



**CITY OF SAN DIEGO
EXECUTIVE ORDER NO. 2026-2
BY THE MAYOR**

WHEREAS, artificial intelligence is rapidly transforming the economy, scientific research, and daily life, creating opportunities for innovation, economic growth, and high-quality jobs; and

WHEREAS, the continued growth of artificial intelligence requires significant physical infrastructure, including data centers, electrical generation and transmission infrastructure, backup power systems, cooling systems, and water infrastructure; and

WHEREAS, for purposes of this Executive Order, “data center” shall have the meaning set forth in California Public Resources Code section 21061.6(a), meaning a facility, or part of a facility, that houses computing infrastructure, including graphics and central processing units, servers, storage devices, networking equipment, and associated power and cooling systems, for the primary purpose of processing, storing, or distributing electronic data; and

WHEREAS, on July 23, 2025, the President issued Executive Order 14318, *Accelerating Federal Permitting of Data Center Infrastructure*, directing the federal government to facilitate the rapid buildout of data centers and the infrastructure that powers them by easing federal regulatory burdens and accelerating environmental reviews and permitting; and

WHEREAS, Executive Order 14318 directs federal agencies to facilitate associated energy infrastructure, including transmission lines, substations, natural gas infrastructure, and other power systems; and

WHEREAS, the rapid federal push to accelerate data center development makes it increasingly important for local governments to consider community-level impacts that may not be fully addressed through federal permitting, including impacts to neighborhood quality of life, land use, water supplies, electric infrastructure, and utility costs; and

WHEREAS, on September 18, 2026, Governor Gavin Newsom issued Executive Order N-9-26 accelerating independent oversight of artificial intelligence and advancing the development of an emergency “AI kill switch,” demonstrating the State's commitment to ensuring that technological innovation proceeds with appropriate safeguards and accountability; and

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WHEREAS, on September 21, 2026, Governor Newsom signed seven bills establishing new statewide requirements for data centers, including reporting and disclosure of electricity and water use, protection of ratepayers from data-center-related infrastructure costs, consideration of data center demand in water planning, and environmental and community standards for qualifying projects; and

WHEREAS, recently signed State laws reflect a statewide effort to increase transparency regarding data center impacts, require large facilities to account for the electricity and water demands they create, protect other utility customers from bearing those costs, and ensure that environmental and land use considerations remain part of data center development; and

WHEREAS, the City of San Diego does not currently have a comprehensive local regulatory framework specifically designed to address the unique land use, electricity, water, infrastructure, environmental, and quality of life impacts associated with data centers; and

WHEREAS, San Diego's water supply is constrained, while City water rates have increased in recent years, making it necessary to carefully evaluate the water demands of data centers, particularly during drought and other periods of water scarcity; and

WHEREAS, data centers can require substantial water for cooling and can create significant demands for electrical and other public infrastructure, making careful planning necessary to protect the reliability and affordability of essential services; and

WHEREAS, San Diego has spent decades planning vibrant, mixed-use neighborhoods that bring together housing, employment, retail, public spaces, and community-serving uses, and data centers may be incompatible with the land use patterns envisioned for many of these neighborhoods; and

WHEREAS, San Diego continues to face an acute housing shortage, and scarce land should be planned carefully to support housing, neighborhood-serving businesses, employment, and other uses that directly serve San Diegans and advance the City's adopted planning objectives; and

WHEREAS, the City should not allow the rapid development of data centers to proceed without first establishing clear standards addressing their potential impacts on land use, housing opportunities, electricity, water, infrastructure, neighborhoods, and the environment; and

WHEREAS, responsible regulation does not require San Diego to reject artificial intelligence innovation or technological investment; rather, the City can establish clear rules and regulations that allow innovation to continue while protecting residents, ratepayers, water supplies, neighborhoods, and public infrastructure; and

WHEREAS, the City Council will consider an interim ordinance pursuant to California Government Code section 65858 to establish a temporary moratorium on certain data

center development while the City studies and considers appropriate permanent land use regulations; and

WHEREAS, Government Code section 65858 provides that an interim ordinance adopted as an urgency measure requires a four-fifths vote of the legislative body and requires specified findings concerning a current and immediate threat to public health, safety, or welfare; and

WHEREAS, during the period in which the City Council considers and, if approved, implements such an interim ordinance, or approves any extensions to the interim ordinance, the City should use the time to listen to San Diegans, engage technical experts and community stakeholders, evaluate infrastructure capacity, and develop a thoughtful local framework for the responsible development of data centers; and

WHEREAS, the City Council will ultimately determine whether and how permanent land use regulations governing data centers are adopted, and this Executive Order is intended to direct the City's administrative departments to undertake the analysis and stakeholder engagement necessary to inform that legislative decision;

THEREFORE;

By virtue of authority vested in me as Mayor of the City of San Diego pursuant to the provisions of Article XI of the California Constitution and sections 28, 43, 260, and 265 of the City of San Diego Charter, to promulgate, issue, and enforce rules, regulations, and orders governing the administrative affairs of the City, I hereby direct the following actions and direction to be necessary for the protection of life and property and I hereby order, effective at 11:59pm on October 22, 2026.

