

Provo City Planning Commission

# Report of Action

September 10, 2025

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\*ITEM 3 Development Services requests Ordinance Text Amendments to Title 14 to remove data centers as permitted or conditional uses through all zones. Citywide Application. Hannah Salzl (801) 852-6423 hsalzl@provo.gov PLOTA20250458

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The following action was taken by the Planning Commission on the above described item at its regular meeting of September 10, 2025:

## RECOMMENDED APPROVAL

On a vote of 7:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Lisa Jensen

Second By: Melissa Kendall

Votes in Favor of Motion: Joel Temple, Barbara DeSoto, Melissa Kendall, Jonathon Hill, Lisa Jensen, Daniel Gonzales, Matt Wheelwright

*Jonathon Hill was present as Chair.*

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

### **TEXT AMENDMENT**

The text of the proposed amendment is attached as Exhibit A.

### **STAFF PRESENTATION**

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

### **CITY DEPARTMENTAL ISSUES**

- The Coordinator Review Committee (CRC) has reviewed the application and given their approval.

### **NEIGHBORHOOD MEETING DATE**

- Citywide Application; all Neighborhood District Chairs received notification.

### **NEIGHBORHOOD AND PUBLIC COMMENT**

- This item was City-wide or affected multiple neighborhoods.
- Neighbors or other interested parties were present or addressed the Planning Commission.

### **CONCERNS RAISED BY PUBLIC**

Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- One resident expressed a desire to do whatever the City could do limit data centers, citing concerns about water and energy use.

### **PLANNING COMMISSION DISCUSSION**

Key points discussed by the Planning Commission included the following:

- Commissioner Hill asked about the definition of data centers and what qualifies as a data center. Staff explained that data centers are centralized off-site server racks for data processing and do not include blockchain work or cryptocurrency.

- Commissioner Jensen supported limiting where data centers could be built and thought they were too broadly permitted in zones before.
- Commissioner DeSoto wanted to ensure that no parties remained private in data center applications, which would be addressed by the Legal Entities Disclosure requirement.



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Planning Commission Chair



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Director of Development Services

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (\*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Development Services Department, 445 W Center Street, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

## **EXHIBIT A**

ORDINANCE 2025-\_\_\_\_.

AN ORDINANCE AMENDING PROVO CITY CODE TITLE 14 TO REMOVE DATA CENTERS AS PERMITTED OR CONDITIONAL USES. (25-\_\_\_\_)

### **RECITALS:**

It is proposed that Provo City Code Title 14 be amended to remove data centers as permitted and conditional uses from all zones in order to create a tailored overlay zone; and

On September 10, 2025 the Planning Commission held a public hearing to consider the proposed amendment, and after the hearing, the Planning Commission recommended approval to the Municipal Council by a vote of 7:0; and

On September 23, 2025 the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

After considering the facts presented to the Municipal Council, the Council finds that (i) Provo City Code should be amended as set forth below, and (ii) such action furthers the health, safety, and general welfare of the citizens of Provo City.

THEREFORE, the Municipal Council of Provo City, Utah ordains as follows:

### **PART I:**

Provo City Code Title 14 is hereby amended as set forth in Exhibit A.

### **PART II:**

- A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance prevails.
- B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part, sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance is not affected by that determination.
- C. This ordinance takes effect immediately after it has been posted or published in accordance with Utah Code Section 10-3-711, presented to the Mayor in accordance with Utah Code Section 10-3b-204, and recorded in accordance with Utah Code Section 10-3-713.
- D. The Municipal Council directs that the official copy of Provo City Code be updated to reflect the provisions enacted by this ordinance.

## Exhibit A

### **14.10.020 Permitted Uses. (R1 Zone)**

...  
(6) *Conditional Uses.* The following uses and structures are permitted in the R1 zone only after a Conditional Use Permit has been approved, and subject to the terms and conditions thereof and the standards of Section 14.34.250, Provo City Code:

...  
**Use No.                    Use Classification**

6500                    Professional services (except 6513 through 6518 **and 6550**; and only in historic buildings as defined in this Title)

...  

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### **14.11.020 Permitted Uses. (R2 Zone)**

...  
(6) *Conditional Uses.* The following uses and structures are permitted in the R2 zone only after a Conditional Use Permit has been approved, and subject to the terms and conditions thereof and the standards of Section 14.34.250, Provo City Code:

...  
**Use No.                    Use Classification**

6500                    Professional services (except 6513 through 6518 **and 6550**; and only in historic buildings as defined in this Title)

...  

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### **14.16.020 Permitted Uses. (PO Zone)**

...  
(4) *Permitted Principal Uses.* The following principal uses and structures, and no others, are permitted in the PO zone:

...  
**Use No.                    Use Classification**

6500                    Professional Services (except 6513, 6515 Behavior, drug and alcohol treatment; office only, no lodging or bed facilities, 6516; **and 6550 Data processing services**)

...  

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### **14.18.020 Permitted Uses. (SC1 Zone)**

...  
(3) *Permitted Principal Uses.* The following principal uses and structures, and no others, are permitted in the SC1 zone:

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<b>Use No.</b>	<b>Use Classification</b>
6500	Professional services (except 6515-6516 and 6550)

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#### **14.20.020 Permitted Uses. (SC3 Zone)**

...  
(4) *Permitted Principal Uses.* The following principal uses and structures, and no others, are permitted in the SC3 zone.

