

Nephi City
ORDINANCE 12-02-2025

CREATION OF INDUSTRIAL 4 ZONE (ID4)

**CREATION OF INDUSTRIAL 4 ZONE (ID4) FOR DATA CENTERS WITH
ASSOCIATED BUILDINGS, USES, AND UTILITIES BOTH PUBLIC AND
PRIVATE, INCLUDING POWER GENERATION.**

WHEREAS, Nephi City wishes to provide for areas in the city limits that allows for data centers with their associated buildings, uses and utilities; and

WHEREAS, There are specific parameters that govern, and are common and necessary for the use of data centers and their functionality that are sufficiently unique from other industrial uses; and

WHEREAS, Nephi City wishes to allow specific areas for data centers to be located; and

WHEREAS, Nephi City wishes to limit the excessive use of water for data center projects, and institute requirements for data center projects to provide for their own water resources during the development process.

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 If any provisions of the municipal code previously adopted are inconsistent herewith they are hereby repealed.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.

...

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 and applications. A data center typically features high-performance servers, storage arrays, networking equipment, cooling systems, and power backup solutions to ensure uninterrupted operations. Data centers may include server rooms, or IT operations areas to monitor, and maintain the computing and networking equipment.

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:

1. Daycare,

2. Cafeteria,
3. Medical office,
4. Offices;
5. Recreation facilities such as a gym, health spa, or workout studio;
6. Site improvements;

7. Temporary construction yards, and trailers to be removed upon completion of a construction project.

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 "10.9D.1 Purpose" is hereby amended as follows.

A. Industrial 4 Zone (ID4) is established to create areas in the city where the use of data centers, and associated support uses may be permitted by right and located.

B. With the goal of integrating these facilities into the community by balancing their unique needs with the surrounding environment and other land uses.

C. And, choosing locations for this zone and use that is intended to blend with adjacent industrial uses, and be reasonably dispersed throughout the community.

D. Also, to protect residential and commercial land uses in the vicinity from noise, and other disturbances, or environmental impacts to ensure compatibility with the community as a whole.

HISTORY:

SECTION 4: Amendment. Section "10.9D.2 Use Regulations" is hereby amended as follows.

A. Permitted Uses: In the Industrial 4 Zone (ID4), 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.

B. All uses listed are permitted by right, and all uses not listed are disallowed, see Definition Section 10.2.2 for detailed descriptions:

1. Data Center Accessory Buildings and Uses

2. Data Center Main Buildings

3. Data Center Site Improvements or Structures

4. Utilities (Public and Private), however creating power from wind generation is prohibited, and not included in this permitted by right use section, but power used from wind generation conducted outside of the city boundaries is included in this section, however, wind power may be delivered and consumed at any of the listed permitted uses.

HISTORY:

SECTION 5: Amendment. Section "10.9D.3 Lot Size (Area), and Density Regulations" is hereby amended as follows.

A. Lot Size (Area) and Density: The minimum lot size (area) for a parcel or lot in the Industrial 4 Zone (ID4) shall be not less than ten (10) acres, or approximately 435,600 square feet per data center complex, and less than one-half (1/2) acre, or approximately 21,780 square feet per parcel or lot for all other industrial uses. The minimum density of structure to land may vary.

B. Any industrial or data complex in the zone may allow multiple industrial buildings or structures on any one parcel or lot, but a notice may be filed at the Juab County Recorder's Office by the city that includes an approved site plan of the complex for reference, and states that, "This site

plan was approved in its entirety, and no land subdivision of the property, with or without separate structures is allowed for this site, unless the property owner's first adhere to the Nephi City Subdivision, Site Plan, and Land Development Regulations found in Title 11 of their code".

HISTORY:

SECTION 6: Enactment. Section "10.9D.4 Frontage Regulations" is hereby enacted as follows.

A. The minimum width of any lot or parcel for industrial development in the Industrial 4 Zone (ID4) shall be one-hundred, forty (140) feet at the required front setback line.

HISTORY:

SECTION 7: Amendment. Section "10.9D.5 Yard Setback Regulations - Main Buildings" is hereby amended as follows.

A. All Front, Rear, and Side Yards for all Main Buildings in the ID4 Zone shall be setback from all property boundaries:

1. One, and one-half (1 ½) feet for every foot in the building's height.
2. With a minimum setback of fifty (50) feet.
3. Setback shall be measured from the outside wall on the main floor of the structure to the property line.

B. Separation from Main Buildings: There shall be a minimum of fifty (50) feet of separation between the closest point of any accessory building and any main building, or other accessory building as measured from the outside wall of the main floor of both structures.

HISTORY:

SECTION 8: Amendment. Section "10.9D.6 Yard Setback Regulations - Accessory Buildings" is hereby amended as follows.

A. All Front, Rear, and Side Yards for all Accessory Buildings in the ID4 Zone shall be setback:

1. A minimum of twenty-six (26) feet from any property line.
2. Setbacks shall be measured from the outside wall on the main floor of the structure to the property line.

B. Separation from Main Buildings:

1. There shall be a minimum of fifty (50) feet of separation between the closest point of any accessory building and any main building, or
2. Ten (10) feet between one another for all accessory buildings,
3. As measured from the outside wall of the main floor of both structures.

HISTORY:

SECTION 9: Amendment. Section "10.9D.7 Building Height and Size Regulations" is hereby amended as follows.

A. No main building in the ID4 zone shall be erected to a height greater than one-hundred (100) feet, unless agreed to through a development agreement with Nephi City that:

1. A public hearing is held for; and
2. The Planning Commission reviews, and gives a recommendation; and
3. The City Council approves.

B. No accessory building in the ID4 zone shall be erected to a height greater than thirty-five (35) feet.

C. An exception may be made for appurtenant structures to both a main or accessory building such, but not limited to, a chimney or stack for gas exhaust emissions that may be allowed through the site plan process by the Development Review Committee (DRC).

HISTORY:

SECTION 10: Amendment. Section "10.9D.8 Project Approval and Development" is hereby amended as follows.

A. All development activities in Nephi City must conform with Title 11 requirements

1. Air quality compliance: Any main or accessory support use related to a data center's functionality, that has open air emissions, that would require an air quality permit or notice issued by the Utah Division of Air Quality shall obtain a permit prior to any site plan approval.

