



**OFFICE OF THE MAYOR
CITY OF ST. LOUIS
MISSOURI**

**EXECUTIVE ORDER No. 92
MAYOR CARA SPENCER
September 19, 2025**

An Executive Order directing departments to develop thoughtful frameworks for incorporating data centers, and providing for additional information gathering for proposed data center facilities as part of permit applications until such frameworks are available.

WHEREAS, the data center industry has grown tremendously in recent years, including in St. Louis, where those facilities currently support the City's growing geospatial, agricultural technology, biotechnology, and other tech sectors; and

WHEREAS, as happens anytime there is exponential growth of an industry, the St. Louis community is grappling with important questions about land use, community impact, economic and jobs benefit, and utility and resource impact of data center facilities; and

WHEREAS, in April, the Planning Commission charged the Planning Division staff with spending several months researching and developing a recommended framework for how the City can continue to incorporate data centers into our community, and the staff accordingly provided two recommendations at its September meeting, one of which the Commission recommended; and

WHEREAS, the Planning Commission supported the moratorium recommendation due to the absence of any framework providing a consistent road map to make qualified decisions about how to permit data centers, and this Executive Order provides the path to the implementation oriented to the Planning Division's second recommendation, that being implementing a thoughtful approach allowing facility permitting to continue while working towards building a regulatory framework; and

WHEREAS, this Executive Order does not create a new process, but rather specifies the kind of information to be collected about proposed data center facilities as part of the current conditional use permit process, to ensure that decisions about whether to issue conditional use permits for this rapidly growing sector can be more fully, thoughtfully, and consistently considered while the City works to create a more permanent framework for them in its outdated zoning code; and

WHEREAS, the City Code currently provides that the City to request any information it needs to inform its assessment of conditional use permit applications; and

WHEREAS, the information that will be gathered is information that data center facility applicants will have already considered or can easily provide information to, in order to provide the most holistic picture possible of the benefits, potential community impact, and other considerations attendant with proposed facilities pertaining to facility site and context; infrastructure and utility matters; community and economic impact; safety and security; consumer impact; environmental impact; and general operations information; and

WHEREAS, recognizing that there are federal and state laws and regulations that can prohibit the disclosure of certain intellectual property or proprietary/trade secret information, and that some information may not be fully available as it is pending regulatory action, this Executive Order provides that permit applicants may state that they are unable to provide this kind of information providing that they describe the reason why; and

WHEREAS, the City has an aging water infrastructure, and because this has become a rapidly emerging industry its water rate code has not yet been analyzed for how growth in data centers in the City may impact water usage, and accordingly this Executive Order recognizes this and directs the City's Water Division to study this issue and provide recommendations on any changes the City's water code may need to contemplate to account for the growth of this industry in our community; and

WHEREAS, the City expects that departments and partners who are aldermanic, from the community, from the industry, and from other groups engaged on this emergent sector will begin discussing and gathering information, developing questions, and otherwise begin the process of better understanding this industry and how it can best fit within our community over the next several weeks following the signing of this executive order.

NOW, THEREFORE I, CARA SPENCER, MAYOR OF THE CITY OF ST. LOUIS, DO HEREBY DECLARE AND ORDER AS FOLLOWS, EFFECTIVE IMMEDIATELY:

SECTION ONE. Purpose.

- A. The purpose of this Executive Order is:
 - a. To affirm and direct the City's prioritization of the creation of a clear, consistent, thoughtful, and comprehensive zoning approach to regulating and incorporating data centers in the City;
 - b. To direct the City's prioritization of the creation of a thoughtful framework around water rates and water infrastructure for data centers; and
 - c. To provide clarity and consistency for the City's process for considering conditional use permits for new or expanded data centers until a new regulatory zoning framework is adopted through an ordinance.

SECTION TWO. Definitions.

- A. "City" shall mean City of St. Louis.
- B. "Data center" shall mean a building, group of buildings or proposed facility whose purpose is data processing, distribution, or data storage, and is used to house computer systems, servers, and associated components, such as but not limited to central processing units, graphical processing units, neural networks, quantum bits, quantum processors, memory, data routing, data storage, data warehouse, server farm, bitcoin mining, crypto processing, virtual private networks, virtual servers, artificial intelligence training or processing, image processing, cloud computing, email servicing, a telecom hotel, telehouse colocation, or any other term applicable to facilities which are used for such purposes.
- C. "Facility," as used in this Order, shall refer to a new or expanded data center.