IT IS HEREBY ORDERED THAT:

1. The City Planning Department shall bring forward for consideration by the City Council an interim ordinance pursuant to California Government Code section 65858 establishing a temporary moratorium on applicable data center development while the City studies and considers appropriate permanent regulations. The proposed ordinance shall include the findings required by applicable law and shall be presented to the City Council for consideration and action in accordance with the procedures and voting requirements of Government Code section 65858;
2. The City Planning Department, in collaboration with the Development Services Department, shall develop recommendations for a local regulatory framework governing the siting, development, construction, operation, and expansion of data centers;
3. The City Planning Department, in collaboration with the Development Services Department, shall coordinate and consult with representatives from City

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departments with relevant expertise, including Public Utilities, Stormwater, General Services, Economic Development, Information Technology, Engineering & Capital Projects, Fire-Rescue, and Government Affairs, in developing recommendations for a local regulatory framework governing the siting, development, construction, operation, and expansion of data centers;

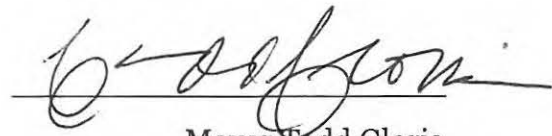
4. A temporary Data Center Stakeholder Working Group shall be established consisting of no more than 15 members appointed by the Mayor which shall include technical experts and stakeholders and, at the discretion of the Mayor's Office and City Planning Department, may include labor unions, community advocates, land use professionals, utility and energy professionals, water professionals, affordable housing and economic development professionals, artificial intelligence and technology experts, environmental professionals, higher education institutions, artificial intelligence advocates and other relevant fields, sectors, or stakeholder groups as deemed appropriate;
5. The Working Group shall evaluate and advise on appropriate standards for data center siting and development, including zoning and land use compatibility, electricity and water demand, grid capacity, backup generation, and noise, infrastructure, environmental, and neighborhood impacts, while considering applicable federal and State requirements and relevant standards established by California's newly enacted data center laws;
6. The City Planning Department, in collaboration with the Development Services Department, shall act in an advisory capacity for the Working Group. Advisory functions may include, but are not limited to, interpreting applicable local, state, and federal laws and regulatory requirements; evaluating existing relevant City regulations and development standards; identifying regulatory gaps, ambiguities, conflicts, and San Diego Municipal Code provisions that may need amendments; assessing land use compatibility and siting; explaining existing and potential ministerial and discretionary permitting and development review processes; identifying infrastructure and public service constraints; explaining advantages, limitations, administrative burdens, and implementation challenges; providing technical research, comparative analysis, and relevant best practices; and preparing the preliminary report and implementation materials described at 6. and 7. below;
7. Within 180 days of the effective date of this Executive Order, the City Planning Department, in collaboration with the Development Services Department and the Working Group, shall submit preliminary recommendations on data center regulation to the Mayor and City Council before preparing any proposed permanent regulations, which shall remain subject to consideration and adoption

by the City Council. Upon submission of these preliminary recommendations, the Working Group shall be dissolved;

8. Within 180 days following the release of the preliminary recommendations, the City Planning Department shall initiate the applicable public notice, hearing and legislative adoption process for permanent data center regulations for a recommendation by the Planning Commission and consideration by the City Council;
9. The Mayor's Government Affairs team shall develop or support legislative proposals that protect local jurisdictions from the land use, infrastructure, utility cost, water supply, environmental, and neighborhood impacts of data centers, regardless of whether such facilities are located on property subject to local jurisdiction or on property under State or federal jurisdiction;
10. The City shall conduct the study, stakeholder engagement, technical analysis, and regulatory drafting contemplated by this Executive Order during the period in which an interim moratorium is adopted and implemented, or extended by the City Council;
11. The City's objective is not to prevent artificial intelligence innovation or responsible investment. San Diego will pursue a framework that allows innovation and economic opportunity to continue while ensuring that data centers are appropriately planned, that their infrastructure demands are understood, and that their impacts do not fall disproportionately on ordinary San Diegans.

IN WITNESS WHEREOF, I have hereunto set my hand on this 22nd day of October 2026.

Dated: October 22, 2026



Mayor Todd Gloria