

Zoning Code Interpretation

Date: 10-15-2026

Interpretation No.: ZCI-2026-0001

Question: Are stand-alone data centers considered a permitted use in the Sumner Municipal Code?

Relevant Code Sections:

Research of other municipalities’ codes indicates that, when permitted, data centers are most commonly allowed in manufacturing/industrial zones, so SMC Chapter 18.18 Manufacturing Zone Districts is the focus of this analysis and interpretation. However, each zone district – Resource Protection, Residential-Protection, Low Density Residential, Medium and High Density Residential, and Commercial Districts – contains the same language as SMC 18.18.030, such that any use not listed under permitted principal, accessory or conditional uses is prohibited. Therefore, this interpretation applies to any and all of the named zone districts in the City.

Chapter 18.04 Definitions

The term “data center” is not defined in the Sumner Municipal Code.

Chapter 18.18 Manufacturing Districts (M-1, M-2) ¹

18.18.020 Principal, administrative and conditional uses.

A. The following table details permitted and conditionally permitted uses in the manufacturing districts. Where a "P" is indicated, the respective use in the same row is permitted in the zone classifications in the same column. Where an "A" is indicated or SMC 18.48.020(B) applies, the respective use in the same row is allowed through an administrative use permit. An administrative use permit shall be required and in full force and effect in order to establish said administrative uses. Where a "CUP" is indicated, the respective use in the same row is conditionally permitted in the zone classification in the same column. A conditional use permit shall be required and in full force and effect in order to establish said conditional uses. Where "--" is indicated, the respective use is not allowed. Where a "1" or "2" is indicated, there are different or supplemental regulations for that particular use within the Sumner manufacturing/industrial core overlay (MICO) pursuant to the notes at the bottom of this table.

***Full use table in Appendix A**

B. Use Interpretations. Whenever a property improvement permit is applied for, for property in the manufacturing districts, the director shall determine under which of the use classifications set forth above the proposed use shall be classified. All such determinations shall be based upon a finding that the use is consistent with the description and purpose for the respective manufacturing districts set forth and that such uses are similar to and no more detrimental than the types of use examples provided in the definition of the relevant use classification set forth. All determinations pursuant to this section may be appealed as a request for interpretation to the hearing examiner.

18.18.030 Prohibited uses.

Any use or structure not listed under permitted principal, accessory or conditional uses is prohibited in the manufacturing districts unless authorized in chapters 18.36, 18.46 SMC, or an applied overlay district of this title.

Interpretation: For purposes of this interpretation, a “**data center**” is a facility whose primary use is to house and operate computer servers, data storage systems, network equipment, and associated infrastructure (including power generators and cooling systems) for the processing, storage, management, or distribution of digital information.

SMC 18.18.020 identifies the principal, administrative, and conditional uses allowed within the M-1 and M-2 manufacturing districts. Data centers are not identified as an allowed use and do not reasonably fall within another listed use classification. While data centers may include characteristics similar to warehouses, offices, utilities, or communication facilities, their primary function is the operation of computing and data-processing equipment rather than the principal activities associated with those listed uses such as warehouse storage uses or administrative office uses.

SMC 18.18.030 provides that any use or structure not listed as a permitted principal, accessory, or conditional use is prohibited in the manufacturing districts, unless otherwise authorized by the code or an applicable overlay district. Accordingly, a stand-alone data center is an unlisted use and is therefore prohibited within the M-1 and M-2 manufacturing districts under the current code.

This interpretation applies to facilities where data processing or storage is the principal use of the site or building. It does not apply to server rooms, network equipment, or similar computing infrastructure that is incidental and subordinate to an otherwise permitted use.

Decision: Stand-alone data centers are not currently listed or otherwise authorized as a permitted use in the M-1 or M-2 manufacturing districts and are therefore prohibited pursuant to SMC 18.18.030. Allowance of data centers as a principal use would require an amendment to the Sumner Municipal Code.

Appeals: Pursuant to SMC 18.56.030(D), this administrative decision is appealable in an open record hearing to the hearing examiner. Written appeals are due by 5:00 pm on the 15th calendar day after the decision. The appeal period for this decision ends at 5:00 p.m. on October 30, 2026.

Signature:	Signed by:  CF1162AFA73D48B...	10/15/2026 8:15 AM PDT
	Development Services Director	Date

Appendix A

		M-1	M-2	MICO (M-1/M-2)
1.	Accessory parks and recreation facilities for use by on-site employees	P	P	P
2.	Adult entertainment businesses, subject to chapter 18.38 SMC	P	P	P
3.	Agricultural activities, including mitigation banks	P	P	P
4.	Air separation facilities	--	P	CUP/P
5.	Auction houses, wholesale	--	--	--
6.	Battery distribution and processing business	P	P	P
7.	Breweries	CUP ¹	P	CUP ¹ /P
8.	Cemeteries and crematories	CUP	CUP	CUP
9.	Contractor business ³	P	P	P
10.	Colleges and universities with no dormitories	CUP	CUP	CUP
11.	Commercial laundries	CUP ¹	P	CUP ¹ /P
12.	Indoor commercial recreation and/or clubs, gymnastics facilities, baseball practicing facilities, tennis clubs, but not including racetracks	P	P	P
13.	Outside commercial recreation fields and/or clubs, baseball fields, fairgrounds, golf driving ranges, animal race tracks, stadia, and tennis clubs	CUP	CUP	CUP
14.	Day care centers	CUP	--	CUP/--
15.	Electrical power generation and cogeneration	--	CUP	--/CUP
16.	Enclosed salvage and wrecking operations	P	P	P
17.	Existing residential dwellings lawfully constructed as of the effective date of this title	P	P	P
18.	Film processing plant	CUP ¹	P	CUP ¹ /P
19.	Food manufacturing, processing or package plants, excluding slaughtering facilities	CUP ¹	P	CUP ¹ /P
20.	Food manufacturing, processing or package plants, under 10,000 square feet, excluding slaughtering facilities	A ¹	P	A ¹ /P
21.	Gasoline service stations	P	P	P