SECTION THREE. City Departments and Divisions to Prioritize the Creation of a Clear, Consistent, Thoughtful, and Comprehensive Zoning Approach to Regulating Data Centers.

- A. The Planning Office and Zoning Section of the Building Division are hereby directed to prioritize the creation of a clear, consistent, thoughtful, and comprehensive zoning approach to regulating and incorporating new or expanded data centers in the City, and shall collaborate with other City departments or divisions as may be necessary in order to create such a zoning approach, including but not limited to other Building Division offices, Water Division, and Board of Public Service.
- B. In developing such a zoning framework, the Planning Office and Zoning Section shall collaborate with the Office of Building Performance, Building Division, Sustainability Director, and any other City departments or divisions as may be necessary in considering the following:
 - a. Acceptable zoning districts;
 - b. Minimum separation requirements from residential areas, sensitive uses such as schools, parks, greenways, and transit stations;

- c. Building scale, height, orientation of primary faces, and compatibility with surrounding uses;
 - d. Noise limitations and specific plans for noise mitigation;
 - e. Screening and location of external cooling equipment, generators, substations, and loading docks;
 - f. Disclosure of anticipated energy use, water use, infrastructure capacity, job creation, and energy sources;
 - g. Disclosure of petitioner, owner, and parties associated with data centers;
 - h. Levels of renewable energy use and the effects of data centers on electricity ratepayers;
 - i. Building energy performance standards;
 - j. Public outreach and community engagement requirements before, during, and after development; and
 - k. Other conditions, including but are not limited to those listed in Section 5C of this Executive Order
- C. To ensure timely provision of needed clarity for a new zoning approach to regulating and incorporating new or expanded data centers in the City, the Planning Office and Zoning Section of the Building Division are hereby directed to submit such an interim zoning approach to the Planning Commission no later than five (5) months following the effective date of this Order.
- D. The Planning Office and Zoning Section of the Building Division shall ensure the new zoning regulations developed through the Zoning Upgrade provide a clear, consistent, thoughtful, and comprehensive zoning approach to regulating and incorporating new or expanded data centers in the City.

SECTION FOUR. City Departments and Divisions to Prioritize the Creation of a Thoughtful and Comprehensive Framework Around Water Rates and Water Infrastructure for Data Centers.

- A. The Water Division is hereby directed to prioritize the research and development of a thoughtful and comprehensive water rate framework specific to data centers located in the City, and shall collaborate with other City departments or divisions as may be necessary to create any necessary legislation to create this framework.
- B. To ensure timely development of a researched, thoughtful, and comprehensive water rate framework specific to data centers located in the City, as well as any related necessary investment in water infrastructure improvements, the Water Division is hereby directed to develop such a rate framework no later than five (5) months following the effective date of this Order.

SECTION FIVE. City Departments and Divisions to Standardize Information Collection and Assessment for Conditional Use Permit Applications for Data Centers.