2. E-waste: all electronic waste such as servers, computers, hardware, support systems shall be taken out of Nephi City boundaries to be recycled.

3. Environmental: all environmental considerations such as noise, air quality, smell, or hazardous materials for any project in the ID4 zone including, subdivision, site plan, or other land development shall comply with considerations for health, safety, and welfare in Section 11.6.12.A.5 of this code.

4. General on-site lighting: all lighting for any project for a subdivision, site plan, or other land development in the ID4 zone shall comply with Title 11 of this code.

5. Landscaping: all site landscaping shall comply with the requirements for land development found in Title 11 of this code. All approvals for subdivision, site plan, and land development in the ID4 zone are subject to Title 11 of this code.

6. Nuisance compliance: uses in the ID4 zone shall not constitute a nuisance, and shall comply with Section 4.2 Nuisances and Weed Control of this code.

7. Outdoor on-site lighting: outdoor lighting in the ID4 zone shall be required to comply with outdoor lighting standards found in Section 11.6.3 of this code.

8. Parking and loading: all parking and loading facilities shall comply with requirements of Section 11.6.8 of this code.

9. Water Usage: all Data Center Facilities shall use air-cooled or closed loop liquid cooling technology to cool their facilities. Data Center Facilities and Electric Power Plant Facilities shall not employ open-loop evaporative cooling. Electric Power Plant Facilities shall provide water rights and

water supply to Nephi City for their water demand.

HISTORY:

SECTION 11: **Enactment.** Chapter "10.9D Industrial 4 Zone (ID4)" is hereby enacted as follows.

SECTION 12: **Enactment.** Section "11.1.6 Applicability" is hereby enacted as follows.

The regulations set for in this title shall apply to all development in Nephi City including, subdivision, site plan, or any project requiring utility, or other public infrastructure installation or upgrade.

SECTION 13: **Amendment.** Section "11.2.1 " is hereby amended as follows.

A. The words and ... clearly indicates the contrary.

~~1. APPEAL AUTHORITY: The person, board, commission, agency, or other body designated by ordinance to decide an appeal of a decision of a land use application, or a land use regulation.~~
1. ACCENT OR ARCHITECTURAL LIGHTING: means lighting of building surfaces, landscape features, statues, and similar items for the purpose of decoration, ornamentation, creation of visual hierarchy, sense of liveliness, or other purpose unrelated to safety, business operation, or essential lighting function.

~~2. AUTHORITY, CULINARY WATER: The department, agency, or public entity with responsibility to review and approve the feasibility of the culinary water system and sources for a subject property.~~
2. APPEAL AUTHORITY: The person, board, commission, agency, or other body designated by ordinance to decide an appeal of a decision of a land use application, or a land use regulation.

~~3. AUTHORITY, ELECTRIC (POWER): The department, agency, or public entity with responsibility to review and approve the feasibility of the electric power system and sources for a subject property.~~
3. AUTHORITY, CULINARY WATER: The department, agency, or public entity with responsibility to review and approve the feasibility of the culinary water system and sources for a subject property.

~~4. AUTHORITY, FIRE: The department, agency, or public entity with responsibility to review and approve the feasibility of fire protection and suppression services for a subject property.~~
4. AUTHORITY, ELECTRIC (POWER): The department, agency, or public entity with responsibility to review and approve the feasibility of the electric power system and sources for a subject property.

~~5. AUTHORITY, GAS: The department, agency, or public entity with responsibility to review and approve the feasibility of the natural gas system and sources for a subject property.~~
5. AUTHORITY, FIRE: The department, agency, or public entity with responsibility to review and approve the feasibility of fire protection and suppression services for a subject property.

~~6. AUTHORITY, SANITARY SEWER: The department, agency or public entity with responsibility to review and approve the feasibility of a sanitary sewer system or onsite wastewater system for a subject property.~~
6. AUTHORITY, GAS: The department, agency, or public entity with

responsibility to review and approve the feasibility of the natural gas system and sources for a subject property.

7. AUTHORITY, SANITARY SEWER: The department, agency or public entity with responsibility to review and approve the feasibility of a sanitary sewer system or onsite wastewater system for a subject property.

8. AUTHORITY, STREETS AND DRAINAGE: The department, agency or public entity with responsibility to review and approve the feasibility of the street and applicable drainage system for a subject property.

89. BACKLIGHT: means all the light emanating behind a luminaire from a light fixture.

10. BUG RATING: means backlight, up-light, and glare rating, which exists on a scale of zero (0) to five (5) - zero (0) being the least mount of these criteria, and five (5) being a greater amount - and may be used to describe luminaire optical performance in regards to light trespass, sky glow, and high angle brightness control.

11. CORRELATED COLOR TEMPERATURE (CCT): is a specification of the color appearance of the light emitted by a lamp, relating its color to the color of light from a reference source when heated to a particular temperature, measured in degrees Kelvin (K). The CCT rating for a lamp is a general “warmth” or “coolness” measure of its appearance. Lamps with a CCT rating below three thousand (3,000) Kelvin (K) are usually considered “warm” sources, while those with a CCT above three thousand (3,000) Kelvin (K) are usually considered “cool” in appearance.

12. DEED RESTRICTION, LOT: a platted note, demarcation, or designation that:

- a. runs with the land; and
- b. creates a restriction ... a subdivision plat; or
- c. designates a development ... on a subdivision plat.

913. DEED RESTRICTION, PARCEL: a recorded instrument or document that:

- a. runs with the land; and
- b. creates a restriction ... the recorded document; or
- c. designates a development ... in the recorded document.

+14. DEVELOPER: Any person, including a corporate person, who undertakes to develop land, including subdivisions, site plans, or development activities.

+15. DEVELOPMENT (OR DEVELOPMENT ACTIVITY): Pursuant to UCA § 10-9a-103 (11) as amended:

- a. any construction or ... need for public facilities;
- b. any change in ... for public facilities; or
- c. any change in ... need for public facilities.

