

Nephi City  
ORDINANCE 12-02-2025 A

ADDING "MODULAR DATA CENTER", AND ASSOCIATED "ACCESSORY USES  
AND STRUCTURES" TO THE ID1 ZONE

ADDING "MODULAR DATA CENTER", AND ASSOCIATED "ACCESSORY USES  
AND STRUCTURES' TO THE INDUSTRIAL 1 (ID1) ZONE.

WHEREAS, Nephi City wishes to allow for modular data center projects in the Industrial 1 (ID1) zone.

WHEREAS, Nephi City wants to limit excessive water usage as it relates to modular data centers.

NOW THEREFORE, be it ordained by the City Council of Nephi City, UT as follows:

SECTION 1: **Repealer.** If any provisions of the municipal code previously adopted are inconsistent herewith they are hereby repealed.

SECTION 2: **Amendment.** Section "10.2.2 " is hereby amended as follows.

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CULTURAL, CIVIC SERVICES: A ... library or reading room.

DAIRY: A commercial establishment ... sale of dairy products.

DATA CENTER - ~~a facility or complex that houses computing and networking equipment, along with storage and management systems, to support the storage, processing, and distribution of digital data~~ MODULAR: means a facility or group of facilities designed for the housing and operation of computer servers, networking equipment, data storage systems, and related infrastructure, where the primary structures are prefabricated, or modular units that are capable of being transported and assembled on site. Modular data centers shall have a limited:

1. Electrical power capacity allowed on the electricity grid circuit as determined by Nephi City Electrical Power Superintendent based on available infrastructure.

2. Natural gas capacity allowed on the city natural gas system usage as determined by the Nephi City Natural Gas Superintendent based on available infrastructure.

3. Sanitary sewer capacity, and ~~applications~~ access allowed on the city sanitary sewer system as determined by the Nephi City Sanitary Sewer Superintendent based on available infrastructure, and discharge parameters.

~~A Data center typically features high-performance servers, storage arrays, networking equipment, cooling systems, and power backup solutions to ensure uninterrupted operations.~~ 4. Culinary water capacity allowed on the city water system usage as determined by the Nephi City Water

Superintendent based on available infrastructure. Modular Data Centers shall not employ open-loop evaporative cooling.

~~DATA centers may include server rooms, or IT operations areas to monitor, and maintain the computing and networking equipment.~~CENTER - MODULAR - ACCESSORY USES AND

STRUCTURES: are support uses and

~~DATA CENTER -- ACCESSORY BUILDING(S), structures, AND USES: A subordinate, supportive building, structure, or use, customarily incidental to any main use or buildings, located upon the same lot, and only available for employee use that may include, but is not limited to:~~structures such as are customarily incidental to and used in connection with a modular data center, including but not limited to:

1. ~~Daycare;~~Battery storage;
2. ~~Cafeteria;~~Backup generators;
3. ~~Medical~~Low-water office use cooling and ventilation systems, such as closed, updraft mechanical coolers;
4. ~~Offices~~Power generation equipment;
5. ~~Recreation facilities such as a gym, health spa, or workout studio;~~Security facilities, including remotely-manned systems;
6. ~~Site improvements~~Transformers;
7. ~~Temporary construction yards, and trailers to be removed upon completion of a construction project.~~Uninterruptible power supply (UPS) systems.

~~DATA CENTER -- BACKUP UTILITY GENERATION: means an on-site, independent power source and system, that automatically activates to provide electricity during a main electric power line outage, ensuring continuous operation of critical IT equipment and infrastructure. The system may consist of generators (including diesel fueled), battery energy storage systems (BESS), automated transfer switches, and UPS (Uninterruptible Power Supply) systems with batteries, or any other type of backup system which can provide immediate, short-term power until the main power grid comes back on line and functional. This ensures data integrity, prevents system crashes, and maintains essential services by bridging the gap between the outage of the primary utility power and the startup of the backup generator.~~

