



NOTICE OF PUBLIC HEARING

- **SUBJECT:** TCLUO 2026-141
- **PROJECT SUMMARY:** Staff requesting adoption of Chapter 17B Technology Industries.
- **Unincorporated:** Tooele County **Planner:** Mili Pioquinto

On **October 7, 2026** the Tooele County Planning Commission will hold a public hearing regarding the request described above. The meeting will be held at 7:00 p.m. at the Tooele County Administration Building (Council Chamber, Third Floor), 47 S. Main Street, Tooele, UT 84074. Also via zoom located on the Tooele County Website: <https://tooeleco.gov/> under "Agendas and Meetings."

You have the right to attend and speak at the public hearing. Please be advised that, in rendering its decision, the Planning Commission can only rely on evidence, not opinion or conjecture. Written comments may also be submitted; however, such comments must be received no later than twenty-four (24) hours prior to the scheduled meeting date to allow for proper distribution to the Planning Commission and the applicant.

For questions or additional information, please contact the Community Development Office at 435-843-3160.

The future meeting regarding this application will also be posted at the Tooele County Building, posted on the Tooele County Website and Utah Public Notice Website.





Tooele County Planning Commission Agenda Item Summary

Department Making Request:

Community Development

Meeting Date:

October 7, 2026

Item Title:

TCLUO 2026-141: Chapter 17B Technology Industries.

Summary:

Planning Staff is requesting Tooele County Land Use Ordinance Chapter 17B to create a chapter for Technology Industries.



Planning and Zoning

47 S. Main Street • Room 208 • Tooele, UT 84074

Phone: (435) 843-3160 • Fax: (435) 843-3252

<https://tooeleco.gov/government/county-departments/community-development/>

TCLUO 2026-141

Chapter 17B Summary and Recommendation

Public Body: Tooele County Planning Commission

Meeting Date: October 7, 2026

Request: Tooele County Planning Staff is requesting the Tooele County Land Use Ordinance Chapter 17B to create a chapter for Technology Industries.

Planner(s): Mili Pioquinto

Planning Staff Recommendation: Favorable.

PROJECT DESCRIPTION

Chapter 17B is intended to establish land use standards and review procedures for technology industries in the unincorporated areas of Tooele County.

LAND USE CONSIDERATIONS

17B-2. Purpose and Intent.

- (1) The purpose of the Technology Industries (T-I) District is to provide areas for technology-based industries engaged in research, development, production, assembly, testing, digital infrastructure, data processing, and directly related services, while protecting surrounding land uses, public health, water resources, infrastructure, environmental quality, and the County's scenic vistas. Data center facilities are a conditional use in this zoning district, reviewed and decided under Chapter 34, Data Center Facilities. The District is deliberately narrow: it is not a general industrial district, and warehousing, distribution, logistics, and other uses that do not depend on the technology character of the District are excluded by Section 17B-6.
- (2) The District is intended to: (a) provide a predictable approval path in which this Chapter establishes which uses are allowed, Chapter 34 establishes the standards that apply to data center facilities, and a development agreement, where one is used, governs how a specific approved project is built; (b) conserve potable water; (c) prevent unreasonable noise, light, heat, emissions, vibration, and hazardous-material impacts; (d) protect sensitive land uses; (e) require transparent resource-use and compliance reporting; (f) coordinate private development with infrastructure and emergency-response capacity; and (g) provide for safe closure and site stabilization.
- (3) This Chapter shall be interpreted consistently with Utah Code and other controlling state and federal law.

GENERAL PLAN CONSIDERATIONS

Chapter 17B is intended to align with the Tooele County General Plan Update (2022) by ensuring that the zoning district is consistent with the General Plan's vision and land use objectives for development.

NEIGHBORHOOD RESPONSE

Any comments that are received from the general public after this staff report is submitted will be forwarded to the Tooele County Planning Commission for review and will be summarized on October 7, 2026.

