

**COMMONWEALTH OF
KENTUCKY CITY OF LONDON
A SUMMARY OF ORDINANCE NO 2026-16**

**ENTITLED "AN ORDINANCE AMENDING ORDINANCE 2022-03,
2026-08, AND THE CITY'S DEVELOPMENT ORDINANCE TO
DEFINE AND PROVIDE FOR A MORATORIUM ON DATA
CENTERS; SEVERABILITY, REPEALING PRIOR ORDINANCES
AND EFFECTIVE DATE**

This Summary is prepared by Christopher Wiest who is certified to practice law in this Commonwealth. This Ordinance provides for a Definition of Data Center, borrowing from definitions provided by the Kentucky Resources Council. This ordinance creates a moratorium and prohibition on data centers in the City of London, from the date of enactment through September 30, 2028, and permits the London Planning Commission, by vote, to extend that moratorium up to one additional year. The purpose of this moratorium and prohibition, as explained in the whereas clauses in the Ordinance, are to permit the City to study the impacts of data centers, which have created resource constraints and other concerns in other Kentucky communities and throughout the country.

The full and complete Ordinance 2026-16, is on file at the Office of the London City Clerk and can be viewed there during normal business hours.



Christopher Wiest

COMMONWEALTH OF KENTUCKY

CITY OF LONDON, KENTUCKY

ORDINANCE NO. 2026-16

**AN ORDINANCE AMENDING ORDINANCE 2022-03, 2026-08, AND THE CITY'S
DEVELOPMENT ORDINANCE TO DEFINE AND PROVIDE FOR A MORATORIUM
ON DATA CENTERS; SEVERABILITY, REPEALING PRIOR ORDINANCES AND
EFFECTIVE DATE**

WHEREAS, the City of London previously passed ordinance 2022-03, which was the last text amendment to the City's Development Ordinance; and

WHEREAS, the City of London is about to pass ordinance 2026-08, which will be the next text amendment to the City's Development Ordinance; and

WHEREAS, data centers and their development and placement have placed serious concerns and strains of local municipalities in Kentucky and around the country, in some cases have resulted in brownouts for a lack of electricity, require significant water, wastewater, and other resources, have caused environmental concerns, and have raised questions within local governments concerning whether to permit such centers and where; and

WHEREAS, the London City Council believes that it is appropriate to impose a two year moratorium, from the date of the passage and effectiveness of this Ordinance, and for a period of two years, to expire September 30, 2028, to permit the City Council to work with other stakeholders, including the London Utility Commission, and other state and local agencies, to study the effects of data centers, including impacts on utility resources, environmental impacts, and the ability to treat wastewater, and other impacts, prior to making a decision on whether to permit or prohibit such datacenters within London; and

WHEREAS, the foregoing amendment, consistent with Development Ordinance § 101 and 201.2 as well as KRS 100.211(3), all require a public hearing before the City's Planning and Zoning Commission prior to amendment of the Development Ordinance, which has been held prior to the second reading and adoption of this ordinance;

BE IT ORDAINED BY THE CITY OF LONDON, KENTUCKY, AS FOLLOWS:

Section I

Section 202.2 of Ordinance 2022-03, 2026-08, and the Development Ordinance are amended to read in full as follows:

Business districts are established to provide suitable sites and surroundings for a variety of commercial activities. The ordinance recognizes that the different types of commercial areas are best suited for certain land and structural uses. Three different types of commercial zoning districts are identified:

1. C-1 CENTRAL BUSINESS DISTRICT - The purpose of the C-1 (downtown) district is to accommodate and encourage further expansion and renewal in the historical business core area of the City. A variety of business, governmental, residential, and other related uses are provided in an effort to provide the mix of activities necessary to establish a truly urban character.

2. C-2 GENERAL BUSINESS DISTRICT -The purpose of the C-2 district is to encourage the establishment of areas for highway business uses. This district is specifically designed to serve the motoring public. C-2 districts are generally located at intersections or interchange areas along major arterial interstate highways.

3. C-3 NEIGHBORHOOD BUSINESS DISTRICT - The purpose of the C-3 district is to encourage the establishment of areas for convenient type business uses designed to meet the daily needs of residents in immediate neighborhoods. Such districts shall be strategically located with access to a collector street.

4. PLANNED DEVELOPMENT OR BUSINESS STRIP CENTER - The following minimum design standards shall be met in the development of planned development or business strip center:

1) The planned development or business strip center shall provide adequate access. Entrances and exits shall be located so as not to increase congestion at intersections.