+16. DEVELOPMENT AGREEMENT: A written agreement or amendment to a written agreement between the City and one or more parties that regulates or controls the use or development of a specific area of land. This does not include an improvement completion assurance. A development agreement that alters adopted land use regulations must follow the same approval processes as any land use amendment would be required to adhere to in accordance with UCA § 10-9a-502 as amended, and Nephi City Code.

+17. DEVELOPMENT REVIEW COMMITTEE (DRC): an individual, board, commission,

agency, or body, designated by the City Council to act upon a land use development application (See "Land Use Authority").

~~+4~~18. DIRECT ILLUMINATION: means the area of intentional illumination emanating from a fixture generally formulated by shielding depth, illumination width, distance, and angle of illumination field, respective to the height and location of the illumination source, in context of property location and grade. This illumination pattern is typically represented by the high intensity cone of light ten (10) percent or greater, emanating and expanding outward from the illumination source. This area is in contrast to the area outside of this high intensity cone, separately defined as "light spill". Direct illumination shall be generally interpreted utilizing this formulation by the city staff.

19. EASEMENT: That portion of a lot or parcel reserved or granted for a specific present or future use by a person or agency other than the legal owner or owners of said property or properties. The easement may be for use under, on the surface, or above said property.

~~+5~~20. EASEMENT, (GENERAL) PUBLIC UTILITY (PUE): pursuant to UCA § 54-3-27 as amended means the area on a recorded plat map or other recorded document that is dedicated to the use and installation of public utility facilities.

- a. A public utility ... a public utility with:
 - (1) the right to ... public utility facilities; and

...

- h. A gas corporation's, ... has under the easement.
- i. Nothing in this ... as provided by law.

~~+6~~21. EASEMENT, PROTECTED UTILITY EASEMENT: is a recorded easement or right-of-way that is:

- a. for the use ... a utility facility, and
- b. the ownership of ... by any lawful means.

~~+7~~22. EASEMENT, (MUNICIPAL) NEPHI CITY UTILITY (NCUE): an easement that:

- a. is created or ... for public use; and
- b. is not a ... § 54-3-27 as amended;

...

- e. may be located ... for public use; and
- f. may include an ... a specified public utility.

~~+8~~23. FLOOD PLAIN: land that:

- a. is within the ... Management Agency (FEMA); or
- b. has not been ... plain designated by FEMA.

~~+9~~24. FLOODLIGHT: means a fixture or bulb designed to "flood" an area with light. A specific form of bulb or fixture designed to direct its output in a specific direction. Such bulbs are often designated by the manufacturer in regards to outdoor lighting.

25. FULLY SHIELDED FIXTURE: means an outdoor light fixture constructed and mounted so that the installed fixture emits no light above the horizontal plane. Where a light manufacturer provides a BUG rating, the up-light rating (U) must equal zero (0). Fully shielded light fixtures must be shielded in and of themselves; a light fixture must have the top and sides made of

opaque material such that light only escapes through the bottom of the fixture. Fixtures with translucent or transparent sides, or sides with perforations or slits, do not qualify as fully shielded. Any glass or diffuser on the bottom of the fixture must be flush with the fixture (no drop lenses). Surrounding structures, like canopies, eaves, and patio covers, are not to be considered when determining if the fixture is fully shielded, unless specifically allowed at the time of site plan review with city staff. Fully shielded fixtures must be appropriately mounted so that the shielding prevents light from escaping above the horizontal plane and all light is directed downward.

26. GEOLOGIC HAZARD: Means:

- a. a surface fault rupture;
- b. shallow groundwater;

...

- g. a rock fall; or
- h. any other geologic ... damage of real property

~~20~~27. GEOLOGIC HAZARD AREA: an area that:

- a. is designated by ... for geologic hazard; or
- b. has not been ... designated geologic hazard area.

~~21~~28. FULL CUT-OFF LIGHT FIXTURE: A light fixture having zero (0) light emitted above the light's horizontal plane.

29. GLARE: means excessive, uncomfortable brightness from unshielded light fixtures caused by the light source itself being too bright, or positioned poorly in the direct field of vision, or by light reflecting off other surfaces that causes visual discomfort. It is a form of light pollution which causes annoyance, discomfort, or a notable reduced visibility or visual performance.

30. HORIZONTAL PLANE: the imaginary flat line at the level of a light source that represents the boundary below which all light must be directed. A fixture with no light emitting above the horizontal plane would be called a "full cut-off" fixture meant to prevent light pollution.

31. HOOKUP FEE: fee for the installation and inspection of any pipe, line, meter, or appurtenance that connects to a municipal water, sewer, storm water, power, or other utility system.

~~22~~32. IMPACT FEE: payment of money imposed under UCA § Title 11, Chapter 36a, Impact Fees Act, or as amended

~~23~~33. IMPROVEMENT COMPLETION ASSURANCE: surety bond, letter of credit, financial institution bond, cash, or other equivalent security required by the city to guarantee the proper completion of an infrastructure or landscaping improvement required as a condition in order to record a subdivision plat, or conduct a development activity on a property.

~~24~~34. IMPROVEMENT WARRANTY: applicant's unconditional warranty that the applicant's installed and accepted infrastructure improvement, including landscaping:

- a. complies with the ... materials, and workmanship; and
- b. will not fail ... the improvement warranty period.

~~25~~35. IMPROVEMENT WARRANTY PERIOD: period of time no later than one year after the city's acceptance of required infrastructure, or landscaping, unless the city:

- a. determines for good ... safety, and welfare; and
- b. has substantial evidence, on record;

- (1) of prior poor ... the applicant; or
- (2) that the area ... mitigate the suspect soil.

~~26~~36. INFRASTRUCTURE IMPROVEMENTS: means permanent infrastructure, whether private or public, that is essential for the public health and safety or that:

- a. is required for human occupation; and
- b. an applicant must install :

...

- (B) obtaining a building permit; or
- (C) any development activity.

~~27~~37. INFRASTRUCTURE IMPROVEMENT PLANS: civil engineering plans associated with required infrastructure improvements, and municipally controlled utilities, that are required for a subdivision, site plan, or other development activity.

