Sec. 29.10.020. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings ascribed to them in this section unless the context clearly indicates otherwise:

[…]

Data center means a building, structure, or separately occupiable tenant space whose actual predominant land use or occupancy is the operation of dedicated computing infrastructure, including servers, processors, storage systems, networking systems, and related electrical and cooling systems, to provide electronic data processing, storage, remote hosting, colocation, or computational capacity. The determination shall be made by evaluating the building, structure, or tenant space as a whole, not by isolating an interior server room, equipment area, or a component of a different lawful principal use.

Data center does not include computing, networking, cybersecurity, data storage, communications, or artificial intelligence equipment used as an accessory and subordinate component of a lawful principal activity such as software or product development, research and development, engineering, office activities, manufacturing, retail, health care, scientific, educational, governmental, or other lawful activity. This exclusion includes supporting affiliated operations, employees, clients, or business locations on or off the premises. The mere use of large quantities of computing equipment, a particular business name or industry, or provision of software or technology services does not, by itself, establish a data center use. A separately occupiable space or building used predominantly to provide dedicated data processing, hosting, colocation, storage, or computing capacity may qualify notwithstanding common ownership with other businesses. Telecommunications switching or routing and utility control facilities are not data centers unless the predominant occupancy otherwise satisfies the preceding definition.

[…]

Office activities means office uses, including, but not limited to: administrative; professional; medical; dental; optical; real estate; insurance; financial and investment services; venture capital; technology incubator facilities; biotechnology incubator facilities, including dry-lab facilities where testing and analyses is performed using data, coding, and computer systems and excluding wet-lab facilities where testing and analyses are performed using physical samples, biological matter, chemicals, and/or hazardous substances; and other similar office uses characterized by an absence of retail sales. Office activities do not include a data center as defined in this section.

Sec. 29.10.045. Uses prohibited.

(a) *Generally.* All uses which are not authorized by this chapter either by specific listing or by category are prohibited.

(b) *Listed.* Notwithstanding the provisions of this chapter concerning categories of allowed uses, the following uses are prohibited in all zones:

Junkyard;

Drive-in restaurant;

Cemetery;

Sex shop;

Sex studio;

Mobile home occupied as a dwelling except in a mobile home park and except as a temporary structure and approved by the deciding body, and except when placed on a lot zoned for single-family dwelling, subject to all applicable ordinances and regulations affecting single-family dwellings;

Mobile home occupied for any purpose other than as a dwelling, except temporarily as an office in connection with and during construction work;

Heavy industry;

Airport;

Solid waste disposal site;

Sales of distilled spirits at a service station~~.~~;

Data Center.

The intent of this section is to prohibit uses which might appear to be included in an allowed category. Omission of a use from this section is not intended as an indication that the omitted use is allowed in some zones.

Sec. 29.20.255. Appeals from the decision by the Planning Director.

Any interested person as defined in section 29.10.020 may appeal to the Planning Commission any decision of the Planning Director:

(1) Determining an application for a horse permit, for an amateur horse event or animal permit, for a home occupation permit, for a tree removal permit, for a sign permit, for a minor residential development permit, or denying a certificate of use and occupancy on the ground that the use is not allowed in the zone.

(2) Granting or denying an extension of time related to one (1) of the foregoing transactions.

(3) Revoking or modifying one (1) of the foregoing approval of permits.

(4) Determination of an unlawful demolition and/or the penalty and the cost assessment for the unlawful demolition.

(5) Determining a request for reasonable accommodation.

(6) Determining matters pertaining to historic preservation.

(7) Determining whether a use constitutes a data center.