2) The planned development or business strip center shall provide internal traffic circulation and control devices as to maximize auto and pedestrian safety.

3) The planned development or business strip center shall submit a development plan which is subject to approval by the Planning Commission.

4) The plan shall provide for a center consisting of one or more groups of establishments in buildings of integrated and harmonious design, together with adequate and properly arranged parking, in an attractive setting that fits harmoniously into adjoining or surrounding properties.

5) The application for the proposed planned development or business strip center shall show the need for the facilities and services and any other evidence the Planning Commission may require.

6) The Planning Commission must be satisfied that the developer of the proposed center is financially able to carry out the project, that he will start construction within one (1) year of approval, and that he intends to complete the project within a reasonable time (as the planning commission determines.)

7) The plan for the planned development or business strip center shall be in keeping with the City's Comprehensive Plan.

8) No building(s) shall cover more than twenty-five (25) percent of the total area of the lot or tract.

5. DATA CENTER, DEFINITION: A Data Center is defined as a facility used primarily for the storage, management, processing, or transmission of data and includes, but is not limited to,

buildings designed to accommodate computer servers, storage systems, or specialized computing hardware. A Data Center also includes, without limitation, (i) facilities used for crypto processing, commercial cryptocurrency mining (bitcoin mining), artificial intelligence training and/or processing, and cloud-computing; (ii) any structure or building that supports the operation of a Data Center, is located on the same tract or assemblage of adjacent parcels and is developed either as a unified development of or in further support of a Data Center and includes, without limitation, administrative, logistical, fiber optic, storage, and security buildings or structures; air handlers; process water and non-contact cooling water and wastewater management and treatment facilities; water holding facilities; pump stations; water towers; environmental controls (e.g., air conditioning or cooling towers, fire suppression, and related equipment), water cooling and storage facilities, security features, and any other associated electric, gas, water, wastewater, and stormwater infrastructure to support operations at the property of any Data Center; (iii) energy generation and storage systems located on the same tract or assemblage of adjacent parcels and is developed either as a unified development of or in further support of a Data Center, including electrical generators or engines, electric substations, back-up power generators, battery energy storage systems (BESS), used or intended to be used as sources of electrical power during normal operations, or as back-up temporary power when the main source of power is interrupted; electric transmission and distribution lines; and pipelines; provided, further that this category shall not include utility service facilities exempted under KRS 100.324.

USES ALLOWED & DIMENSIONAL REQUIREMENTS

The following table provides information on the uses allowed, and dimensional requirements. Notwithstanding the foregoing, no Data Center, as defined herein, shall be permitted in this zone, whether a primary or conditional use, until after September 30, 2028, which date may be extended by the Planning Commission by a vote of that body, for a period of up to one additional year beyond that date, to permit study of Data Centers within the City of London and the city's capacity to handle such facilities.

USES ALLOWED

A. UTILITIES, TRANSPORTATION & COMMUNICATIONS	C-1	C-2	C-3
1. Trucking/Movers	P	P	N
2. Post Office	P	P	P
3. Telephone Companies	P	P	P
4. Telegraph Office	P	P	P
5. Radio & TV Stations	P	P	C
6. Utility Companies	P	P	P
7. Bus Lines	P	P	N
8. Taxicabs	P	P	P
9. Air Cargo Service	N	P	N
B. WHOLESALE TRADE	C-1	C-2	C-3
1. Durable (motor vehicles, furniture, hardware, etc.)	P	P	P
2. Non-Durable (paper, food, etc.)	P	P	P

C. RETAIL TRADE	C-1	C-2	C-3
1. Bldg. materials, hardware, home improvements, etc.	P	P	P
2. Farm Supplies/Equipment	P	P	P
3. General Merchandise (dept. stores, variety stores, etc.)	P	P	P
4. Food Stores (grocery, bakery, etc.)	P	P	P
5. Vehicle Dealers (auto, boats, trucks, motorcycles)	P	P	P
6. Manufactured Home Sales	P	P	P
7. Apparel & Accessories (clothing, shoes, bridal, etc.)	P	P	P
8. Furniture & Appliances	P	P	P
9. Offices, Office Supplies & Equipment	P	P	P
10. Eating & Drinking Places (restaurants, cafes, cafeteria)	P	P	P
11. Drugstores (pharmacies)	P	P	P
12. Used Merchandise, Antiques, Pawn Shops	P	P	P
13. Sporting Goods, Gun Shops	P	P	P
14. Bookstores, Newsstands	P	P	P
15. Jewelry	P	P	P
16. Auto Parts, Tire Sales	P	P	P
17. Florists	P	P	P
18. Pet Shops or Pet Grooming facilities	C	C	C
19. Gift Shops, Coins, Arts & Crafts	P	P	P
20. Bicycle Shops	P	P	P
21. Monument Sales	P	P	P
22. Glass Sales	P	P	P
23. Ice	P	P	P
24. Musical Equipment/Supplies	P	P	P
25. Commercial Nursery	P	P	P

