in conformity with the City's Comprehensive Plan.

2. The zoning text change to define and regulate data centers, as amended, 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. Amendments made during the June 10th Planning Commission meeting are highlighted in **red text.**

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 gross square footage greater than 250,000 and less than 500,000, or 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 gross square footage **greater than 10,000 and less than 250,000, and** 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.

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 facility's highest level of connected electricity load for critical IT and building systems and equipment, as set by a single contract 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
Major Data Center	NA	NA	NA	NA	NA	NA	C	NA

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

An applicant seeking a 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.
7. **A scope, schedule, and budget for implementation of the renewable energy threshold.**
8. **Whether the applicant has executed an Interconnection Study Agreement, Construction Agreement, and/or Electric Service Agreement with an electric service provider and/or has proof of on-site, connected to the grid generation or behind the meter that demonstrates how the applicant will meet renewable energy thresholds. If so, the applicant shall provide a copy in their application.**

An applicant seeking a 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. Plans to remove infrastructure and equipment from the site should the data center cease operation.
6. 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.
7. 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. **All information and documents presented at such a meeting shall be made publicly available and submitted during the application process.**
    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: 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 days following the Meeting, the applicant shall invite and document community feedback. Applications shall not be submitted within a minimum of 30 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:

1. Location Requirements

- **a.** 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:
  - **i.** 150 feet for Micro Data Centers;
  - **ii.** 300 feet for Standards Data Centers; and
  - **iii.** 600 feet for Major Data Centers.
- **b.** Data Centers may only be permitted if their location substantially aligns with the Strategic Land Use Plan of the City's Comprehensive Plan.

2. Area Standards

- **a.** The facility shall comply with the Height and Setback limitations of the underlying zoning district.
- **b.** The facility shall provide 1 off-street parking space for every 5 permanent employees.
- **c.** In the H, I, and L Districts:
  - **i.** A new Data Center within a building 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.
  - **ii.** 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.

3. **Noise and Vibration Controls**
    - **a.** The facility shall have no unabated nuisance violations.
    - **b.** The facility shall be subject to provisions of Ordinance 68130 or its successor.
    - **c.** 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.

4. **Building Systems & Equipment Design & Screening**
    - **a.** The building shall be designed and operated with a Cool Roof, Green Roof, or rooftop photovoltaic solar panels to reduce urban heat impacts.
    - **b.** 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.
    - **c.** Noise-emitting equipment, such as Backup Generators, shall be physically enclosed within acoustically treated structures and placed away from primary frontages.
    - **d.** 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.
    - **e.** On-site fuel storage shall be visually and physically screened, and set back at least 20 feet from the property line.

5. **Site & Urban Design Standards**
    - **a.** 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.
    - **b.** 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 subsection does not conflict with streetscaping designs or plans of the Board of Public Service, Community Improvement Districts, or other formal political subdivision or tax district where the Data Center is located. 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.
    - **c.** Surface parking shall be placed at the rear or side of the building and shall not extend beyond the established building line.
    - **d.** Primary structures shall include these design features:
        - **i.** Windows, doors, or similar fenestration shall be distributed both horizontally and vertically and comprise at least 30 percent of the façades.
        - **ii.** Glass transparency on windows shall be greater than 80 percent. Faux windows and covered windows are prohibited.

iii. Signs must meet the requirements of the underlying code.
iv. 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.
v. 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.
vi. 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.
vii. Projects located in local historic or form-based districts are subject to the design standards of that district.

6. Water Responsibility

a. 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.
b. The facility shall achieve and maintain compliance with all wastewater discharge standards set by the Metropolitan St. Louis Sewer District.
c. Applicants for Standard and Major Data Centers shall enter into written agreement(s) with the St. Louis City Water Division to:
    i. 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.
    ii. 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.

7. Backup Power Systems

a. 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.
b. 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.
c. 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.
d. 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.

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

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

g. Backup Generators shall not be tested on days when the St. Louis Air Quality Index (AQI) is above **50**.