~~28~~38. INFRASTRUCTURE IMPROVEMENTS FOR ACCEPTING A BUILDING PERMIT APPLICATION, MINIMUM LEVEL: the minimum level of infrastructure improvements that are required to be physically installed, approved, and accepted by the city before a building permit may be applied for includes:

- a. Culinary water service;
- b. Electric service;

...

- d. Sanitary sewer; and
- e. Road base to City specifications;

~~29~~39. INFRASTRUCTURE IMPROVEMENTS FOR RECORDING A SUBDIVISION, MINIMUM LEVEL: means the minimum level of infrastructure improvements that are required to be either:

- a. physically installed, approved, ... by the city; or
- b. are guaranteed with ... 11.8 "Guarantee of Improvements";

...

- (6) All other code ... pertinent to the project.
- d. A developer may ... to record a subdivision.

~~30~~40. INTERNALLY ILLUMINATED: as it relates to signs, means any sign which has a light source entirely enclosed within the sign and not directly visible to the eye.

41. LAND USE APPLICANT: a property owner, or the property owner's designee (developer) who submits a land use application regarding the property owner's land.

~~31~~42. LAND USE APPLICATION: application required by the city, and submitted by a land use applicant, to obtain a legislative land use decision.

~~32~~43. LAND USE AUTHORITY, ADMINISTRATIVE: pursuant to UCA 10-9a-604.1, as amended, administrative land use authority means:

- a. an individual, board, ... or a planning commission.
- b. does not include ... the city council; but
- c. a council member ... land use development decisions.

~~33~~44. LAND USE AUTHORITY, LEGISLATIVE: pursuant to UCA 10-9a-103 (31), as

amended, a legislative land use authority means:

- a. a person, board, ... land use application; or
- b. if the city ... be the city council

~~34~~45. LAND USE DECISION:

- a. Means a legislative ... or appeal authority regarding:
- b. a land use permit; or
- c. a land use application

~~35~~46. LAND USE DEVELOPMENT APPLICANT (OR DEVELOPMENT APPLICANT): a property owner, or the property owner's designee (developer) who submits a land use development application regarding the property owner's land.

~~36~~47. LAND USE DEVELOPMENT APPLICATION (OR DEVELOPMENT APPLICATION): application required by the city and submitted by a developer to obtain an administrative land use development decision; however, this does not mean an application to legislatively enact, amend, or repeal a land use regulation.

~~37~~48. LAND USE PERMIT: a permit issued by the land use authority for the purpose of allowing a land use application.

~~38~~49. LAND USE REGULATION: Means:

- a. A legislative decision ... or development of land;
- b. includes the adoption ... the zoning code; and

...

- (A) increase a land ... the existing specification; or
- (B) impact a land ... applicant's use of land

~~39~~50. LAND USE DEVELOPMENT DECISION:

- a. Means an administrative ... or appeal authority regarding:
 - (1) a land use development permit; or

...

- b. in making a ... of land use regulations.
- c. If a land ... land use development application.

~~40~~51. LAND USE DEVELOPMENT PERMIT: a permit issued by a land use development authority for the purpose of allowing a land use development application.

~~41~~52. LARGE-LOT SUBDIVISION: A large-lot subdivision is a proposed subdivision containing at least fifteen (15) developable acres where the proposed lots are one acre in size or greater.

~~42~~53. LEGISLATIVE BODY: The Nephi City Council.

~~43~~54. LIGHT POLLUTION: means any adverse effect of manmade light. Often used to denote "skyglow" from developed areas, but also includes glare, light trespass, visual clutter and other adverse effects of lighting.

55. LIGHT SOURCE: means the part of a lighting fixture that produces light, e.g., the bulb, lamp, or chips on board.

56. LIGHT TRESPASS: means direct illumination that falls beyond the boundaries of the property where it originates.

57. LOT: a tract of land, regardless of any label, that is created by and shown on a subdivision plat that has been recorded in the office of the county recorder.

~~44~~58. LOT LINE ADJUSTMENT: Relocation of a lot line boundary between adjoining lots or between a lot and adjoining parcels in accordance with UCA § 10-9a-608:

- (1) whether or not ... the same subdivision; and
- (2) with the consent ... owners of record; and
- (3) does not mean ... or subdivision amendment; and
- (4) does not include ... Department of Transportation (UDOT)

~~45~~59. LUMEN: means a unit of luminous flux equal to the light emitted by a uniform point source of one candle intensity. Lumens refers to the amount of light emitted by a bulb (more lumens equates to brighter light).

60. LUMINAIRE: means a complete electric light unit including the lamp and all components directly associated with the distribution, positioning, and protection of the light unit, but it does not include the support components, such as an arm, tendon, or pole; the fasteners used to secure the luminaire; control or security devices; or power supply conductors.

61. MANUFACTURER'S CATALOG CUTS: means a publication or other printed material of a bulb or lighting manufacturer offering visual and technical information about a lighting fixture or bulb.

62. MEETING, CONCEPT PLAN: A pre-application meeting that is requested by an applicant to meet with city designated staff to discuss a concept plan for a subdivision, site plan, or other development activity. The city must schedule a meeting 15 business days after the request. At the pre-application meeting, the staff shall provide or have available on the municipal website the following:

- a. copies of applicable land use regulations
- b. a complete list ... required for the project

...

- d. feedback on the concept plan
- e. this meeting does ... qualify for project vesting.

~~46~~63. MEETING, FINAL PLAT: An informal meeting that includes designated city staff, may include county representatives from the Juab County Recorder's Office, the developer, or their engineer, architect, surveyor, or other appropriate party, and does not have to be conducted in person to finalize all portions of the plat for recording in the County recorder's office for the purpose of ensuring:

- a. all adjacent landowners ... their respective parcel numbers,
- b. the legal description ... appropriate, industry standard level,

...

- f. all lots are ... and are numbered; and
- g. adhere to all ... Juab County Recorder's Office.

~~47~~64. MEETING, PRE-APPLICATION: See definition of Meeting, Concept Plan

~~48~~65. MEETING, PRELIMINARY PLAT (OR DEVELOPMENT REVIEW): a meeting that may include only the land use authority and designated city staff, or may also include the

developer to review and give feedback on preliminary subdivision, site plan, or other development activity plans through the four maximum review cycles described in NCC Subsection 11.5.2.