P (Principal) C (Conditional) A (Accessory) N (Not Allowed)

D. FINANCE, INSURANCE & REAL ESTATE	C-1	C-2	C-3
1. Banks	P	P	P
2. Credit, Savings/Loans	P	P	P
3. Security/Commodity Brokers	P	P	P
4. Insurance	P	P	P
5. Real Estate	P	P	P
6. Investment Offices	P	P	P

E. PERSONAL SERVICES	C-1	C-2	C-3
1. Laundry, Cleaners	P	P	P
2. Photo Studios	P	P	P
3. Beauty/Barber Shops	P	P	P
F. BUSINESS SERVICES	C-1	C-2	C-3
1. Advertising/Public Relations	P	P	P
2. Credit Bureau	P	P	P

3. Steno/Typing, Answering	P	P	P
4. Printing/Copying	P	P	P
5. Janitorial/Maintenance	P	P	P
6. Computer, Data Processing	P	P	P
7. Rentals: Merchandise, Equipment[s]	P	P	P
8. Research/Testing	P	P	P
9. Mini Warehouses	N	P	P
10. Portable Mobile Storage Containers (PODS)	Note (1)	Note (1)	Note (1)
11. Storage buildings, garages, Portable Mobile Storage Containers (PODS) and accessory structures	Note (2)& (3)	Note (2)& (3)	Note (2)& (3)

G. AUTO REPAIR, SERVICES	C-1	C-2	C-3
1. Garage	P	P	P
2. Junkyards *** NOT PERMITTED IN ANY ZONE ***	N	N	N

H. MISCELLANEOUS REPAIR	C-1	C-2	C-3
1. Electrical/Electronic	P	P	P
2. Watches, Clocks, Jewelry	P	P	P
3. Reupholstery	P	P	P
4. Air Conditioning, Machines, Etc.	P	P	P

P (Principal) C (Conditional) A (Accessory) N (Not Allowed)

I. AMUSEMENT, RECREATION	C-1	C-2	C-3
1. Theaters	P	P	P
2. Bowling/Billiards	P	P	P
3. Skating	P	P	P
4. Riding Stables	N	C	N
5. Inflatables	P	P	P

J. HEALTH SERVICES	C-1	C-2	C-3
1. Physicians/Dentists	P	P	P
2. Others (chiropractors, optometrists, etc.)	P	P	P
3. Hospitals, Clinics	P	P	P
4. Medical, Dental Labs	P	P	P
5. Nursing, Personal Care	P	P	P
6. Behavioral Health Services; Alcohol and/or Drug Treatment; Substance Abuse and Special Health Care Facilities	P	P	P
K. LEGAL SERVICES	C-1	C-2	C-3
1. Legal Service	P	P	P

L. EDUCATION	C-1	C-2	C-3
1. Including business, professional	P	P	P
2. Dance Studios, Acting, Music	P	P	P

M. SOCIAL SERVICES	C-1	C-2	C-3
1. Welfare	P	P	P
2. Nursing Facilities	P	P	P
3. Treatment Centers	P	P	P

N. ARCHITECTS, ENGINEERS, Etc	C-1	C-2	C-3
1. Architects, Engineers, Etc	P	P	P

O. CONTRACT CONSTRUCTION	C-1	C-2	C-3
1. Contract Construction	P	P	P

P. BUSINESS, CIVIC, PROFESSIONAL CLUBS	C-1	C-2	C-3
1. Business, Civic, Professional Clubs	P	P	P

Q. VETERINARY OFFICES	C-1	C-2	C-3
1. Veterinary Office	P	P	P

P (Principal) C (Conditional) A (Accessory) N (Not Allowed)

FENCES/WALLS/HEDGES- These regulations are the same as for residential areas.

ACCESSORY STRUCTURES- Accessory structures shall be located in the rear yard of a principal structure and shall meet requirements set forth in Dimensional Requirements.