8. Environment, Energy & Infrastructure Standards

a. 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.

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

c. 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.

d. 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.

e. 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.

f. 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.

g. 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.

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

i. 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.

j. Standard and Major Data Centers:

i. **Before an occupancy permit is issued, facilities shall demonstrate their ability to begin operation with a minimum of 50 percent of their anticipated annual electricity use from renewable energy through the electric utility's renewable energy programs, PSC-approved large-load renewable energy programs, clean energy riders, and/or onsite and/or behind-the-meter renewable energy generation and storage, including participation in virtual power plant programs. No more than 50 percent of this requirement may be fulfilled through Local RECS.**

ii. Facilities shall achieve and maintain 95 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 this requirement may be fulfilled through Local RECS at any point.

iii. 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.

9. Reporting Requirements for Standard and Major Data Centers

a. Facilities shall comply with all applicable environmental, energy, water, and other reporting requirements established by the City.

b. 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.

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

i. **Energy: Annually report the total energy consumption of the facility to the Office of Building Performance, with copy to the Zoning Administrator.**

ii. 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.

iii. Heat Impacts: Annually report waste heat rejected to the outdoor environment to the Executive Director of the Planning and Urban Design Agency or his/her designee, with copy to the Zoning Administrator, 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.

iv. 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.

v. Air Quality: 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.

10. Public Impact Agreement – Major Data Center

a. 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.

b. 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, including but not limited to:

- **i.** 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:
  - **1.** May be in the form of the dedication of lands for public use or impact fees; and
  - **2.** Must be related to the Data Center development activities that are the subject of the application; and
  - **3.** 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.
- **ii.** 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.
- **iii.** Long-term operational commitments, such as: noise testing, electronic waste disposal, decommissioning, community feedback and engagement commitments before and during operations, and emergency management.
- **iv.** Enforcement, including that the agreement may be enforced by revocation of the applicant's conditional use permit and other remedies available by law.

c. 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.

d. 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.

e. 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.

f. Public comment on the Public Impact Agreement must be accepted during the conditional use hearing process prior to the approval by the Board of Public Service and by the Board of Aldermen.

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 are made as set forth below:

e. New Facility. Full compliance is required for new Data Centers.
f. Expansions. **Full compliance is required for any enlargements, structural alterations, or changes in data center classification (i.e., Micro, Standard, or Major).**
g. Expansions of Existing Nonconforming Uses and/or Nonconforming Structures. Full compliance is required for any enlargements or structural alterations of Existing Nonconforming Structures and/or Nonconforming Uses as defined in Section 26.08-330-26.08.331. Enlargement shall include an increase in Backup Generator capacity.
h. 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.