PLANNING STAFF ANALYSIS

Tooele County currently has a Technology Industries (TI) zoning district established under Chapter 17A. Planning Staff has determined that this zoning district would be more appropriately addressed within its own chapter of the Land Use Code. The proposed amendments are intended to establish a clear and specific regulatory framework for the responsible siting and development of facilities that may qualify for the Technology Industries zoning district, while protecting public health, safety, and welfare, as well as environmental resources.

The Technology Industries zoning district is currently not applied to any property within Tooele County.

PLANNING STAFF RECOMMENDATION

Planning Staff recommends that the Tooele County Planning Commission makes a motion to recommend the adoption of Chapter 17B to the Tooele County Council.

MODEL MOTIONS

Sample Motion for Tabling

- "I move we table the Tooele County Land Use Ordinance Request by staff for adoption of Chapter 17B, application number 2026-141, based on the findings and subject to the considerations listed by the Planning Staff."

Sample Motion for Favorable Recommendation

- "I move we give a favorable recommendation to the Tooele County Council the Tooele County Land Use Ordinance Request by staff for adoption of Chapter 17B, application number 2026-141, based on the findings and subject to the conditions listed by the Planning Staff."

Sample Motion for Unfavorable Recommendation

- "I move we give unfavorable recommendation to the Tooele County Council the Tooele County Land Use Ordinance Request by staff for adoption of Chapter 17B, application number 2026-141, based on the findings and subject to the conditions listed by the Planning Staff."

CHAPTER 17B

TECHNOLOGY INDUSTRIES ZONING DISTRICT

17B-1. Short Title.

This Chapter shall be known as the “Technology Industries Zoning District.” The existing zoning-map symbol is “T–I.”

17B-2. Purpose and Intent.

(1) The purpose of the Technology Industries (T–I) District is to provide areas for technology-based industries engaged in research, development, production, assembly, testing, digital infrastructure, data processing, and directly related services, while protecting surrounding land uses, public health, water resources, infrastructure, environmental quality, and the County’s scenic vistas. Data center facilities are a conditional use in this zoning district, reviewed and decided under Chapter 34, Data Center Facilities. The District is deliberately narrow: it is not a general industrial district, and warehousing, distribution, logistics, and other uses that do not depend on the technology character of the District are excluded by Section 17B-6.

(2) The District is intended to: (a) provide a predictable approval path in which this Chapter establishes which uses are allowed, Chapter 34 establishes the standards that apply to data center facilities, and a development agreement, where one is used, governs how a specific approved project is built; (b) conserve potable water; (c) prevent unreasonable noise, light, heat, emissions, vibration, and hazardous-material impacts; (d) protect sensitive land uses; (e) require transparent resource-use and compliance reporting; (f) coordinate private development with infrastructure and emergency-response capacity; and (g) provide for safe closure and site stabilization.

(3) This Chapter shall be interpreted consistently with Utah Code and other controlling state and federal law.

17B-3. Applicability and District Form.

(1) T–I remains an existing base zoning district. This Chapter applies to land shown as T–I on the official zoning map. Adoption of this text amendment does not itself change any parcel’s zoning designation.

(2) This Chapter applies to establishment, expansion, substantial modification, operation, monitoring, enforcement, closure, and decommissioning of a use authorized or regulated under this Chapter.

(3) A data center facility outside T–I is allowed only if another County zoning district expressly lists that use. Similar-use determinations shall comply with the County’s adopted process and Utah Code.

(4) Lawfully established facilities are governed by the County’s nonconforming-use and noncomplying-structure provisions except as otherwise allowed by state law.

(5) Land is placed in, or removed from, the T–I District only by a zoning map amendment adopted by the County Council as a legislative land use decision under Section 17B-6(4). Consistent with Utah Code, there is no minimum area or diversity-of-ownership requirement for the District, and the size of the District or the number of owners within it is not by itself evidence that a zoning map amendment is unlawful.

(6) This Chapter is the exclusive source of the uses allowed in the T–I District. Where Chapter 17A or another chapter of the Land Use Ordinance lists a permitted or conditional use for the T–I District, or defines a use in a manner that could be read to allow a data center facility in any district other than as provided in Chapter 34, this Chapter controls. The ordinance adopting this Chapter shall repeal or amend the conflicting listing.

