

URGENCY ORDINANCE NO. 1230

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE, SECTION 65858 EXTENDING URGENCY ORDINANCE NO. 1229, WHICH ENACTED A MORATORIUM ON THE APPROVAL OF ANY LAND USE ENTITLEMENTS AND/OR AGREEMENTS TO ALLOW THE OPERATION OF DATA CENTERS IN THE CITY OF COACHELLA, FOR AN ADDITIONAL PERIOD OF 10 MONTHS AND 15 DAYS

THE CITY COUNCIL OF THE CITY OF COACHELLA DOES ORDAIN AS FOLLOWS:

SECTION 1. *Urgency Findings.* In accordance with California Government Code Section 65858 and in order to protect the public health, safety and welfare, the City Council of the City of Coachella adopts the following findings in support of this Urgency Ordinance and finding that there is a current and immediate threat to the public health, safety or welfare of the residents of the City of Coachella:

A. Authority and Purpose.

1. California Government Code Section 65858 authorizes a city council to adopt, as an urgency measure, an interim ordinance prohibiting an identified land use that may conflict with contemplated general plan, specific plan, zoning, or development standard amendments that the City is studying or intends to study within a reasonable time.

2. California Government Code Section 65858 further requires that the City Council find that there exists a current and immediate threat to the public health, safety, or welfare, and that the approval of additional use permits, building permits, subdivisions, variances, or other entitlements regarding an identified land use would result in that threat to public health, safety, or welfare.

3. On June 4, 2026, the City Council approved Urgency Ordinance No. 1229 in accordance with Government Code section 65858, enacting a forty-five (45) day moratorium on the approval of any land use entitlement and/or agreement that would allow the operation of data centers in the City ("Moratorium").

4. A “data center” as defined herein in Section 2 below, without appropriate study and standards, could impose substantial and potentially irreversible impacts on local water supplies, electrical infrastructure, air quality, and community character.

5. The City of Coachella is continuing to studying potential amendments to its General Plan, Zoning Ordinance, development standards, infrastructure policies, utility allocation procedures, environmental review thresholds, and performance standards relating to the establishment, expansion, and operation of data centers and high-intensity digital infrastructure uses to determine appropriate regulatory standards or, alternatively, their prohibition.

6. The City requires additional time to ensure that proposed changes to City’s Municipal Code that may be approved by the City Council are enacted prior to the lapse of the current prohibition of data center uses in the City.

7. The City Council further finds that, absent an extension of the Moratorium, applications for new data centers or conversion of existing structures into data centers could be submitted, processed, and vested under existing regulations before the City adopts updated regulations specifically tailored to address the unique operational, environmental, infrastructure, and public safety impacts associated with such uses.

8. The City Council desires to extend the Moratorium for an additional ten (10) months and fifteen (15) days, pursuant to Government Code section 65858, through June 4, 2027.

9. The City Council incorporates by reference its findings in Urgency Ordinance No. 1229 regarding data centers, detailing their emerging nature; their threats to electrical infrastructure and grid reliability; the concerns they raise with respect to water supply and drought resiliency; their public health impacts; and the concerns they raise with respect to fire and emergency response, and public safety generally.

B. Need for Immediate Extension of Moratorium.

1. The City Council finds that there is still a current and immediate threat to the public health, safety, and welfare arising from the potential establishment of data centers under the City’s existing zoning and development regulations, which were not designed to address the unique and intensive operational characteristics of such uses.

2. The City Council further finds that the approval of additional land use entitlements, building permits, grading permits, use permits, variances, subdivisions, or any other applicable approvals for data center development

during the period in which the City continues to study appropriate regulatory controls would result in and exacerbate the threats identified herein.

3. The City Council additionally finds that, without the immediate extension of the Moratorium, developers could obtain vested rights or approvals under existing regulations before the City has an opportunity to complete the studies and adopt reasonable regulations necessary to protect the public health, safety, and welfare.

4. The City Council finds that extending the Moratorium is necessary to preserve the status quo while the City consider appropriate amendments to its General Plan, Zoning Ordinance, development standards, utility allocation policies, environmental review procedures, and/or public safety regulations applicable to data centers.

5. The City Council finds that the adoption of this urgency ordinance is necessary for the continued preservation of the public peace, health, safety, and welfare pursuant to California Government Code Section 65858 and the City's police powers under Article XI, section 7 of the California Constitution.

6. Based upon all evidence contained in the administrative record, the City Council hereby finds that this interim urgency ordinance is necessary to continue avoiding current and immediate threats to the public health, safety, and welfare pending completion of the studies and regulatory actions described herein.

SECTION 2. Moratorium Extension. The City of Coachella shall continue not to issue or approve any General Plan Amendment, Specific Plan Amendment, zone change, building permit, occupancy permit, conditional use permit, variance, subdivision map or other land use entitlement, agreement or permit or regulatory license or permit required to comply with the provisions of the City of Coachella Municipal Code for the construction, operation or development of a "data center" by any private or public entity on any property within the City during the time that this Urgency Ordinance is in effect, and continuing for the time set forth in any action taken to extend this moratorium.

For purposes of this Urgency Ordinance, "data center" shall mean a structure or site 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, small data storage facilities, server farms, artificial intelligence training or processing, image processing, cloud computing, email servicing, and other similar uses and appurtenant facilities.

SECTION 3. Compliance with California Environmental Quality Act. The City Council finds that this Urgency Ordinance is not subject to the California Environmental

Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly; it prevents changes in the environment pending the completion of zoning code revisions and related impact studies.

SECTION 4. Effective Date. This Urgency Ordinance was adopted by the necessary four-fifths vote of the members of the City Council pursuant to California Government Code Section 65858, and shall take effect immediately upon its adoption.

SECTION 5. Written Report. At least 10 days before Urgency Ordinance No. 1229 or any extension expires, the City Council shall issue a written report describing the measures taken to alleviate the condition which led to the adoption of Urgency Ordinance No. 1229 or any extension.

SECTION 6. Publishing. The City Clerk shall certify to the passage of this Urgency Ordinance and cause the same or a summary thereof to be published within fifteen (15) days after adoption in a newspaper of general circulation, printed and published in Coachella, California.

SECTION 7. Term. This Ordinance is an Urgency Ordinance, enacted pursuant to Government Code section 65858. This Urgency Ordinance extends the Moratorium for an additional ten (10) months and fifteen (15) days. As a result, the Moratorium shall be operative through June 4, 2027, and subsequently, be of no further force or effect, unless and until extended in accordance with Government Code, Section 65858.

APPROVED and **ADOPTED** by the City Council and signed by the Mayor and attested by the City Clerk this 8th day of July, 2026.

Mayor
City of Coachella

Attest:

City Clerk

Approved as to form:

City Attorney