ORDINANCE 2026-9

ORDINANCE REPEALING ORDINANCE 2025-7 THE ESTABLISHMENT OF A MORATORIUM ON DATA CENTER FACILITIES

WHEREAS, on July 7, 2025, the Portland City Council passed Ordinance 2025-7 which established a Moratorium on Data Center Facilities, and

WHEREAS, on August 6, 2026, the Portland Advisory Plan Commission met in a public hearing to consider repealing said Ordinance 2025-7 the Moratorium on Data Center Facilities, and

WHEREAS, the Portland Plan Commission, after hearing all public comment, upon motion, seconded and approved by majority favorably recommended the Portland City Council repeal Ordinance 2025-7 contingent on their approval of the Zoning Ordinance language regarding Data Center Facilities.

WHEREAS, on August 17, 2026, the Portland City Council gave notice that the new Zoning Ordinance language regarding Data Center Facilities would be considered at their scheduled meeting on September 8, 2026, and

WHEREAS, the Portland City Council has approved and adopted the new Zoning Ordinance language regarding Data Center Facilities and now finds the request to repeal Ordinance 2025-7 the Moratorium on Data Center Facilities is appropriate, and

THEREFORE BE IT ORDAINED by the Portland City Council that Ordinance 2025-7 the Moratorium on Data Storage Facilities be hereby repealed.

PASSED AND ADOPTED on this 21 day of September, 2026

Jeff Westlake, Presiding Officer

ATTEST

Lori Phillips, Clerk/Treasurer

Approved by me on the date of adoption

Jeff Westlake, Mayor

Data Center Facility Regulations

Section 2: Definitions

Amend Sub-Section 2.2 (Definitions) Specific to include the following definition:

Data Center Facility: For the purpose of this Ordinance, a data center facility shall be defined as a facility and/or structure or portion of a facility and/or structure housing networked computer systems and associated components such as telecommunications equipment and storage systems used for remote storage, processing and/or distribution of data. This includes new construction projects along with the use of existing structures. Shall not be considered a public utility. Not permitted within the jurisdiction of the City of Portland Plan Commission

Section 3: Zoning Districts

Amend the following subsections to add **'Data Center Facility'** under the heading of **"Uses NOT Permitted"**

Sub-Sections
3.6 PR – Parks & Recreation District
3.7 AR – Agricultural Residential District
3.8 RR – Rural Residential District
3.9 R4 – Low Density Residential District
3.10 R8 – Medium Density Residential District
3.11 R10 – High Density Residential District
3.12 NB – Neighborhood Business District
3.13 HS – Highway Service District
3.14 CB – Central Business District
3.15 IND – Industrial District