17B-4. Relationship to Other Ordinances and Approvals.

(1) Unless this Chapter expressly provides otherwise, all generally applicable provisions of the Tooele County Land Use Ordinance, subdivision ordinance, road standards, building and fire codes, health regulations, stormwater requirements, floodplain and geologic-hazard regulations, and adopted fee schedules apply.

(2) Chapter 12 site-plan approval is required before a building permit or land-use permit for any use in T-I.

(3) If this Chapter conflicts with a generally applicable zoning standard, the more specific provision of this Chapter controls. A stricter requirement imposed by controlling state or federal law remains applicable.

(4) This Chapter does not replace any permit or approval required by the Utah Division of Air Quality, Division of Water Quality, Division of Water Rights, State Fire Marshal, Public Service Commission, federal agency, water or sewer provider, electric utility, or other entity with jurisdiction.

(5) No County approval represents a guarantee of utility service, water rights, water supply, interconnection, electrical capacity, wastewater capacity, air permit eligibility, or compliance with private covenants.

17B-5. Definitions.

Terms used in this Chapter have the meanings assigned in Chapter 2. Terms specific to data center facilities have the meanings assigned in Chapter 34, Data Center Facilities. If a data-center term in Chapter 34 conflicts with a general term in another chapter, the more specific Chapter 34 definition controls for application of data-center requirements.

Development agreement. A written agreement between the County and one or more owners of the property that is the subject of the agreement, entered into in connection with a zoning map amendment or other legislative land use decision and adopted by the County Council pursuant to Utah Code § 17-79-508, as amended, and any successor provisions, and any applicable procedures of this Land Use Ordinance. A development agreement under this Chapter identifies the approved project and governs how it is developed: it may vest specified land-use rights for a stated term, establish a master development plan and maximum development program, and allocate phasing, infrastructure, and public-service obligations, as provided in Section 17B-6(5). It does not establish, expand, or restrict the uses allowed in the T-I District, which are established exclusively by Section 17B-6(1); may not authorize a use, waiver, or variance not otherwise authorized by law; and does not address host community benefit or economic incentive terms, which are governed by separate agreements under Section 17B-6(6) and Section 34-14(5).

Technology industry. An establishment primarily engaged in research, development, testing, production, assembly, digital infrastructure, data processing, or related technology-based services and products, as listed in Section 17B-6(1). The term does not include general warehousing, distribution, freight or logistics, truck terminals, general outdoor storage, extractive industry, or electrical generation that does not primarily serve a principal use listed in Section 17B-6(1).

17B-6. Uses; Zoning Map Amendments; Development Agreements.

(1) **Uses allowed.** Notwithstanding any use listing for the T-I District elsewhere in the Land Use Ordinance, the following uses, and no others, are allowed in the T-I District. “P” means a permitted use. “C” means a conditional use reviewed under Chapter 7 or, for a data center facility and the facilities that serve it, under Chapter 34. A use not listed in this Subsection is prohibited unless added by amendment of this Section; a request to classify an unlisted use shall comply with the County's adopted similar-use process and Utah Code.

- a. Data center facility and data center campus, together with each co-located power generation facility, microgrid, energy storage system, substation, switchyard, and transmission facility primarily serving a data center facility — C. Reviewed and decided by the Planning Commission under Chapter 34 as a single data center conditional use permit, and subject to Section 34-4(2), under which a mega data center facility is prohibited except as Section 34-8-1(5) allows.

(2) Uses expressly excluded. The following are not allowed in the T–I District as principal uses and may not be established as accessory uses except to the limited extent stated in Subsection (3): general warehousing and distribution centers; freight, logistics, and fulfillment facilities; truck terminals and truck-parking facilities; general outdoor storage; mining, extraction, and mineral processing; smelting, refining, and chemical manufacturing; solid-waste, recycling-processing, and salvage facilities; electrical generation that does not primarily serve a principal use listed in Subsection (1); dwellings and other residential uses; and general retail, other than limited retail accessory to a principal use.