~~49~~66. NET ACRE: means a gross acre excluding: public rights-of-way, lands with natural slopes greater than thirty percent, geohazard areas, or other unbuildable areas.

~~67~~. OFF-SITE FACILITIES: Facilities designed or located so as to serve the subject property and/or other property outside of the boundaries of the subdivision, site plan, or other development activity, usually lying between the development and existing facilities.

~~50~~68. ON-SITE FACILITIES: Facilities installed within or on the perimeter of the subdivision, site plan, or other development activity.

~~51~~69. OUTDOOR LIGHT FIXTURE: means a complete lighting unit consisting of a lamp(s) and ballast(s) (when applicable), together with the parts designed to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply. Also known as a luminaire, or simply as a light fixture.

~~70~~. PARCEL: any real property that is not a lot.

~~52~~71. PARCEL, ORIGINAL: A parcel that exists prior to completing the required subdivision process to create lots, or a parcel that is exempt from the subdivision process per NCC Subsection 11.3.2 prior to its exempted property division.

~~53~~72. PARCEL OF ORIGIN OR PARENT (PARCEL): A parcel of property that existed in the same size, course, boundaries, or description prior to Nephi City adopting a subdivision ordinance, although ownership may change.

~~54~~73. PARCEL, REMAINDER: A portion of an original parcel that remains undeveloped when a phased subdivision is completed that is anticipated for a future land use approval, does not confer any land use approval by its division, and has not yet been approved by the land use authority, this parcel remains restricted, and may not apply for or receive a building permit until the subdivision process is completed.

~~55~~74. PERSON: an individual, corporation, partnership, organization, association, trust, governmental agency, or any other legal entity.

~~56~~75. PLAT: A shortened version of referring to either a subdivision, preliminary, final, or recordable plat.

~~57~~76. PLAT, FINAL: A final drawing prepared by a licensed engineer or land surveyor, to scale, representing the land division proposed to be prepared for filing with the Juab County Recorder that is in compliance with all the requirements set forth in this title and the Nephi City Title 10 Land Use Regulations, as well as any requirements by the Juab County Recorder.

~~58~~77. PLAT, PRELIMINARY: A preliminary drawing prepared by a licensed engineer or land surveyor, to scale, representing a proposal to subdivide a tract, lot, or parcel of land and meeting the minimum preliminary plat requirements of this title.

~~59~~78. PLAT, RECORDABLE: A final drawing prepared by a licensed engineer or land surveyor, to scale, representing the land division proposed that has been approved by Nephi City in accordance with the requirements of this title, and with §10-9a-603 or §57-8-13 of Utah State Code (as amended), including the proper signatures by the city, and the owner(s) of record, that have been properly notarized as provided by law.

~~60~~79. PLAT, SUBDIVISION: An instrument subdividing property into lots as depicted on a map or other graphic representation of land that a licensed professional land surveyor makes and prepares in accordance with §10-9a-603 or §57-8-13 of Utah State Code (as amended).

~~61~~80. PLAT, VICINITY OR CONCEPT (PLAN): A drawing showing proposed lots and streets, within a potential subdivision including the relationship to existing land and streets in the surrounding area, not required to scale, but with sufficient detail as to show the general size, configuration, and dimensions of each proposed lot, or street labeled with lot numbers and street names.

~~62~~81. PROPERTY, CONTIGUOUS: property located adjacent and connected to another property.

~~63~~82. PROPERTY, INTERVENING: property located between the existing service facility or infrastructure and the property under development.

~~64~~83. PUBLIC AGENCY: "Public agency" means:

- a. the federal government;
- b. the state;
- c. a county, municipality, ... of the state; or
- d. a charter school.

~~65~~84. PUBLIC FACILITY: facilities owned by a public agency

~~66~~85. PUBLIC HEARING: a meeting that is required to be open to the public under Title 52, Chapter 4, Open and Public Meetings Act.

~~67~~86. PUBLIC LANDSCAPING IMPROVEMENT: landscaping that an applicant is required to install to comply with published installation and inspection specifications for public improvements that:

- a. will be dedicated ... by the municipality; or
- b. are associated with ... or existing public infrastructure.

~~68~~87. PUBLIC MEETING: a hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing.

~~69~~88. PUBLIC STREET: a public right-of-way, including a public: highway, avenue, boulevard, parkway, road, lane, alley, viaduct, subway, tunnel, bridge, byway, frontage, or other public transportation easement, or public way.

~~70~~89. PUBLIC UTILITY: a utility provided for the public.

~~71~~90. RECORD OF SURVEY MAP: a map of a survey of land prepared in accordance with UCA § 10-9A-603 or 57-8-13 as amended.

~~72~~91. REVIEW CYCLE: means the occurrence of:

- a. the applicant's submittal ... site plan development application,
- b. the city's review ... site plan development application,

...

- d. the applicant's reply ... requests for additional information.
- e. The review cycle ... § 10-9a-604.2(2) as amended.

~~73~~92. ROAD, STREET, OR HIGHWAY, ADJOINING: a street, highway or road that provides access to another through street.

~~74~~⁹³. ROAD, STREET, OR HIGHWAY, ARTERIAL AND COLLECTOR CLASSES: pursuant to UCA § 72-4-102.5 the following road classes have the same meaning as provided under the Federal Highway Administration Functional Classification Guidelines:

a. Arterial (Class)

(1) Major Arterial

...

(2) Minor Collector (Class)

c. Principal Arterial Highway (Class)

~~75~~⁹⁴. ROAD, STREET, OR HIGHWAY, ASPHALT WIDTH: The width from asphalt edge to edge within a road right-of-way.

~~76~~⁹⁵. ROAD, STREET OR HIGHWAY, LOCAL CLASS: a public highway that is not an arterial or collector highway that is under the jurisdiction of the city or county that:

a. will serve primarily ... areas and property; and

b. is designed to ... or vehicular traffic; and

...

f. has a primary ... complexes, or libraries; and

g. primarily serves traffic ... through several residential areas.