~~DATA CENTER -- COMPLEX: a specialized, secure, facility or a complex of multiple data center main and accessory and buildings, and their associated site improvements, support structures, and utilities that houses the critical IT infrastructure, such as servers, storage systems, and networking equipment, along with essential supporting systems like power, cooling, and security, to store, process, manage, and deliver data and applications for an organization or a cloud service provider. Also, all data center site improvements, support structures, and on-site utilities necessary to support the operations of the data center.~~

~~DATA CENTER -- MAIN BUILDING(S): are the building facilities that house a vast array of interconnected computing and networking equipment, including servers, storage, and networking gear, along with the essential infrastructure, such as cooling, power, and security systems needed to reliably operate and secure an organization's critical data and applications. It acts as the central hub for an organization's IT operations, supporting the storage, processing, and delivery of data and services.~~

~~DATA CENTER -- SITE IMPROVEMENTS:~~ are the physical buildings, structures, or infrastructure with designed and installed improvement upgrades and enhancements to the real property surrounding a data center as part of a data center complex to enhance capacity, performance, sustainability, and redundancy to meet the needs of artificial intelligence (AI), inference, and cloud availability services, such as massive power, connectivity, security, on-site power generation and storage, backup power, cooling systems, water management, air quality and noise control, and enhancing visual appeal. Some improvements may include, but are not limited to:

- ~~1. Automatic Transfer Switches (ATS) Systems;~~
- ~~2. Backup Utility Generation (BUS);~~
- ~~3. Battery energy storage system(s) (BESS) and facilities;~~
- ~~4. Chillers/cooling systems;~~
- ~~5. Electric power facilities such as , lines, plant, or substation;~~
- ~~6. Fencing, security~~
- ~~7. Fiber-based broadband infrastructure;~~
- ~~8. Generators, including diesel fueled;~~
- ~~9. Natural gas facilities such as, lines, plant, power plant, or substation (compressor or regulator);~~
- ~~10. Parking areas, lots, or structures for employee and visitor parking, in compliance with Section 11.6.8 of this code;~~
- ~~11. Loading areas, lots, or structures for large trucks and equipment in compliance with Section 11.6.8 of this code;~~
- ~~12. Maintenance facilities~~
- ~~13. Solar energy project~~
- ~~14. Uninterruptible power supply (UPS) system~~
- ~~15. Utilities, public and private~~

DAYCARE, EMPLOYER 1 : Group daycare ... premises of the employer.

DAYCARE, FAMILY 2 : The keeping ... the state of Utah.

...

DWELLING UNIT: A single ... a single family dwelling.

ELDERLY PERSON: A person ... years old or older.

~~ELECTRIC POWER FACILITY:~~ means all conduits, ducts, or other devices, materials, apparatus or property necessary to the generation, transmission, or distribution of electric power and energy.

~~ELECTRIC POWER LINE(S):~~ means transmission and/or distribution lines of any capacity, wires, conductors, structures, towers, and cables, together with ancillary systems such as, without limitation, switch gear, transformers, and control systems, and all related equipment and fixtures used in the transmission of electric power. Power Lines do not include Electrical Substations.

~~ELECTRIC POWER PLANT:~~ includes all real estate, fixtures, and personal property owned, controlled, operated, or managed in connection with or to facilitate the production, generation, transmission, delivery, or furnishing of electricity for light, heat, or power, and all conduits, ducts, or other devices, materials, apparatus, or property for containing, holding, or carrying conductors used or to be used for the transmission of electricity for light, heat, or power.

~~ELECTRIC POWER SUBSTATION: means a facility containing electric supply equipment for the purpose of switching, regulating, transforming, or otherwise modifying the characteristics of electricity, including electrical equipment, such as transformers, circuit breakers, voltage regulating equipment, buses, switches, and other related equipment.~~

FAMILY: means a group ... duly authorized custodial relationship.

FENCE: A physical barrier ... area of storage, etc.