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<b>Use No.</b>	<b>Use Classification</b>
6550	Data processing services

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#### **14.20A.020 Permitted Uses. (FC1 Zone)**

...  
(4) *Permitted Principal Uses.* The following principal uses and structures, and no others, are permitted in the FC1 zone.

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<b>Use No.</b>	<b>Use Classification</b>
6550	Data processing services

---

#### **14.20B.020 Permitted Uses. (FC2 Zone)**

...  
(4) *Permitted Principal Uses.* The following principal uses and structures, and no others, are permitted in the FC2 zone:

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<b>Use No.</b>	<b>Use Classification</b>
6550	Data processing services

---

#### **14.20C.020 Permitted Uses. (FC3 Zone)**

...  
(4) *Permitted Principal Uses.* The following principal uses and structures, and no others, are permitted in the FC3 zone:

<b>Use No.</b>	<b>Use Classification</b>
6550	Red text: Data processing services

...

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#### **14.21A.020 Permitted Uses. (DT1 Zone)**

...

(5) *Permitted Principal Uses.* The following principal uses and structures, and no others, are permitted in the DT1 zone:

<b>Use No.</b>	<b>Use Classification</b>
6500	Professional services (except 6515 Behavior, drug and alcohol treatment; Red text: and 6518 Blood banks, and 6550 Data processing services)

...

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#### **14.21B.020 Permitted Uses. (DT2 Zone)**

...

(5) *Permitted Principal Uses.* The following principal uses and structures, and no others, are permitted in the DT2 zone:

<b>Use No.</b>	<b>Use Classification</b>
6500	Professional services (except 6515 Behavior, drug and alcohol treatment; Red text: and 6518 Blood banks; and 6550 Data processing services)

...

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#### **14.21C.020 Permitted Uses. (GW Zone)**

...

(6) *Permitted Principal Uses.* The following principal uses and structures, and no others, are permitted in the GW zone:

<b>Use No.</b>	<b>Use Classification</b>
6500	Professional services (except 6515 Behavior, drug and alcohol treatment; Red text: and 6518 Blood banks; and 6550 Data processing services)

...

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#### **14.21D.020 Permitted Uses. (WG Zone)**

...

(5) *Permitted Principal Uses.* The following principal uses and structures, and no others, are permitted in the WG zone:

<b>Use No.</b>	<b>Use Classification</b>
6500	Professional services (except 6515 Behavior, drug and alcohol treatment;

**and 6518 Blood banks; and 6550 Data processing services)**

...

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#### **14.22.020 Permitted Uses. (CG Zone)**

...

(4) *Permitted Principal Uses.* The following principal uses and structures, and no others, are permitted in the CG zone:

...

<b>Use No.</b>	<b>Use Classification</b>
6500	Professional services <b>(except 6550 Data processing services)</b>

...

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#### **14.23.020 Permitted Uses. (ITOD Zone)**

...

(4) *Permitted Principal Uses.* The following principal uses and structures, and no others, are permitted in the ITOD zone:

...

Land use categories below are allowed as a permitted use only if they are two thousand (2,500) square feet or less in size (gross square footage). Land use categories below that consist of gross building square footage in excess of two thousand five hundred (2,500) square feet shall be approved only as a conditional use.

...

<b>Use No.</b>	<b>Use Classification</b>
6500	Professional services (except 6515 Behavior, drug and alcohol treatment, office only; and <b>6550 Data processing services</b> )

...

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#### **14.24.020 Permitted Uses. (CM Zone)**

...

(4)(c) The following uses shall be permitted in the CM zone:

...

<b>Use No.</b>	<b>Use Classification</b>
6500	Professional services (except 6515 and <b>6550</b> )

...

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#### **14.25.020 Permitted Uses. (CA Zone)**

...

(4) *Permitted Principal Use.* The following principal uses or structures and no others are permitted in the CA zone:

...

<b>Use No.</b>	<b>Use Classification</b>
6500	Professional services (except 6513, 6515, <del>and except</del> 6516, <b>and 6550</b> )

...

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#### **14.26.020 Permitted Uses. (MP Zone)**

...

(4) *Permitted Principal Uses.* The following principal uses and structures, and no others, are permitted in the MP zone:

...

<b>Use No.</b>	<b>Use Classification</b>
6500	Professional Services (except 6513, Hospitals (public or private); 6515, Behavior, Drug and Alcohol treatment centers; <del>and</del> 6516, Convalescent, Rest Home and Nursing Home Service; <b>and 6550 Data processing services</b> )

...

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#### **14.29.020 Permitted Uses. (PIC Zone)**

...

(4) *Permitted Principal Uses.* The following principal uses and no others are permitted in the PIC zone:

...

<b>Use No.</b>	<b>Use Classification</b>
6500	Professional services (except 6515 behavior drug and alcohol treatment centers <b>and 6550 data processing services</b> )

...

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#### **14.32.020 Permitted Uses. (RC Zone)**

...

(6) *Conditional Uses.* The following uses and structures are permitted in the RC zone only after a conditional use permit has been issued, and subject to the terms and conditions thereof and the standards of Section 14.34.250, Provo City Code.

...

<b>Use No.</b>	<b>Use Classification</b>
6500	Professional services (except 6513 to 6518 <b>and 6550</b> ; only in existing commercial structures)

...