~~77~~⁹⁶. ROAD, STREET, OR ROADWAY, RESIDENTIAL CLASS: a public roadway that is not an arterial or collector class highway, or a local road that is under the jurisdiction of the city or county that:

a. will serve primarily ... areas and property; and

b. is designed to ... or vehicular traffic; and

...

f. cannot have a ... complexes, or libraries; and

g. primarily serves traffic ... through several residential areas.

~~78~~⁹⁷. ROAD, STREET, OR HIGHWAY, RIGHT-OF-WAY WIDTH: the area width of real property in which the City has a dedicated or acquired right-of-way interest.

~~79~~⁹⁸. SAFETY LIGHTING: means the minimum amount of lighting required for the purpose of safety, as required or prescribed by standards and regulations specific to the situation, such as lighting for ingress/egress, doorways, pathways, and driveways.

99. SKYGLOW: means the brightening of the night-time sky resulting from the scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Skyglow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the nighttime sky.

100. SPILL LIGHT: means illumination that reaches beyond the outside of the direct illumination area.

101. SPOTLIGHT: means a fixture or bulb designed to light a small area very brightly. (See "Floodlight").

102. STATE: includes any department, division, or agency of the State of Utah.

~~80~~¹⁰³. SUBDIVIDER: See definition of developer.

~~81~~¹⁰⁴. SUBDIVISION: Any land that is divided, re-subdivided, or proposed to be divided into two (2) or more lots, parcels, sites, units, plots, or other divisions of land for the purpose, whether

immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions; or any development activity that creates additional demand and need for public facilities.

a. Subdivision includes:

(1) The division or ... parcel or lot; or

...

(10) A deed or ... or highway purpose; or

(11) Any other division ... land authorized by law

~~82~~105. SUBDIVISION APPLICATION, FINAL: means a land use application for the subdivision of land that includes adherence to review process requirements of this Title, except it does not require a review of a subdivision improvement plan.

~~83~~106. SUBDIVISION APPLICATION, PRELIMINARY: means a land use application for the subdivision of land that includes adherence to review process requirements of this Title, including without limitation:

a. the submission and ... a subdivision improvement plan;

b. city subdivision ordinance review

...

d. review cycle requirements found in Section 11.5.2

e. compliance with all ... requirements of this title.

~~84~~107. SUBDIVISION IMPROVEMENT PLANS: means the civil engineering plans associated with required infrastructure improvements and city-controlled utilities required for a subdivision.

~~85~~108. SUBDIVISION ORDINANCE REVIEW: means review to verify that a subdivision application meets the criteria of the city's ordinances.

~~86~~109. SUBDIVISION PLAN REVIEW: means a review of the applicant's subdivision improvement plans and other aspects of the subdivision application to verify that the application complies with municipal ordinances and applicable installation standards and inspection specifications for infrastructure improvements.

~~87~~110. SUSPECT SOIL: soil that has:

a. a high susceptibility ... 3% swell potential;

b. bedrock units with ... or swell susceptibility; or

c. gypsiferous silt and ... dissolution and collapse features.

~~88~~111. TEMPORARY LIGHTING: means lighting of a nonpermanent nature, not required for or qualifying as safety lighting, that plugs into an outlet and is not hard-wired.

112. TOTAL LIGHT: means the sum of shielded and unshielded light.

113. TOTAL OUTDOOR LIGHT OUTPUT: means the total amount of light, measured in lumens, from all installed outdoor light fixtures on a property, using each manufacturer's initial rated lumen output.

114. UNSHIELDED FIXTURE: means a fixture that has insufficient shielding to prevent light emission above the horizontal.

115. WATER CONVEYANCE FACILITY: a ditch, canal, flume, pipeline, or other

watercourse used to convey water used for irrigation or storm water drainage and any related easement for the ditch, canal, flume, pipeline, or other watercourse. "Water conveyance facility" does not mean a ditch, canal, flume, pipeline, or other watercourse used to convey water used for culinary or industrial water, or any federal water project facility.

~~89~~116. WATER INTEREST: any right to the beneficial use of water, including:

- a. each of the ... 73-1-1 as amended; and
- b. an ownership interest ... of water represented by:
 - (1) a contract; or
 - (2) a share in ... § 73-3-3,5 as amended.

~~90~~117. ZONING MAP: a map, adopted as part of a land use ordinance, that depicts land use zones, overlays, or districts.

...

SECTION 14: Amendment. Section "11.6.3 Electrical - Power & Lighting" is hereby amended as follows.

~~11.6.3 Electrical - Power~~11.6.3 Electrical - Power & Lighting

~~A.~~General: All subdivisions, site plans, or other development activity that requires electrical power service must comply with the requirement found in the Nephi City standard drawings per 11.6.14, and standard specifications per 11.6.15 as well as utility code requirements found in Title 8.

A. Outdoor Lighting Applicability Industrial 4 (ID4) Zone: All on-site lighting for any project for a subdivision, site plan, or other land development in the ID4 zone for a data center complex, with associated accessory uses and buildings shall comply with this code.

1. Purpose: The general purpose for the outdoor lighting requirements is to promote the public health, safety and welfare, and quality of life.

B. Outdoor Lighting - Shielding and trespass requirements.

1. All permanent and temporary outdoor lighting, or light fixture shall use fully shielded (full cut-off) fixtures and shall be installed so light is directed downward with no light emitted above the horizontal plane of the fixture. Where a light manufacturer provides a BUG rating, the up-light rating.(U) must equal zero.

2. All light fixtures shall be aimed downward and shielded so that the direct illumination shall be confined within the boundaries of the property from which it originates.

3. Outdoor light fixtures shall not be aimed onto adjacent properties causing unnecessary spill light, or glare, except in cases of shared parking, shared pedestrian pathways, or for coordinated development sites spanning multiple parcels.

4. Light trespass onto adjacent public rights-of-way may be allowed, subject to approval of the development review committee (DRC).

5. All lighting should avoid backlighting that serves no functional safety lighting purpose.

6. All unshielded fixtures are prohibited, unless excepted by the DRC in site plan review for

a specific purpose.

7. Flood lights and spot lights are prohibited, unless excepted by the DRC in site plan review for a specific purpose.

8. Temporary Lighting is permitted as long as the total lumen does not exceed twelve-thousand (12,000) lumens per fixture.