~~FENCE, SECURITY: a physical barrier designed to prevent or delay unauthorized access to a property or area, for the purpose of safeguarding personnel, equipment, and assets from theft, damage, and intrusion, and may incorporate walls with anti-climb design features, heavy-duty materials, and sometimes integrated security systems including gates, guard stations, and security cameras. Security fences should generally be no higher than a maximum of twelve (12) feet, but may be allowed to be taller as allowed by the DRC during site plan review.~~

~~FIBER-BASED BROADBAND INFRASTRUCTURE: is a network of high-capacity, fiber-optic cables that transmit data as light signals, providing the high-speed, low-latency, superior bandwidth, enhanced security, energy efficiency, and reliable connectivity that data centers need to process, store, and distribute massive amounts of information efficiently for demanding applications like cloud computing, artificial intelligence, and big data analytics both within the facility and to external users and other data centers, global networks, and the wider internet. Key components can include, but are not limited to: fiber-optic cables, multimode fiber, single-mode fiber, transceivers, switches and routers, connectors and patch panels, and dark fiber (unused fiber) that a data center can lease or own.~~

FRONTAGE: The length of ... side of a street.

GARAGE, COMMERCIAL: A building ... or without a fee.

...

MORTUARY, FUNERAL HOME: An ... and related accessory uses.

MOTEL: A building or ... or storage immediately accessible.

~~NATURAL GAS FACILITY: means a pipe, main, conductor, or other facility or fixture used to carry natural gas.~~

~~NATURAL GAS LINE(S): includes both natural gas main and service lines.~~

~~NATURAL GAS LINE(S) (MAIN): means a natural gas distribution pipeline that delivers natural gas to another natural gas distribution supply line, or to a natural gas service line, and does not include a Natural Gas Service Line.~~

~~NATURAL GAS LINE(S) (SERVICE): means a natural gas pipeline that carries natural gas from a natural gas main to a meter for use by the ultimate consumer.~~

~~NATURAL GAS PLANT (OR MANUFACTURED GAS): includes all real estate, fixtures, and personal property owned, controlled, operated, or managed in connection with or to facilitate the production, generation, transmission, delivery, or furnishing of gas, natural or manufactured, for light, heat, or power.~~

~~NATURAL GAS POWER PLANT: means a facility designed and used for converting natural gas into electricity, together with all ancillary systems and infrastructure for cooling, emissions controls, and the delivery and storage of natural gas. A Natural Gas Power Plant does not include facilities for~~

~~the extraction or refinement of natural gas but may include Power Lines.~~

~~NATURAL GAS SUBSTATION: means either a compressor station or a regulator station used in the natural gas pipeline network to control the pressure and flow of gas from production wells to consumers. Compressor stations use turbines to boost gas pressure for long-distance transport, while regulator stations, or “city gates”, manage gas pressure when the distribution utility receives the gas from the main pipeline.~~

NATURAL WATERWAYS: Those areas, ... by the building inspector.

NONCOMPLYING STRUCTURE: A structure that:

...

PLANNED UNIT DEVELOPMENT (PUD): ... or offered for rent.

PLANNING COMMISSION: The Nephi City planning commission.

~~POWER LINES: (see Electric Power Lines).~~

PRIMARY (PRINCIPAL) RESIDENCE: The ... year for any individual.

PUBLIC HEARING: A hearing ... subject of the hearing.

...

SIGN, WALL: A sign ... the wall or facing.

SIGN, WINDOW: A sign ... outside of the building.

~~SOLAR ENERGY PROJECT: means a project that generates electric energy by converting sunlight, whether by solar devices or other conversion technology, for the sale, delivery, transmission, or consumption of the generated energy by more than one end-user or by an end-user other than the owner or operator of the property on which the solar energy system is constructed and operated. A Solar Energy Project may include one or more Battery Energy Storage Systems (BESS), Electric Power Substations, and/or Electric Power Lines.~~

SKATING RINK: A place, ... as a secondary activity.

STABLE, PRIVATE: A detached ... remuneration, hire or sale.