EXCEPTIONS TO HEIGHT REGULATIONS-The height limitations contained in Section 202.3.1 do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level, and not intended for human occupancy.

STRUCTURES TO HAVE ACCESS-These regulations are the same as required in residential areas.

R. GOVERNMENT SERVICES	C-1	C-2	C-3
1. City/county offices, fire/police, schools, courts, auditoriums, libraries	P	P	P

S. CHURCHES	C-1	C-2	C-3
1. Churches	P	P	P

T. RESIDENCES	C-1	C-2	C-3
1. Multi-family including loft-units	P	P	C
2. Single-family including loft-units	P	P	P
3. Motels/Hotels	P	P	P
4. Manufactured Homes, <u>except Qualified Manufactured Homes</u>	N	N	N
5. Dormitories	N	C	C
6. <u>Qualified Manufactured Homes</u>	P	P	P

U. PLANNED DEVELOPMENTS	C-1	C-2	C-3
1. Planned Developments	C	C	C

P (Principal) C (Conditional) A (Accessory) N (Not Allowed)

(1) It shall be unlawful to place a Portable Mobile Storage Container (PODS) until the Building Inspector has issued a Building Permit authorizing the placement of a Portable Mobile Storage Container (PODS). The Building Permit for the Portable Mobile Storage Container (PODS) shall not exceed thirty (30) days. Extensions may be permitted for an additional thirty (30) days upon a written request, with a valid explanation, from the applicant. In no event shall a Portable Mobile Storage Container (PODS) be used as a permanent storage unit within the City of London. In no event shall a Portable Mobile Storage Container (PODS) be placed as a permanent storage unit within the City of London.

(2) In no event shall a Portable Mobile Storage Container (PODS), storage building, garage, or accessory structure be used for an occupancy of a business or residence. Storage containers (PODS) shall not be permitted to be converted into a place of business or occupancy or be used as a place of business or for occupancy of any type. Storage buildings, garages, and accessory structures or portable storage units (PODS) shall not be used as dwelling units. In no event shall anyone allow a person or persons to dwell in or do business in a garage, storage building, portable storage unit (PODS) or accessory structure. Upon the discovery of a person or persons occupying for the purpose of living or doing business in a garage, storage building, portable storage units (PODS) or accessory structure, the Code Official shall cause to be posted at each entrance to such garage, storage building, portable storage unit (PODS) or accessory structure a notice reading as follows: "This structure is unsafe and its occupancy has been prohibited by the Code Official." It shall be unlawful for any person to enter such structure except for the purpose of removing personal belongings.

(3) Storage buildings, garages, Portable Mobile Storage Container (PODS), and accessory structures shall be placed in the rear or side yard only and meet the setback requirements of the zone in which they are located. In the event the business is located on a corner lot fronting on two or more streets the owner or owner representative applying for the placement of storage building, garage, Portable Mobile Storage Container (PODS), or accessory structure shall apply for a Conditional Use in order for the London Board of Zoning Adjustment to determine the placement of the building or structure on the corner lot. The London Board of Zoning Adjustment may request a survey of the property to determine setback requirements. In

reviewing the type and construction of the proposed structure the Board shall look at the aesthetics to determine compatibility within the surrounding area. Additionally, the Board shall determine if the accessory structure is interfering with the flow of traffic, parking spaces, and interfering with the visibility of persons entering and exiting the parking spaces and parking lot.

Note: Double and multi-family dwellings located in, R-1, R-2, and C-3 zones shall be allowed as conditional uses and shall meet the same requirements as apartment buildings located in an R-2 zone.

Section II

Section 202.4, of Ordinance 2022-03, and the Development Ordinance are amended to read in full as follows:

202.4 INDUSTRIAL DISTRICTS

Notwithstanding the foregoing, no Data Center, as defined herein, shall be permitted in this zone, whether a primary or conditional use, until after September 30, 2028, which date may be extended by the Planning Commission by a vote of that body, for a period of up to one additional year beyond that date, to permit study of Data Centers within the City of London and the city's capacity to handle such facilities.

Section III

1. Any ordinances in conflict with this ordinance be repealed to the extent of such conflict. If any section, sentence, clause, or phrase of this ordinance is held unconstitutional or otherwise invalid, such infirmity shall not effect the validity of the remaining ordinance. This Ordinance shall become effective upon publication;

First Reading: July 6, 2026

Second Reading: August 3, 2026

Publication: _____, 2026

ATTEST: _____
CITY CLERK


Mayor