		M-1	M-2	MICO (M-1/M-2)
22.	Hazardous waste off-site treatment and storage facilities	--	--	--
23.	Hazardous waste on-site treatment and storage facilities	CUP	--	CUP/--
24.	Hospitals	CUP	CUP	CUP
25.	Hotels and motels	P	P	--
26.	Indoor kennels	P ¹	P ¹	P ¹
27.	Lumber and wood products manufacturing or assembly	P	P	P
28.	Major utility facilities	P	P	P
29.	Assembly of heavy equipment, airplanes, or vehicles	P	P	P ⁵ /P
30.	Manufacturing, processing or assembly of metals, heavy equipment, airplanes, or vehicles	P	P	P ⁵ /P
31.	Manufacturing, refining or storage of noxious, volatile, toxic or explosive products as a principal use	--	--	--
32.	Mass transit systems including, but not limited to, bus stations, train stations, transit shelter stations, and park and ride lots	CUP	CUP	CUP
33.	Medical equipment manufacturing plant	P	P	P
34.	Minor utility facilities	P	P	P
35.	Mini-warehouses	P	--	--
36.	Outside storage yards as a principal use	P	P	P
37.	Paper and allied products manufacturing	CUP ¹	P	CUP ¹ /P
38.	Parks	CUP	CUP	CUP
39.	Pharmaceutical plants	P	--	P/P ¹
40.	Prepared material, manufacturing, processing or package plants	P	P	P
41.	Prepared metal processing and assembly plant	P	P	P
42.	Professional and business offices	P ²	P	P ² /--
43.	Professional and business offices, accessory to an allowed or conditional use on the same lot and/or in the same complex	P	P	P
44.	Public facilities	CUP	CUP	CUP

		M-1	M-2	MICO (M-1/M-2)
45.	Wireless communication facilities	See chapter 18.37 SMC	See chapter 18.37 SMC	See chapter 18.37 SMC
46.	Recycling centers	CUP	P	CUP/P
47.	Restaurants, with no bar	P	P	P
48.	Rock, stone, brick, concrete or asphalt, batching or assembly	--	CUP ⁶	CUP ⁶
49.	Sales and rental of heavy machinery and equipment	P	P	P
50.	Salvage and wrecking yards	--	P	--/P
51.	Soil mixing	P	P	P
52.	Smelting, blast furnace or forging plants	--	P	--/P
53.	Storage/warehouse and distribution facilities	P	P	P
54.	Streets	P	P	P
55.	Taverns, micro-breweries, brewpubs, and bars	P	P	P
56.	Tow truck operation/impoundment yard ⁴	--	P	--/P
57.	Tow truck operations	P	P	P
58.	Truck terminals	P	P	P
59.	Utility yard	P	P	P
60.a.	Vehicle repair, major	P	P	P
60.b.	Vehicle repair, automotive collision	P	P	--
61.	Vocational and art schools	P	--	P/--
62.	Water towers and water supply plants	CUP	CUP	CUP
63.	Commercial use, accessory to an industrial use on the same lot and/or in the same complex	P	P	P
64.	General commercial uses which are not otherwise listed above	P	--	P ² /--
65.	Churches	P	P	P
66.	Temporary homeless encampments in accordance with SMC § 18.36.060	CUP	CUP	CUP
67.	Indoor emergency shelters ⁷	CUP	CUP	--
68.	Indoor emergency housing ⁷	CUP	CUP	--
69.	Permanent supportive housing ⁸	CUP	CUP	--
70.	Transitional housing ⁸	CUP	CUP	--
71.	Opioid treatment program, mobile unit	CUP	CUP	CUP

		M-1	M-2	MICO (M-1/M-2)
72.	Essential public facilities not otherwise listed above	CUP	CUP	CUP
73.	Battery energy storage systems ⁹	CUP ¹	CUP ¹	CUP ¹

¹Prohibited within 1,000 feet of residentially zoned lands.

²Within MICO, limited to 10,000 square feet of gross floor area per development site unless it is an accessory use.

³Contractor businesses with accessory outdoor storage shall meet the requirements of SMC § [18.18.060\(C\)](#).

⁴An auto impoundment yard shall meet the screening requirements for outdoor storage in SMC § [18.18.060\(C\)](#).

⁵Prohibited within 1,000 feet of residentially and neighborhood commercial zoned lands.

⁶Asphalt batching operations shall meet the following requirements: (a) loaded trucks leaving the site shall be covered using best available technology; (b) comply with the noise control code of chapter [8.14](#) SMC; and (c) meet or exceed regional, state, and federal air and emission levels.

⁷See performance standards in SMC § [18.18.060\(V\)](#).

⁸See performance standards in SMC § [18.18.060\(W\)](#).

⁹See performance standards in SMC § [18.18.060\(X\)](#).