9. All light sources in a outdoor light fixture shall have their light output softened by opaque coverings of frosted glass, diffuser panels, heavily patterned metal, or other partially see-through light mitigating products.

C. Outdoor Lighting - Total light brightness, or output.

1. For developments in the ID4 Data Center Industrial Zone, the total outdoor light output from any outdoor lighting fixture shall not exceed fifty-thousand (50,000) lumens per developed net acre.

2. Total outdoor light output exceptions:

a. Street lights used for the express purpose of illumination of public rights-of-way are excluded from total outdoor light output calculations.

b. A property may exceed the total light output limits if one-hundred (100) percent of the proposed lighting is comprised of the minimum, qualifying, and required safety lighting, given the fixture lumens are the minimum required to meet safety illumination standards.

D. Outdoor Lighting - Lighting color.

1. All outdoor lighting shall utilize light sources with correlated color temperature (CCT) not to exceed three-thousand (3,000) Kelvin (K).

E. Outdoor Lighting - Height Limits.

1. Building mounted fixtures shall be between ten (10) feet and thirty (30) feet high, unless specifically excepted by the development review committee (DRC) at site plan review.

2. Security lighting should be vandal resistant.

3. Freestanding light fixtures have height limits based on proximity to the property line.

a. A light fixture within fifty (50) feet of any property line shall be no taller than twenty (20) feet.

b. A light fixture greater than fifty (50) feet, but less than one-hundred (100) feet of any property line shall be no taller than twenty-five (25) feet.

c. All other light fixtures shall be no taller than thirty (30) feet.

4. Exceptions shall be made for safety lights, and lights required by state or federal sources, such as light towers on a tall building for FAA purposes.

F. Outdoor Lighting - Other conditions and standards.

1. Lights that utilize dimmers, timers, and motion sensors to ensure lights are only on when necessary are encouraged.

2. Off-site and skyglow impacts, or light pollution of the lighting should be limited to the greatest practical extent possible.

3. Accent or architectural lighting should be kept to a minimum, and down-lighting directional lighting is encouraged.

4. All illuminated signs shall comply with the standards of Section 10.18 Sign Regulations.

G. Outdoor Lighting - Application and review procedures.

- 1. Plans or drawings indicating the proposed location of lighting fixtures, height of lighting fixtures on the premises, and type of illumination devices shall be provided during site plan review. Plans should also include information for lamps, supports, shielding and reflectors used, as well as installation and electrical details.
- 2. Illustrations, such as contained in a manufacturer's catalog cuts, shall be provided for proposed lighting fixtures, or a diagram of all fixtures provided.
- 3. A photometric plan is required at site plan review showing proposed light fixtures, bulb wattages, shielding mechanisms.
- 4. A table showing the total amount of proposed exterior lights, by fixture type, wattage, lumens, and lamp type, for the purpose of calculating total outdoor lighting output shall be provided at site plan review.
- 5. See examples of acceptable and unacceptable lighting fixtures in Figure A below.

FIGURE A: Examples of Acceptable/Unacceptable Lighting Fixtures

The following image has been added:



HISTORY:

Ord. 6-05-07, 6-6-2007; amd. ... 9-21-2021; Ord. 12-17-2024, 12-17-2024

SECTION 15: **Amendment.** Section "11.6.8 " is hereby amended as follows.

...

TABLE OF PARKING LOT SPACES REQUIRED PER USE

...

<div>Row</div> <div>Business park</div>	Three (3) spaces per 1,000 square feet of gross floor area, -or- one and one half (1.5) spaces per employees at work during the largest shift, whichever is greater
<div>Row</div> <div>Contractor's yard/office</div>	One (1) space per 500 square feet of office area
<div>Row</div> <div><u>Industrial, data center</u></div>	<u>One (1) space per employee at work during the largest shift, plus four (4) additional spaces for visitors</u>
<div>Row</div> <div>Industrial, heavy</div>	Two (2) spaces per 1,000 square feet of floor area, or one (1) space per employee at work during the largest shift, whichever is greater

<div>Row</div> <div>Industrial, light</div>	Two (2) spaces per 1,000 square feet of gross floor area, -or- one and one half (1.5) space per employee at work during the largest shift, whichever is greater
---	---

...

SECTION 16: Amendment. Section "11.6.12 " is hereby amended as follows.

...

- (B) list the use ... calculation was based on
- (C) Parking study by ... parking stall number requirements
- j. General Area Landscaping: A landscaping design for the site shall be reviewed and approved by the planning commission at site plan review.

(1) Front, Side, and Rear Yards: At least twenty-five percent (25%) of the total property that lies within the front, side, and rear yard setback areas, that are visible from any city street, shall be landscaped, which may be xeriscape.

(A) Planter Strip: A minimum three (3) feet wide planter strip with curbing shall be placed at the front, side and rear property boundaries, when the following applies:

i. Front yards, and side yards abutting a street must always install this along the entire length of frontage.

~~A permanent sprinkling system shall be installed in all required landscaping, except~~
ii. Interior side yards must only install this, for as far back in depth as the minimum front yard setback for the zone, unless open to view from the public right-of-way.

iii. Rear yards must only install this if they are open to view from the public right-of-way.

~~for approved dry landscaping areas.~~

iv. Parking areas must install this as a minimum buffer between the parking lot and any property line, and between any access driveway unless the driveway is to be used for common access by an adjacent lot, or is a rear yard accessway not open to view from the public right-of-way.

~~(1) Front Yard: At least fifty percent (50%) of the front yard~~ (2) Abutting residential: Irrespective of other requirements, developments abutting residential uses shall have a minimum of ten (10) feet of perimeter landscaping for only the length of the residential property abutting the project directly. The landscaping may be xeriscape, but shall include:

~~(A strip at least~~

(A) Larger trees with a minimum of one, and a half (1 1/2) inch caliper, planted at thirty (30) feet interval spacing with no tree placed any closer than thirty (30) feet from an access opening, or driveway.

(B) Shrubs planted to form a buffer between uses that are separated every three (3) feet ~~wide~~ as measured at the center of the shrubs.