- A. Upon the effective date of this Order, and for the duration of the efficacy of this Order, as part of the information required to be gathered by the Zoning Section for review by Board of Public Service for Conditional Use permits pursuant to Chapter 26.80.010.C.2 of the City Code, and in compliance with Chapter 28.80.010.F of the City Code, the Board of Public Service shall require all pending or newly-submitted requests for conditional use permits for data centers to submit certain information as specified in this Section, in order to comply with the requirements of Chapter 26.80.010.E of the City Code.
- B. The purpose of collecting such information is to ensure that, in the current absence of any regulatory framework providing clear and consistent standards for conditional use permitting of data centers that comply with the requirements of Chapter 26.80.010.E of the City Code, and until such time as that framework is adopted through ordinance, the Board of Public Service's assessment and approval of any Conditional Use Permits for data centers meets the requirements of Chapter 26.80.010.E of the City Code, which require conditional uses to conform with standards for public health and safety; avoiding injury to area property or property values; promoting the general welfare and convenience of the location; complementary and compatible uses with surrounding uses; and avoiding negative impact on adjacent uses or community facilities.
- C. The information to be collected for the Board of Public Service's review of pending or newly-submitted applications for conditional use permits for data centers, in order to ensure the use conforms with the standards as required under Chapter 26.80.010E of the City Code, shall include, but may not be limited to, the following:
 - a. Site and Context Information.
 - i. Distance from residential zoned properties, both existing and in development.
 - ii. Distance from all nearby schools, parks, greenways, and transit stations.
 - iii. Distance from other existing facilities.
 - iv. Whether and how the proposed facility building's facade, height, massing, and orientation will be designed to be compatible with the context of adjacent properties and the surrounding area.
 - v. Whether and how any large mechanical equipment located on the proposed facility's property or roof will be screened from public view, and how noise will be mitigated.
 - vi. The risk of natural disasters such as flooding, seismic events, or tornadoes at the proposed location, and what mitigation measures are included in the proposed facility design for those disasters.
 - vii. Square footage of the proposed facility.

- b. Infrastructure and Utility Impact Information.
 - i. How much power will be required to operate the proposed facility.
 - ii. The proposed facility's proposed sources of energy, and whether the facility plans provide its own energy through any renewable sources.
 - iii. How the existing local utility grid will be able support the demand for power the proposed facility will create.
 - iv. Whether the proposed facility has a Power Usage Effectiveness (PUE) rating.
 - v. Whether new substations or transmission lines will be needed to support the proposed facility, and where needed infrastructure would be located.
 - vi. The proposed facility's plans for backup power systems in place (e.g. generators), and plans for regular testing to ensure reliability.
 - vii. How the proposed facility's HVAC systems will be configured.
 - viii. The proposed facility's plans for cooling aisle containment.
 - ix. How the proposed facility's adequate ventilation will be ensured.
 - x. Network providers anticipated to be associated with the proposed facility.
 - xi. The proposed facility's security and redundancy plans for fiber connectivity.
 - xii. How much water the proposed facility is anticipated to use daily, weekly, monthly, and yearly.
- c. Community and Economic Impact Information.
 - i. How many temporary construction jobs and permanent operational jobs the proposed facility expects to create.
 - ii. How many of the jobs the proposed facility expects to create will be filled by local workers.
 - iii. How much tax revenue the community is anticipated to receive from and as a result of the proposed facility.
 - iv. In the event that tax benefits have been offered to the proposed facility, the net benefit of such tax incentives to the community.
 - v. Any community benefits offered by the proposed facility or its operators.
 - vi. Whether the proposed facility is anticipated to bring any expansion of broadband and utility services to the surrounding community.
 - vii. Public outreach and community engagement that has occurred for the proposed facility so far, and any plans for public outreach and community engagement during and after proposed facility development.
- d. Safety and Security Information.
 - i. Measures that will be in place to protect the proposed facility from physical intrusion, such as fencing, surveillance, and access controls.

- ii. Fire detection and suppression systems that will be installed at the proposed facility.
 - iii. Measures that will be used to protect the proposed facility's network from cyberattacks.
 - iv. The proposed facility's planned protocols for cybersecurity vulnerability assessments and incident response.
 - v. The proposed facility's plan for staff training on the above items and plans for mitigation of staff exposure to heat, electrical hazards, and chemical exposure within the proposed facility.
- e. Anticipated Consumer Impact Information.
 - i. Anticipated effects of the proposed facility upon water and energy bills of City ratepayers.
- f. General Information.
 - i. Whether any proposed facility or project details are subject to non-disclosure agreements such that they could not be fully disclosed as part of a permit process and, if so, the general nature of details that are unable to be disclosed for this reason.
 - ii. The petitioner, beneficial owner, and companies associated with the proposed facility.
 - iii. The purpose(s) for which the proposed facility is intended to be used, such as data storage, backup, and recovery; cloud computing; artificial intelligence; cryptocurrency mining; e-commerce; business applications; or other purposes.
- g. Environmental Impact Information.
 - i. Water Quality Information.
 - 1. How the proposed facility will mitigate any pollution or other negative impact to water quality and availability for nearby residents.
 - ii. Air Quality Information.
 - 1. Whether any backup generators for the proposed facility are operated using diesel or natural gas.
 - 2. The proposed facility's plans to limit emission of pollutants from backup generators during testing and power outages.
 - 3. The proposed facility's plans to mitigate particulate matter and emissions from any backup generators.
 - iii. Waste Management Information.
 - 1. The proposed facility's plan for handling and disposing of electronic waste associated with the proposed facility, such as old servers and hardware.

iv. Noise Information.

