EXHIBIT A
ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, AMENDING CHAPTER 17.02 ADDING DEFINITIONS RELATED TO DATA CENTERS, AND MAKING FINDING OF EXEMPTION IN COMPLIANCE WITH CEQA IN CONNECTION THEREWITH

WHEREAS, the City adopted ordinances U-2270 and U-2271 to enact and extend a moratorium on data centers; and

WHEREAS, the City is using the term of the moratorium to either ban data centers or to develop regulations applicable to data centers; and

WHEREAS, the HMC does not define data centers; and

WHEREAS, it is important to define the terms related to data centers so as to not inadvertently regulate or ban accessory uses that otherwise resemble data centers but serve a different function.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HAWTHORNE DOES ORDAIN AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct.

SECTION 2. Section 17.02.010 (Definitions), of Chapter 17.02 (Definitions), of Title 17 (Zoning) of the HMC shall be amended as follows, with each definition placed in appropriate alphabetical order within the list of definitions:

"Accessory use"
A use or service subordinate in extent and purpose to the primary use of a lot or building and which is compatible with the permitted or proposed primary use ~~on said lot or building. Any use that is not clearly related to the principal use on site will not be allowed~~.

"Data Center"
means a building, structure, facility, or portion thereof used primarily for the housing, operation, management, storage, powering, and cooling of computer servers, data storage systems, networking equipment, and related information technology infrastructure used for continuous digital processing, high-density data storage, cloud computing, internet services, artificial intelligence, hosting, external network connectivity, and related services and information technology infrastructure. This definition excludes

- Standard server rooms, network closets, or IT infrastructure that are incidental and subordinate to a primary permitted business, commercial, industrial, institutional, or residential land use;
- On-premises servers used primarily to support the internal administrative, operational, financial, or security functions of a single business, entity, or campus; and
- Telecommunications facilities, including cell sites, switching stations, and fiber distribution nodes.

"Primary use"
means the principal purpose for which a lot, building, or portion of a building is designed, arranged, intended, or occupied. The primary use is determined by considering the following factors, with no single factor controlling:

- The activity that accounts for the greatest share of the gross floor area, site area, or both;
- The activity from which the occupant derives the majority of its revenue or operational purpose on the site;
- The activity that accounts for the greatest share of the site's electrical load, water use, or employee and visitor activity;
- The purpose stated in the permit applications, business license, and approved plans,

A lot may have more than one primary use, and each primary use must independently comply with the standards for its use category.

SECTION 3. CEQA. This zone text amendment adds definitions of terms related to data centers. This is determined not to be a project under CEQA (Pub. Resources Code, § 21065) because defining terms does not change land use regulations or create any foreseeable impacts.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 5. AUTHORIZATION TO PUBLISH SUMMARY OF ORDINANCE. Pursuant to Government Code § 36933(c)(1), the City Attorney is authorized to prepare a summary of this ordinance. The City Clerk is also authorized to publish a summary of the text of this ordinance in the Hawthorne Press Tribune at least five days prior to the adoption of this ordinance. Within 15 days after adoption of the ordinance, the City Clerk is directed to publish a summary of this ordinance in the Hawthorne Press Tribune.

SECTION 6. EFFECTIVE DATE. This ordinance shall take effect 30 days after passage thereof.

PASSED, APPROVED AND ADOPTED this 12th day of January, 2027.

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ALEX VARGAS, Mayor
City of Hawthorne, California

ATTEST:

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DAYNA WILLIAMS-HUNTER, City Clerk
City of Hawthorne, California

APPROVED AS TO FORM

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DAVID CACERES,
City Attorney
City of Hawthorne, California