



Requesting Department:
Development Services

TO: Planning and Zoning Commission

THRU: Brett Burningham, Development Services Director

FROM: Erik Swanson, Planning Administrator

RE: Public Hearing and Possible Action on P22-0205 Permitted Use Table – Data Centers, a staff initiated text amendment to Table 4.6-1 Permitted Uses of the Zoning Ordinance prohibiting data centers.

DATE: October 12, 2022

STAFF RECOMMENDATION

The request is for a staff initiated text amendment to Table 4.6-1 Permitted Uses of the Zoning Ordinance, prohibiting data centers. Staff recommends approval of P22-0205 Permitted Use Table – Data Centers Text Amendment.

PROPOSED MOTION

Move to recommend approval of P22-0205 Permitted Use Table – Data Centers.

RELEVANT COUNCIL GOAL



Effective Government

DISCUSSION

Staff has received significant interest in the Employment sector throughout the Town. With the recent zoning approvals in the State Land Special District coupled with heightened interest in the sub-market of data centers, staff is recommending codifying the prohibition of data centers as a primary use. Staff has found generally that data centers do not create significant employment opportunities and growth in the Town’s Targeted Employment sectors as outlined in the Town’s Economic Development Strategic Plan. It is important to note that data centers are not a targeted use within the Economic Development Strategic Plan.

Currently there are no provisions in the Table of Permitted Uses that allow data centers to be considered in any of the Town’s various zoning districts. As a means to codifying the prohibition, Staff is proposing the text amendment to restrict the use. It is understood that many employment uses may have internal data centers as part of the business’s day-to-day operations operating in a support capacity, and as

such, data centers are considerable with a Conditional Use Permit when associated with and operating as a secondary function in direct use by the underlying use and business operations of the site.

ATTACHMENTS

1. Proposed Permitted Use Table - Redline
2. Proposed Permitted Use Table - Clean

ARTICLE 4 – PERMITTED USE TABLE

Table 4.6-1 Permitted Uses (Continued)

Use Category	Specific Use Type	Residential Zoning Districts					Non-Residential Zoning Districts										
		A1 R1-190 R1-145 R1-108	R1-54 R1-43 R1-35	R1-18 R1-15 R1-12	R1-9 R1-8 ¹ R1-7 R1-6 ¹ R1-5 R1-4	HDR/ MDR	AT	RC	DC	MU	C-1	C-2	C-3	EMP A	EMP B	PRC	PQP
Commercial (Continued)																	
Eating and Drinking Establishments (Continued)	* Restaurant, with In-Vehicle Service (see section 6.5.B)	--	--	--	--	--	--	--	--	C	P	P	P	--	--	--	--
	Coffee Houses (see Section 4.6.D.11)	--	--	--	--	--	P	C	P	P	P	P	P	--	--	--	--
* Home-based occupations	All (when AT, DC, MU is residential use)	P	P	P	P	P	P	P	P	P	--	--	--	--	--	--	--
Office	General Offices (see section 4.6.D.4)	--	--	--	--	--	W	P	P	P	P	P	P	P	--	--	--
	Coworking space (Business Incubator)	--	--	--	--	--	P	P	P	P	P	P	P	P	P	--	--
	Data center only when associated as a secondary function with and necessary to a permitted use at the same location	--	--	--	--	--	--	--	--	--	C	C	C	C	C	--	--
	All other offices	--	--	--	--	--	C	C	C	C	C	C	P	--	--	--	--
Parking, Commercial	Commercial Parking Lot or Parking Structure	--	--	--	--	--	--	--	C	C	C	C	C	C	C	--	--
Entertainment Event Major	Indoor Facilities	--	--	--	--	--	P	--	P	P	C	C	P	P	P	C	--
	Outdoor Facilities	--	--	--	--	--	P	--	C	C	C	C	C	P	P	C	--
Recreation and Entertainment Outdoor	Campgrounds and Camps (see Section 4.6.D.2)	W	W	--	--	--	W	--	--	--	--	--	--	W	W	W	--
	Commercial Ranch, Commercial Stable, Outdoor Guest Ranch	C	C	--	--	--	P	--	--	--	--	--	--	--	--	--	--
	Equestrian boarding and riding arenas, (setback 500 feet from all property lines)	--	--	--	--	--	P	--	--	--	--	--	--	C	C	--	--
	Equestrian facilities in conjunction with an approved single family residential development	--	--	--	--	--	P	--	--	--	--	--	--	--	--	C	--
	Hunting, fishing, game preserves and recreational clubs or camps - not including recreational vehicle campgrounds.	--	--	--	--	--	P	--	--	--	--	--	--	--	--	P	--
	Resort, Cabins and Lodges	C	C	--	--	--	P	--	--	C	--	P	C	C	C	C	C

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Commercial (Continued)																	
Eating and Drinking Establishments (Continued)	* Restaurant, with In-Vehicle Service (see section 6.5.B)	--	--	--	--	--	--	--	--	C	P	P	P	--	--	--	--
	Coffee Houses (see Section 4.6.D.11)	--	--	--	--	--	P	C	P	P	P	P	P	--	--	--	--
* Home-based occupations	All (when AT, DC, MU is residential use)	P	P	P	P	P	P	P	P	P	--	--	--	--	--	--	--
Office	General Offices (see section 4.6.D.4)	--	--	--	--	--	W	P	P	P	P	P	P	P	--	--	--
	Coworking space (Business Incubator)	--	--	--	--	--	P	P	P	P	P	P	P	P	--	--	--
	Data center only when associated as a secondary function with and necessary to a permitted use at the same location	--	--	--	--	--	--	--	--	--	C	C	C	C	C	--	--
	All other offices	--	--	--	--	--	C	C	C	C	C	C	P	--	--	--	--
Parking, Commercial	Commercial Parking Lot or Parking Structure	--	--	--	--	--	--	--	C	C	C	C	C	C	C	--	--
Entertainment Event Major	Indoor Facilities	--	--	--	--	--	P	--	P	P	C	C	P	P	P	C	--
	Outdoor Facilities	--	--	--	--	--	P	--	C	C	C	C	C	P	P	C	--
Recreation and Entertainment Outdoor	Campgrounds and Camps (see Section 4.6.D.2)	W	W	--	--	--	W	--	--	--	--	--	--	W	W	W	--
	Commercial Ranch, Commercial Stable, Outdoor Guest Ranch	C	C	--	--	--	P	--	--	--	--	--	--	--	--	--	--
	Equestrian boarding and riding arenas, (setback 500 feet from all property lines)	--	--	--	--	--	P	--	--	--	--	--	--	C	C	--	--
	Equestrian facilities in conjunction with an approved single family residential development	--	--	--	--	--	P	--	--	--	--	--	--	--	--	C	--
	Hunting, fishing, game preserves and recreational clubs or camps - not including recreational vehicle campgrounds.	--	--	--	--	--	P	--	--	--	--	--	--	--	--	P	--
	Resort, Cabins and Lodges	C	C	--	--	--	P	--	--	C	--	P	C	C	C	C	C