(3) Accessory uses. A use or structure that is customarily incidental and subordinate to a principal use listed in Subsection (1) and located on the same site or campus is allowed as an accessory use, including onsite offices, employee amenities, security and maintenance facilities, parts and equipment storage within an enclosed building, telecommunications facilities, parking, and utility infrastructure. An accessory use serving a data center facility, including backup generation, fuel storage, cooling systems, energy storage, substations, switchyards, and transmission facilities, is allowed only as disclosed, evaluated at full build-out, and approved under Chapter 34 as part of the data center conditional use permit. Co-located power generation and microgrids are not accessory uses and are governed by Section 34-4(4). Separate parcels, owners, meters, tenants, or phases may not be used to avoid Chapter 34.

(4) Placement of land in the District; legislative decision. An application to place land in the T–I District is an application for a zoning map amendment, decided by the County Council as a legislative land use decision after Planning Commission review and recommendation and the notice and public hearing required to enact a land use regulation. The County Council may approve the amendment, approve it with a development agreement under Subsection (5), or deny it, based on its consideration of the General Plan; the compatibility of the uses allowed in the District with surrounding land uses; the adequacy and cost of roads, water, wastewater, electrical, fire, and emergency services; water supply; and the health, safety, and welfare of County residents. Where the applicant proposes a data center facility, the applicant shall submit with the zoning map amendment application the project description and disclosure statement required by Section 34-5-1 and a conceptual master plan sufficient to evaluate the facility at full build-out. Approval of the zoning map amendment does not approve the facility, which requires a conditional use permit under Chapter 34.

(5) Development agreement. (a) Consistent with Utah Code § 17-79-508, the County Council may require a development agreement as a condition of approving a zoning map amendment to T–I, and shall consider and act on the agreement concurrently with the amendment. (b) A development agreement under this Chapter is limited to project-specific matters and may address: identification of the approved project by reference to an approved master development plan; a maximum development program, including maximum building area and, for a data center facility, a maximum coincident electrical demand that a conditional use permit under Chapter 34 may not exceed; phasing and development milestones; roads, access, utility corridors, water, wastewater, electrical, and other infrastructure, and the timing and funding of those improvements; dedications and public improvements consistent with applicable exaction law; financial assurance; the term and scope of vested rights; assignment; and amendment procedures. (c) A development agreement shall not: (i) establish, expand, or restrict the uses allowed in the District, which are established exclusively by Subsection (1); (ii) authorize a use, waiver, or variance not otherwise authorized by law, or waive or vary a Chapter 34 standard except as Chapter 34 expressly allows; (iii) substitute for, or predetermine the outcome of, the conditional use permit required by Chapter 34; or (iv) require, or be conditioned on, a host community benefit agreement or economic incentive agreement.

(d) A development agreement is not required for a use that is allowed by this Chapter on land already zoned T-I and fully regulated by applicable land use ordinances, and the County shall not require a development agreement in the circumstances described in Utah Code § 17-79-508(2)(d).

(6) Community benefit and incentive agreements are separate. A host community benefit agreement, economic incentive agreement, energy excise tax agreement, or similar agreement is voluntary; is negotiated separately from the zoning map amendment, any development agreement, and the conditional use permit; is approved by the County Council in an open public meeting; and is not a condition of, or a prerequisite to, any land use approval under this Chapter or Chapter 34, as provided in Section 34-14(5).

(7) No entitlement before approval. An application, negotiation, concept plan, utility request, tax discussion, infrastructure study, draft development agreement, or draft community benefit agreement does not place land in the T-I District, authorize a use, create a vested right, or obligate the County Council to approve a zoning map amendment or development agreement. A zoning map amendment is a legislative decision, and no land use right vests in an applicant by reason of submitting a zoning map amendment application. Vested rights under a development agreement arise only upon final approval, execution, and effectiveness of the agreement and only to the extent stated in it. A land use application for a use allowed on land already zoned T-I vests as provided in Utah Code § 17-79-803 and any successor provision.

