

The City of Seattle
Ordinance 127447
Council Bill 121214

An ordinance relating to land use and zoning; introducing a new definition for data centers; adopting a moratorium on the filing, acceptance, processing, or approval of applications for the establishment or expansion of, or change of use to, data centers; amending Section 23.84A.008 of the Seattle Municipal Code; approving a work plan; declaring an emergency; and establishing an immediate effective date; all by a 3/4 vote of the City Council.

Be it ordained by The City of Seattle as follows:

Section 1. The City finds and declares:

A. The proliferation of data centers has the potential to significantly affect Seattle's energy and water infrastructure, utility affordability and reliability, jobs and economic development, public health, and the environment. Several companies have indicated interest in building large-scale data centers in Seattle.

B. Seattle's economy is in large part driven by a robust technology sector that may rely on data centers for server capacity both now and, increasingly, in the future, as the artificial intelligence sector grows. Data centers contribute to economic growth by enabling businesses to access much-needed processing and storage capacity.

C. Data centers are power-intensive and require significant water supplies for cooling equipment. Data centers may also be emissions-intensive if using fossil fuels.

D. Data centers can produce a significant amount of noise and heat that can negatively impact the health and wellbeing of surrounding communities.

E. In June 2026, Council expects to consider and take action on an ordinance codifying the 2027 and 2028 rates for Seattle City Light customers that would establish a separate rate for new large load customers.

F. Several smaller scale data centers exist in Seattle today, all in Downtown Seattle.

G. The City desires to support the data needs of existing businesses, government entities, including public safety, as well as healthcare facilities, educational institutions, and others, and therefore values striking a balance that recognizes those needs and previous investment, and anticipates growing needs and future investment, in existing facilities.

H. The combined and cumulative impacts of large electrical loads, emissions, and water use associated with new or expanded data centers may:

1. Exceed available infrastructure capacity and resource supply;
2. Require substantial unplanned capital investments;
3. Affect environmental quality, including watershed and aquatic systems, and wastewater treatment;
4. Impair the City's ability to meet climate and resource management goals; and
5. Affect the health and wellbeing of residents from air pollution, noise, and heat emissions.

I. Plans and mitigation measures for identified impacts, and appropriate fee structures for electricity, water usage, and water treatment, should be clearly delineated in the City's fee schedules and development regulations before the filing of any permit for new or expanded large-scale data centers.

J. The City needs time to analyze and determine how best to update its regulations to address data centers.

K. The City needs time to identify what mitigation measures and community benefit policies, if any, would be most appropriate to address the impacts of locating new or expanded large-scale data centers in Seattle.

L. Given the environmental, economic, public health, land use, and utility impacts of large-scale data center siting and operations, the City Council determines that an exemption from conducting review under the Washington State Environmental Policy Act of the interim prohibition on the filing, acceptance, processing, or approval of applications for new or expanded large-scale data centers is necessary under Seattle Municipal Code Section (SMC) 25.05.880. The proposed moratorium must be implemented immediately or within a period too short for full compliance with SMC Chapter 25.05 to prevent an imminent threat to public health and safety.

M. For these reasons, the City proposes a moratorium that prohibits the filing, acceptance, processing, or approval of applications for new or expanded large-scale data centers, as principal or accessory uses, to allow the City time to consider and adopt appropriate permanent legislation.

Section 2. The Council adopts a moratorium on the filing, acceptance, processing, or approval of applications to establish or expand data centers, either as

principal or accessory uses, or change of use to data centers, either as principal or accessory uses, in all zones in the city. The moratorium applies to data centers as defined in Section 3 of this ordinance, whether as a component of a project or as the entire project for which a permit is sought. The moratorium does not apply to an application to expand a facility's capacity by no more than an additional 20 Megavolt-Amperes (MVA), if the facility is operating on the effective date of this ordinance and: (1) is a data center as defined in Section 3 of this ordinance; or (2) would otherwise meet the definition of data center in Section 3 of this ordinance except that its existing capacity is at or below 20 MVA.

Section 3. Section 23.84A.008 of the Seattle Municipal Code, last amended by Ordinance 127401, is amended as follows:

23.84A.008 "D"

"Data center" means a facility: (1) used primarily for the housing, operation, or co-location of computer and networking equipment and the handling, storing, managing, processing, and backing up of digital data; (2) having capacity in excess of 20 Megavolt-Amperes (MVA); and (3) generally requiring uninterruptible power supplies and associated infrastructure such as cooling systems, backup power systems, and battery storage.

"Deck" means a platform extending more than 18 inches from a structure, or an unattached platform, including safety railings if required by the Building Code. A deck may be cantilevered or connected to the ground by posts and may have steps or ramps to the ground and a door to the structure. (See also "Porch.")