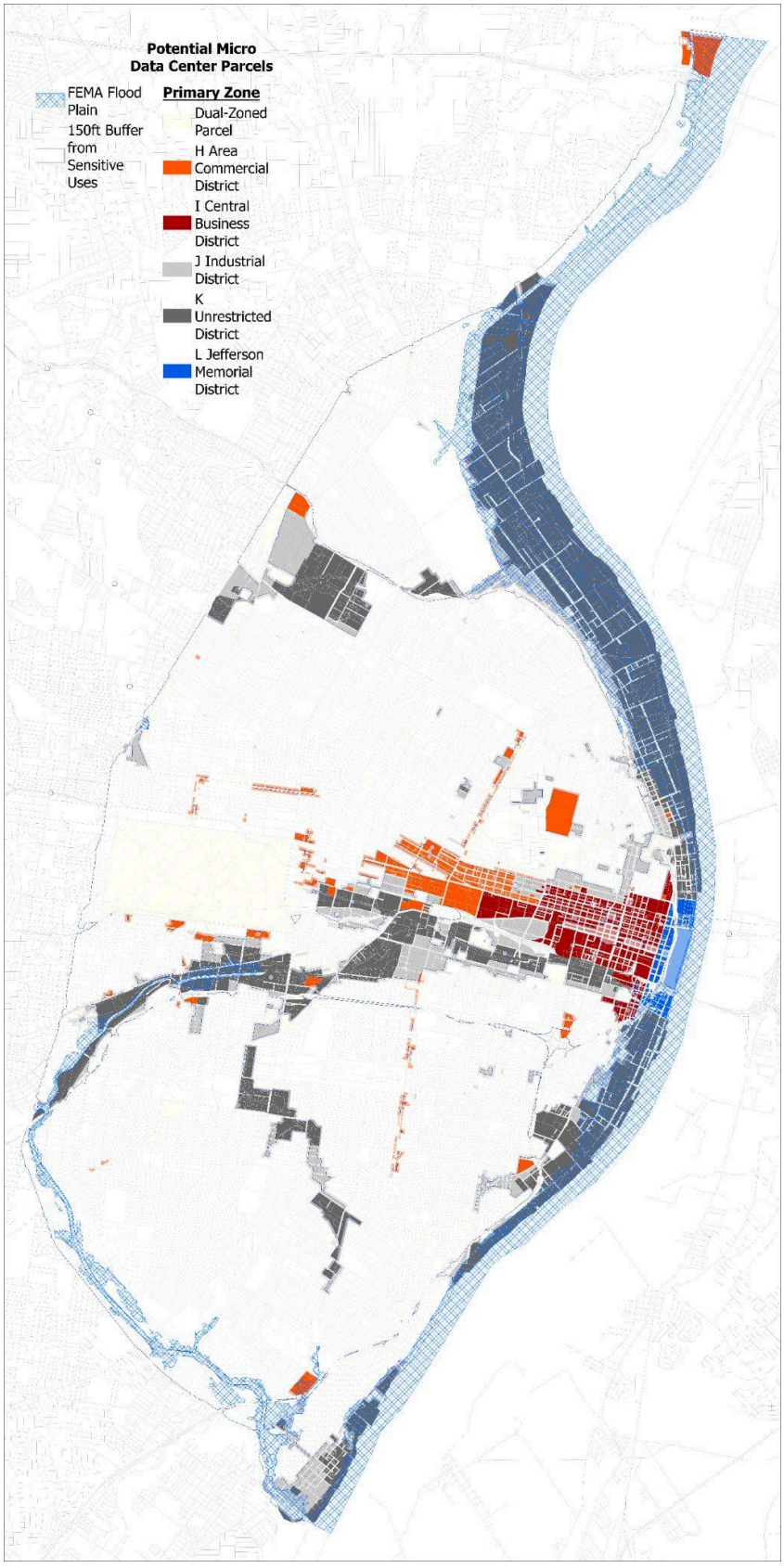
8. **Application Review Process** (Section 26.77.070)