(8) Interpretation and legal review. This Section is intended to place the decision whether land is appropriate for the uses allowed in the T-I District with the County Council as a legislative matter, and to place the review of a specific data center facility with the Planning Commission as an administrative matter under Chapter 34. It shall not be interpreted to require a development agreement for a use that is independently allowed and fully regulated by applicable land use ordinances, contrary to Utah Code § 17-79-508. The County Attorney shall review each proposed development agreement and the final ordinance language before approval.

17B-7. General Development Restrictions.

(1) Minimum yard setbacks for non-data-center uses shall be established through the applicable approval, except that no commercial or industrial building shall be located closer than 100 feet to a residential zoning-district boundary or 50 feet to a street line that continues as frontage into a residential district.

(2) Buildings and structures shall cover no more than 50 percent of the lot area, retaining the existing T-I standard, except as otherwise expressly allowed by adopted ordinance.

(3) The maximum building height for a non-data-center use is 35 feet, retaining the existing T-I standard, unless another adopted provision expressly allows additional height. For a data center facility, the building height standard of Chapter 34, Section 34-6(2), applies in lieu of this Subsection.

(4) No structure may encroach upon an easement. All development shall comply with applicable airport, military, utility, floodplain, geologic-hazard, and other siting limitations.

17B-8. Lot Area, Width, Frontage, and Building Separation.

1. Building separation shall comply with the adopted building and fire codes. Data center facilities are additionally subject to Chapter 34.

17B-9. Infrastructure and Improvements.

(1) Development shall provide or lawfully secure the roads, access, drainage, culinary water, wastewater, fire protection, electrical service, communications, and other infrastructure required by adopted County standards and the serving authorities.

(2) Project-specific dedications, improvements, payments, or capacity requirements shall comply with applicable impact-fee law and Utah Code, including nexus and proportionality requirements.

(3) Chapter 34 governs data-center infrastructure, utility-capacity, water, energy, backup power, microgrid, and co-located generation requirements in addition to this Chapter.

17B-10. Data Center Facilities—Chapter 34 Controls.

(1) A data center facility, data center campus, and the facilities that serve them are conditional uses in the T-I District under Section 17B-6(1)(a), reviewed and decided by the Planning Commission as Land Use Authority under Chapter 34. No such use is permitted by right, and no such use may be established except under a conditional use permit issued under Chapter 34.

(2) The County Council is the legislative authority for a zoning map amendment placing land in the T-I District and for any development agreement approved concurrently with that amendment under Section 17B-6(5). The Planning Commission shall provide the review and recommendation, and the County shall provide the notice and hearings, required for that legislative action. The Planning Commission is the Land Use Authority for the conditional use permit under Chapter 34, and the Community Development Director administers site-plan and other administrative approvals as provided in this Chapter, Chapter 12, and Chapter 34.

(3) Co-located power generation, a serving microgrid, battery storage, substations, transmission infrastructure, backup generation, and other supporting facilities are not independently authorized. Each shall be disclosed and reviewed as part of the data center conditional use permit under Sections 34-4(4) and 34-4(5), shall remain within any maximum development program established in an applicable development agreement, and shall receive any additional site-plan, utility, environmental, or other approval required by Chapter 34 or applicable law.

(4) All data-center accessory and supporting uses shall be disclosed, evaluated at full build-out, and included in the conditional use permit application to the extent required by Sections 34-4 and 34-5. Separate parcels, owners, meters, tenants, phases, or utility arrangements may not be used to avoid Chapter 34 or an applicable development agreement.

(5) Chapter 34 controls data-center-specific definitions and classification; application disclosures and studies; cumulative campus and full-buildout analysis; design, height, setbacks, thermal buffers, sensitive-receptor separation, building massing, landscaping, screening, lighting, equipment placement, access, drainage, construction management, and heat-island mitigation; water, cooling, noise, air emissions, hazardous materials, fire and emergency response, traffic, power supply, generation, microgrids, and operational performance; notice and public engagement where independently applicable; monitoring, annual reporting, inspection, enforcement, decommissioning, financial assurance, appeals, expiration, transfer, expansion, substantial modification, and operational changes.