...

USE: The activities occurring ... including all accessory uses.

USE, ACCESSORY: A subordinate ... by the main use.

~~UTILITIES (PUBLIC OR PRIVATE): including, but not limited to:~~

- ~~a. — Electric power facility~~
- ~~b. — Electric power line(s), including transmission and distribution lines;~~
- ~~c. — Electric power plant;~~
- ~~d. — Electric power substation;~~
- ~~e. — Natural gas facility;~~
- ~~f. — Natural gas lines, including main and service lines;~~
- ~~g. — Natural gas plant, or manufactured gas;~~
- ~~h. — Natural gas power plant;~~
- ~~i. — Natural gas substation;~~
- ~~j. — Sewer (wastewater) system;~~
- ~~k. — Solar project~~
- ~~m. — Water (culinary) system;~~

~~WASTEWATER SYSTEM: means any sewer, sewage system, sewage treatment facility, lagoon, sewage collection facility and system and related pipelines, and all similar systems, works, and facilities necessary or desirable to collect, hold, cleanse, or purify any sewage or other polluted waters, and related structures and facilities.~~

~~WATER SYSTEM (CULINARY): includes all tanks, reservoirs, tunnels, shafts, dams, dikes, head gates, pipes, flumes, canals, valves, hydrants structures, and appliances, and all other real estate, fixtures, and personal property owned, controlled, operated, or managed in connection with or to facilitate the diversion, development, storage, supply, distribution, sale, furnishing, carriage, appointment, apportionment, or measurement of water for power, fire protection, irrigation, reclamation, or manufacturing, or for municipal, domestic, or other beneficial use. However, "water system" does not include private irrigation companies engaged in distributing water only to their stockholders.~~

WHOLESALE, WAREHOUSE, STORAGE: A ... storage space is rented.

YARD: An open, unoccupied ... provided in this title.

...

**SECTION 3: Amendment.** Section "10.9A.2 " is hereby amended as follows.

A. Permitted Uses: In the Industrial Development 1 Zone (ID1), no building, land, or use shall be constructed, changed or expanded, which is arranged, intended, or designed to be used for anything other than one or more of the following uses, which may be required to be reasonably dispersed throughout the community. The following uses shall be permitted by right in the zone, subject to compliance with all applicable development, performance, and building codes and standards, all other uses are prohibited:

Auto, truck, recreation vehicle ... equipment sales and rental

...

Coal yard

Convenience goods sales and services

Data Center, Modular

Data Center, Modular - Accessory uses and structures

Daycare, employer

Industrial or research park

...

**SECTION 4: Severability.** If any section, subsection, sentence, clause, or phrase of this amendment is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this amendment.

**SECTION 5: Effective Date.** This ordinance being necessary for the peace, health, and safety of Nephi City, shall go into effect at the expiration of the 20th day after publication or posting or the

30th day after final passage as noted below or whichever of said days is the more remote from the date of passage thereof.

**\*\*Signatures On Next Page\*\***

PASSED AND ADOPTED by Nephi City Council this 2nd day of December, 2025.



JUSTIN SEELY, Mayor  
Nephi City

Attest:



LESLEE ANDERSON, City Recorder  
Nephi City

City Council Vote as Recorded:	AYE	NAY	ABSTAIN	ABSENT
Jeramie Callaway	<u>X</u>	—	—	—
Shari Cowan	<u>X</u>	—	—	—
JD Parady	<u>X</u>	—	—	—
Skip F. Worwood	—	—	—	<u>X</u>
Travis Worwood	<u>X</u>	—	—	—



RECORDED this 2nd day of December, 2025.  
PUBLISHED OR POSTED this 3rd day of December, 2025.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I, the City Recorder of Nephi City, hereby certifies that the foregoing Amendment was duly passed and published or posted at:

- 1. Utah Public Notice Website
- 2. City Hall
- 3. Juab County Building

on the above referenced dates.



LESLEE ANDERSON, City Recorder  
Nephi City