(C) Buffer areas may be approved with reduced landscaping by the

development review committee (DRC) at site plan review, when not open to view from public rights of way, and where it can be shown that the reduced buffer areas will still conform to the intent of this title of beautifying the project property, and attempting to buffer adjacent residential uses from unsightly storage, noise, noxious smells or other nuisance created by a more intensive industrial use.

(3) Other Landscaping:

(A) Along Buildings: Landscaping planters and/or raised sidewalks shall be installed directly adjacent to main buildings, in conjunction with curbing, with a minimum of a four (4) inch back and six (6) inch height, and a sidewalk minimum width of four (4) feet, to act as a buffer between pedestrian, and vehicular travel, and to protect the project main buildings from vehicles.

(B) Along Paving: All landscaped areas abutting any paved area shall be curbed with a minimum of a four (4) inch back and six (6) inches height.

(C) Berming and Landscaping Height Limit: to ensure safe visibility for vehicles and pedestrians at street intersections, driveways, and access points landscaping or berming shall be limited to a height of not more than three and one-half (3.5) feet above the top back-of-curb elevation of the adjacent roadway. Berming and landscaping limits shall apply within the following areas:

~~The landscaping shall occur at the front property line.~~ i. Driveways and Access Openings: A minimum clear sight triangle shall be maintained measuring thirty (30) feet along both sides of the driveway or access point, beginning at the edge of the access opening and extending 30 feet back along the adjacent curb or property line. These two 30 feet setback points shall be connected to form a triangle, within which the height restriction shall apply.

~~This standard shall apply to both frontages of a corner lot.~~ ii. Street Intersections: At the corner of intersecting streets, a clear

(2) ~~sight~~ Sidetriangle And Rear Yards:

~~(A) There shall be a minimum of three (3) feet of landscaping between parking areas and side or rear property lines and a minimum of three (3) feet of landscaping between an access driveway and a side or rear property line, unless said driveway is to be used for common access by an adjacent lot. Other side and rear setback areas that are open to view from public rights of way or from residential property shall also have a minimum of three (3) feet of landscaping; provided, that one accessway not to exceed twelve (12) feet in width may be allowed to undeveloped property in the rear of a site.~~ shall be maintained by measuring thirty (30) feet from the point of intersection of the property lines (or their projections) along both frontages. A straight line connecting these two points shall form the third leg

~~(3) Abutting residential: Irrespective of other requirements, developments abutting residential uses shall have a minimum of ten (10) feet of perimeter landscaping where the development abuts such residential use and shall have large trees (minimum 1 1/2 inch caliper), and shrubs planted to form a buffer between uses. Trees shall be planted at thirty (30) feet spacing and shrubs on three (3) feet centers of the triangle. All landscaping or berming within this triangle shall comply with the 3.5 foot height limit.~~

~~Buffer areas may be approved with interval landscaping when not open to view from public rights of way and where it can be shown that~~ iii. Exceptions: Trees may be

permitted within the clear sight triangle provided that branches are trimmed to maintain a minimum clearance of six (6) feet above the adjacent curb grade.

~~the buffer areas will conform to the intent of this title.~~

iv. Compliance:

Non-conforming berms or landscaping installed after the adoption of this

~~(4)code Othershall~~ Landscaping:

~~(A) Landscaping planters and/or raised sidewalks shall be installed along buildings and any paved areas.~~ be subject to modification or removal at the owner's expense upon notification by the city.

~~(B) All landscaped areas abutting any paved area shall be curbed (minimum of a 4 inch back and 6 inches high).~~ (D) Trees In Front Yards: Trees shall be required in front yards, at thirty (30) feet intervals, and shall not be placed any closer than thirty (30) feet from an access area or driveway.

~~(C) At intersections of streets, driveways, sidewalks, etc.,~~ (E) Xeriscape Landscaping: All required landscaping areas are allowed to use xeriscape landscaping using limited lawn, grasses, ground cover, shrubs, vines, trees, and dry landscape materials, such as stone and decorative rocks.

~~Landscaping shall be limited to a height of not more than three and one-half feet (3 1/2') above top back of curb within the area required for minimum sight distances as specified in the geometric design guide~~

(F) Native Landscaping: All areas not visible to the public, and not within the required ten (10) feet landscaped buffer area between adjacent residential uses, may be allowed to be native landscaping, so long as the natural vegetation is maintained, so as to not to present a fire hazard.

~~(AASHTO) for local roads and streets:~~

(G) Undeveloped adjacent property: on adjacent land proposed for future phased expansion, the area shall be maintained free of weeds and trash.

~~(D) Trees In Front Yards: Trees shall be required in front yards, at thirty (30) feet intervals in accordance with the street planning guide for arterial and collector streets.~~ (H) Maintenance of Landscaping:

~~(5) Other Non-parking Areas:~~

~~(A) All unpaved landscaping areas not utilized for parking, access or storage, shall be landscaped utilizing ground cover, shrub and tree materials, and/or dry landscape materials.~~

~~(B) Undeveloped areas proposed for future expansion shall be maintained free to ofensure weeds and trash.~~

~~(C) Required Planting Areas: The planting of trees, lawn and shrubs, or other material as approved, is required within appropriate areas, especially along street frontage and along boundaries that abut residential lots, as provided for herein.~~

~~(D) Improvements Specified: When an area in a commercial, industrial or multi-family residential zone is required to be landscaped by the terms of this title, the requirement shall be met by the installation and maintenance of improvements as set forth below:~~ the living materials such as

~~(E) Lawn and shrubs, or a combination of shrubs, trees, vines or other growing ground cover shall cover the entire area to be landscaped~~grass, ~~except that water surfaces and dry landscaping may be allowed; provided~~shrubs, that~~continue~~ such area shall not comprise more than twenty percent (20%) of the area required to be live landscaped.

~~(F) All landscaping established as required by and in conformance to this section shall be maintained in a manner as to assure the continued growth of living materials placed therein and the removal of weeds, debris and other matter not consistent with the provisions of this chapter.~~and beautify the property, and remains free of weeds and debris.

k. Traffic Study to ... Traffic Congestions: shall consider:

(1) The effect of ... conditions on abutting streets.

...

SECTION 17: 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 18: 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