(6) The data center development standards adopted in Chapter 34, including without limitation those in Sections 34-6 and 34-7, control the design, height, setbacks, thermal buffer distance, sensitive-receptor separation, building massing, landscaping, screening, lighting, equipment placement, access, drainage, construction management, and operational performance of any data center facility in the T-I District. This Chapter does not summarize the specific numerical standards in Chapter 34. Where Chapter 34 is amended, the amended standards control without further amendment of this Chapter.

(7) A facility or campus prohibited by Section 34-4(2) is prohibited in T-I, except only to the extent a low-emission power supply adjustment is lawfully approved under Section 34-8-1(5). Chapter 17B does not create an independent adjustment, entitlement, or exception.

(8) Within an RSDZ Overlay, Chapter 34 applies in addition to the overlay chapter. Creation or approval of an RSDZ does not itself approve a data center, waive Chapter 34, or create a vested land-use right.

(9) Section 17B-6 establishes a data center facility as a conditional use in T-I and governs the placement of land in the District. Chapter 34 controls the technical review and performance requirements unless a lawfully approved legislative enactment expressly provides otherwise. If Chapter 34 is silent, Chapter 17B and other generally applicable ordinances apply.

(10) No Chapter 34 requirement may be waived or varied unless Chapter 34 or controlling law expressly authorizes the adjustment and establishes the applicable procedure and findings.

(11) Chapter 34 governs, and an applicable development agreement may supplement within the limits of Section 17B-6(5), data-center-specific application materials, site design, building and equipment placement, setbacks, height, buffering, landscaping, screening, fencing, lighting, visual impacts, water supply and cooling, electrical systems, substations, transmission facilities, backup generation, battery energy storage, microgrids, co-located power generation, renewable energy, noise, vibration, air emissions, hazardous materials, fuel, fire safety, wastewater, stormwater, thermal discharge, transportation, sensitive-use separation, environmental and public-health review, monitoring, reporting, audits, expansion, enforcement, closure, decommissioning, and financial assurance.

17B-11. Relationship to Other County Ordinances.

(1) All uses remain subject to generally applicable provisions of the Tooele County Land Use Ordinance, including without limitation Chapter 2 (Definitions), Chapter 7 (Conditional Uses), Chapter 12 (Site Plans), the subdivision ordinance, the parking, signage, nuisance, and hazard chapters, adopted road standards, the adopted building and fire codes, drinking-water-source protection regulations, telecommunications and energy facility chapters, floodplain regulations, geologic-hazard regulations, and adopted fee schedules.

(2) A data center facility in T-I is additionally subject to Chapter 34 (Data Center Facilities), the Regionally Significant Development Zone Overlay chapter where the overlay has been applied, the Tooele County Energy Excise Tax Ordinance where applicable, and any development agreement approved under Section 17B-6(5).

(3) The most specific applicable use standard controls over a general district standard. Where Chapter 34 and another Chapter of the Land Use Ordinance both address the same subject as applied to a data center facility, Chapter 34 controls; where Chapter 34 is silent, this Chapter and generally applicable ordinances apply. A stricter requirement imposed by controlling state or federal law remains applicable.

(4) A development agreement approved under Section 17B-6(5) may not waive or vary a generally applicable ordinance provision except as expressly authorized by that provision or by law, and may not establish or restrict the uses allowed in the District.

17B-12. Site-Plan Review.

(1) Site-plan approval under Chapter 12 is required before issuance of a building permit or land-use permit for a permitted or conditional use in T-I.

(2) The site plan shall demonstrate compliance with this Chapter and every applicable use-specific chapter. A data-center application shall include the disclosures, plans, studies, independent reviews, cumulative analysis, public materials, protected-records submission, and other items required by Section 34-5.

17B-13. Conditional Uses.

(1) A conditional use listed in Section 17B-6(1), other than a data center facility and the facilities that serve it, is reviewed under Chapter 7. A data center facility and the facilities that serve it are reviewed and decided under Chapter 34; where Chapter 7 and Chapter 34 both address the same subject as applied to a data center facility, Chapter 34 controls.