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



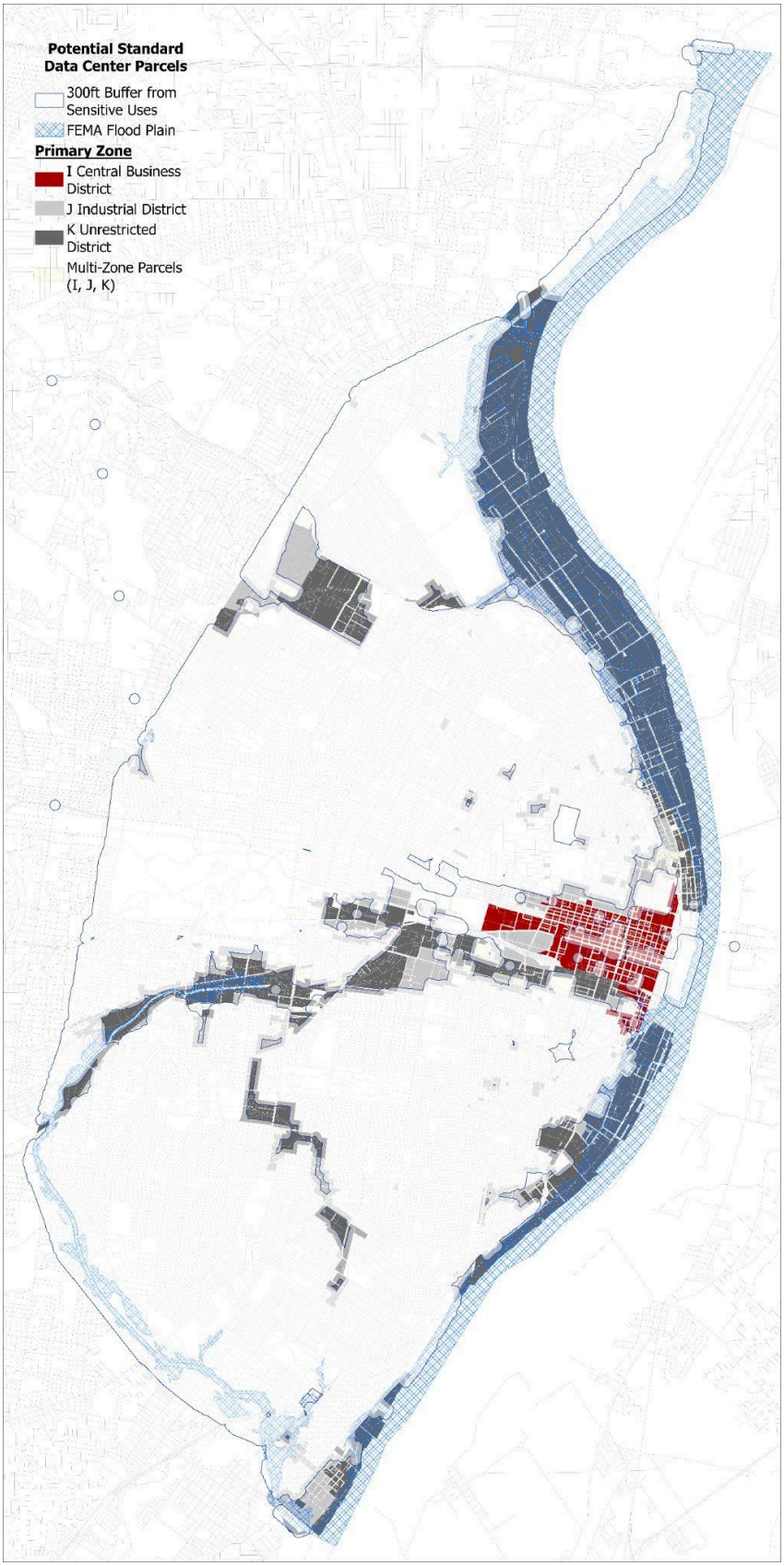
Micro Data Centers

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 could be conditionally allowed. However, many of these parcels (e.g., along commercial corridors) only have a small portion outside of the buffer zone and could not realistically be used for a data center.