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Section 4. The moratorium set forth in this ordinance shall be in effect for a period of 365 days from the effective date of this ordinance and shall automatically expire after the 365-day period ends unless the moratorium is extended as provided by statute, or unless terminated sooner by the City Council.

Section 5. Pursuant to RCW 36.70A.390, the Council will hold a public hearing within 60 days of adoption of this ordinance to take public testimony and to consider adopting further findings.

Section 6. Under RCW 36.70A.390, the Council approves the work plan shown in Attachment A.

Section 7. The Council directs the Seattle Department of Construction and Inspections to amend the Intake Submittal Checklist for Land Use Permits such that information on electrical capacity in Megavolt-Amperes is required for a complete land use permit application.

Section 8. Based on the authority of RCW 36.70A.390 and the findings of Section 1 of this ordinance, the public hearing requirement of Section 23.76.062 of the Seattle Municipal Code is waived for the adoption of this ordinance.

Section 9. The City may renew this moratorium for one or more six-month periods in accordance with RCW 36.70A.390.

Section 10. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of its application to any person or circumstance, does not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances.

Section 11. Based on the findings of fact set forth in Section 1 of this ordinance, the Council finds and declares that this ordinance is a public emergency ordinance, which shall take effect immediately and is necessary for the protection of the public health, safety, and welfare.

Section 12. By reason of the findings set out in this ordinance, and the emergency that is declared to exist, this ordinance shall become effective immediately upon its passage by a 3/4 vote of the Council, and its approval by the Mayor, as provided in Article IV, subsection 1.I of the Charter of the City.

Attachments:

Attachment A – Work Plan for Data Center Moratorium

Passed by a 3/4 vote of all the members of the City Council and signed in open session in authentication of its passage on June 9, 2026.



President _____ of the City Council

Approved on June 11, 2026.



Katie B. Wilson, Mayor

Attested on June 11, 2026.



Scheereen Dedman, City Clerk

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Attachment A – Work Plan for Data Center Moratorium

The Council directs the Office of Sustainability and Environment ("OSE"), Seattle City Light ("SCL"), Seattle Public Utilities ("SPU"), the Seattle Department of Construction and Inspections ("SDCI"), and any other relevant departments to analyze the data center impacts enumerated in this ordinance and transmit reports and necessary legislation to the Council according to the timelines in this work plan. As part of this work plan, departments should coordinate City efforts to analyze economic impacts of data centers as called for in Mayor Wilson's statement of May 1, 2026.

1. Considering best practices for data center electricity and water usage (including the use of non-potable water for cooling), SCL and SPU should transmit to Council their analyses, proposed policies, relevant rate structures, and necessary legislation to ensure that Seattle residents, businesses, and others SCL and SPU serve will not pay increased utility costs because of data centers. SCL should transmit its analysis and proposal regarding electricity by July 1, 2026. SPU should transmit its analysis and proposal regarding water by October 30, 2026.
2. SDCI should determine appropriate zoning and development standards that avoid, minimize, or mitigate data center impacts, including on land use compatibility and utility infrastructure. SDCI's analysis and proposal should:
 - a. consider spacing/dispersal requirements,
 - b. include design and environmentally friendly building standards to mitigate aesthetic and environmental impacts;
 - c. differentiate between large-scale data centers and small, medium, or co-located/mixed use data centers, including existing, permitted data centers in Seattle and the surrounding region; and
 - d. align with relevant state and federal laws.

SDCI should transmit its analysis and proposed legislation by January 2027, for anticipated Council action by March 2027.

3. OSE shall lead an interdepartmental team to develop a data center community benefits framework by February 1, 2027. Elements of this framework may be structured as voluntary commitments or, where appropriate and consistent with the City's legal authority, incorporated into land use permitting requirements. Executive departments should consult with members of labor unions, building trades, energy policy and environmental organizations, the Puget Sound Clean Air Agency, consumer protection advocates, neighborhood groups, tribes, and impacted industry stakeholders. The effort should incorporate considerations for, at a minimum:
 - a. noise, heat, air, and water pollution standards, including, but not limited to, pollution and heat monitoring, noise monitoring, maximum noise thresholds, noise mitigation requirements, and limiting fossil fuels for back-up generation;
 - b. strong workforce protections, including labor standards and onsite workforce requirements;

- c. environmental standards, including third-party verified emissions and water and energy use data disclosure requirements, to ensure full transparency to the public; and
- d. potential new community benefit opportunities, such as contributions to district energy, affordable housing, daycare, transportation infrastructure, tree canopy improvements, or creative redevelopment of under-utilized commercial spaces or brownfields.