(2) Following approval of a conditional use permit under Chapter 34 and, where one applies, a development agreement under Section 17B-6(5), subsequent administrative applications, including site-plan approval under Chapter 12, building permits, land-use permits, grading and drainage permits, and any other administrative approvals required by adopted County ordinance, shall be approved when they comply with the conditional use permit, any applicable development agreement, and all objective standards of Chapter 12 (Site Plans), this Chapter 17B, and Chapter 34, without further legislative discretion. A subsequent administrative approval may not impose a standard inconsistent with the conditional use permit or an applicable development agreement, and may not deny an application that complies with them and with applicable objective standards.

17B-14. Expansions and Modifications.

(1) Expansion, substantial modification, phased development, campus aggregation, transfer, or material operational change to a data center shall be reviewed under Chapter 34 and, where one applies, the development agreement. A change outside the maximum development program or other approved scope of a development agreement requires an amendment of the agreement approved by the County Council through the process required by law, in addition to the Chapter 34 review.

17B-15. Agency Coordination.

(1) Applications for any use in T-I shall be routed, as applicable, to Planning and Zoning, the County Attorney, the Tooele County Health Department, the fire authority with jurisdiction, County Emergency Management, County Engineering, County Roads Department, the applicable water and sewer providers, the serving electric and gas utilities, and any state or federal agency having jurisdiction.

(2) A data center facility application shall additionally be routed, as applicable, to the Utah Division of Air Quality, the Utah Division of Water Quality, the Utah Division of Water Rights, the Utah Public Service Commission, the Utah Division of Emergency Management, the Utah State Fire Marshal, the Utah Governor's Office of Energy Development, the school district, and each other taxing entity whose revenues may be affected under Section 34-5-10. Where the facility proposes nuclear generation, the application shall also be routed for informational purposes to the United States Nuclear Regulatory Commission and the Utah Division of Waste Management and Radiation Control.

(3) Referral agencies shall be given not less than 30 days to respond. A referral agency's failure to respond within the referral period does not delay County action and does not waive that agency's independent regulatory authority.

(4) The Community Development Director shall summarize all referral responses in the staff report and shall identify any referral response that recommends a condition, mitigation measure, or denial. Where a referral response and an applicant submission conflict, the staff report shall identify the conflict and the basis for staff's recommended resolution.

(5) Referral does not transfer the County's land-use authority or expand an agency's legal jurisdiction.

17B-16. Enforcement.

(1) A violation of this Chapter, Chapter 34, an approval, an incorporated plan, a development agreement, or a lawful condition is a violation of the Tooele County Land Use Ordinance and is subject to the County's adopted enforcement provisions and remedies, including without limitation: notice of violation and order to correct; stop-work orders; revocation or suspension of a permit, approval, or certificate of occupancy where authorized by law; civil penalties as established by the adopted fee schedule; injunction, abatement, and other equitable relief; and any remedy provided by the development agreement, a financial assurance instrument, or an improvement agreement.

(2) The Community Development Director, or a designee, is the enforcement officer for this Chapter. The County Attorney may bring any civil action to enforce this Chapter, Chapter 34, or a development agreement.

(3) Data-center corrective action, operational compliance, monitoring, annual reporting, closure, and decommissioning shall be administered under Chapter 34, Sections 34-10 and 34-11. A development agreement may not limit the County's remedies under Chapter 34 or this Section.

(4) Breach of a development agreement approved under Section 17B-6(5) is, in addition to any contractual remedy provided in the agreement, a violation of this Chapter enforceable under Subsection (1). Where the agreement provides a cure period, the County shall give written notice and an opportunity to cure before pursuing revocation, except where the violation creates an imminent threat to public health or safety.

(5) Remedies under this Section are cumulative. Nothing in this Section authorizes the County to withhold a building permit or certificate of occupancy in a manner prohibited by Utah Code or the State Construction and Fire Codes Act; where permit withholding is unavailable, the County may pursue any other remedy authorized by law.