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



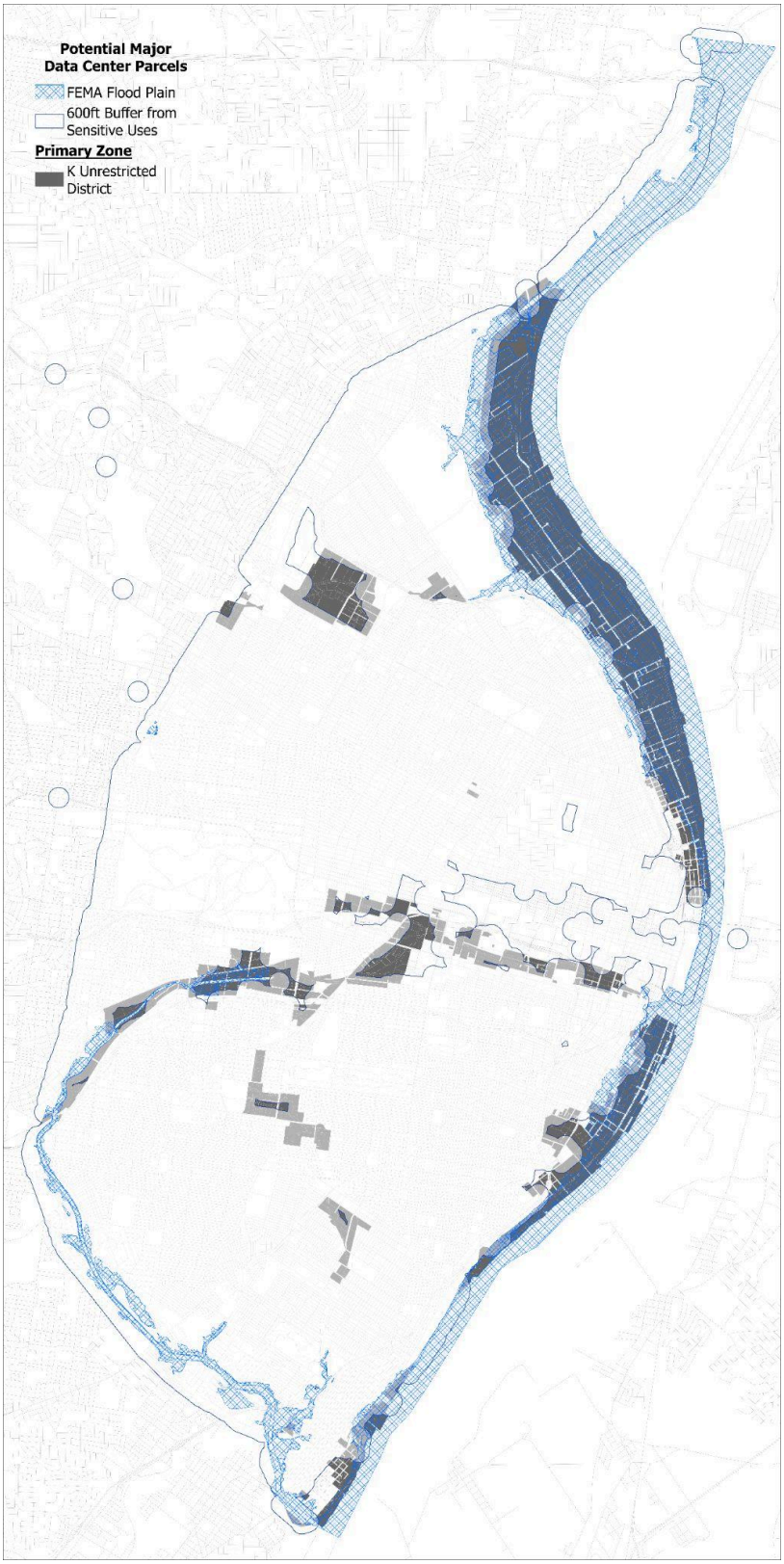
Standard Data Centers

The map to the left helps illustrate where Standard Data Centers (those with gross square footage greater than 10,000 and less than 250,000, and Maximum Power Demand of more than 5 megawatts 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-feet buffer from residential areas, neighborhood commercial districts, schools, and parks.

Areas shown with color indicate parcels, by zoning district, where Standard Data Centers could be conditionally allowed. However, many of these parcels (e.g., along commercial corridors) only have a small portion outside of the buffer zone and could not realistically be used for a data center.

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



Major Data Centers

The map to the left helps illustrate where Major Data Centers (those with gross square footage greater than 250,000 and less than 500,000, or with a Maximum Power Demand of 30 megawatts or more), 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-feet buffer from residential areas, neighborhood commercial districts, schools, and parks.

Areas shown with color indicate parcels, by zoning district, where Major Data Centers could be conditionally allowed. However, many of these parcels (e.g., along commercial corridors) only have a small portion outside of the buffer zone and could not realistically be used for a data center.

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