1. The expected noise level to be generated by the proposed facility's cooling systems and generators.
2. The proposed facility's planned sound attenuation and noise mitigation measures to limit the emission of noise and prevent disturbances to nearby residents.

v. Lighting Information.

1. Whether the proposed facility will be illuminated all night, such as for security reasons.

D. As part of the assessment of any information provided pursuant to this Section of this Order, the Board of Public Service may request any other City entity provide support to assist in the Board of Public Service's assessment of the information provided, and those City entities shall provide such support as requested.

E. In the event that an applicant is unable to provide any information outlined under this Section of this Order due to its nature as proprietary or trade secret information, state or federal laws or regulations, or because the information is not available for other reasons, the applicant shall instead both indicate that they are unable to provide the information and also describe the reason this information cannot be provided.

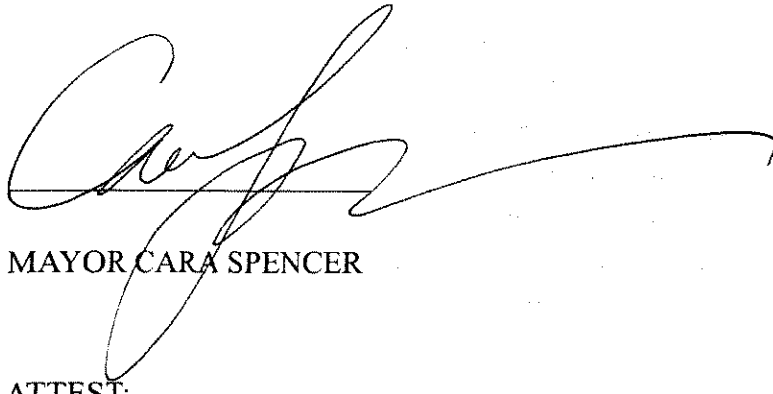
SECTION SIX. Clarity on Conditional Use Determinations Pertaining to Data Centers.

A. In the current absence of any regulatory framework for permitting data centers, given the inadequacy of the "warehousing" designation for data centers, and until such time as that regulatory framework is adopted through ordinance and signed into law the Building Division, Zoning Section, and Board of Public Service shall consider data centers a conditional use in districts "F," "G," "H," "I," "J," "K," and "L."

SECTION SEVEN. Effective Date.

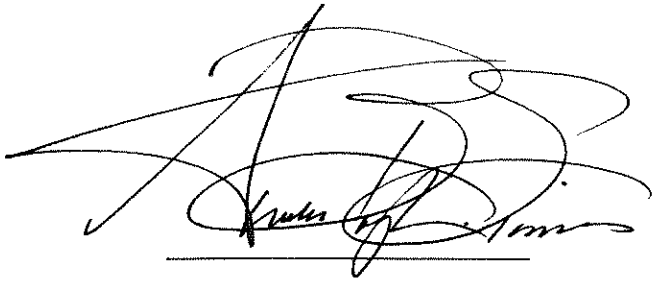
A. The provisions of this Order shall take effect upon signing, and shall remain in effect until the date of receipt of an ordinance number enacting new zoning regulations for data centers for the City.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of the City of St. Louis this 19th day of September, 2025.

A large, stylized handwritten signature in black ink, appearing to read 'Cara Spencer', written over a horizontal line.

MAYOR CARA SPENCER

ATTEST:

A large, stylized handwritten signature in black ink, appearing to read 'Amber Boykins Simms', written over a horizontal line.

AMBER BOYKINS SIMMS, REGISTER