

How to Track a Data Center Proposal in Your Community

A guide for residents of any Utah city, town, or county — with notes on where the process differs from place to place. September 2026.

Data centers rarely show up as a single vote called "Should we build a data center?" They arrive as a rezone, a subdivision plat, a "technology overlay," an infrastructure loan, a water permit, or a resolution with a bland title, or unrecognizable corporate name followed by "LLC." By the time a building is announced, most of the decisions that mattered are already made. This guide is about finding those decisions early and knowing which body — and which kind of argument — can actually change the outcome.

1. Start with five questions

1. **Where exactly is the land?** Get parcel numbers from the county assessor's map. Is it inside a city, or in an unincorporated county? Is it inside a Utah Inland Port Authority (UIPA) or Military Installation Development Authority (MIDA) project area, a Public Infrastructure District (PID), or on federal, state trust (SITLA), or tribal land? Each answer changes who decides.
2. **What does the zoning allow today?** Read the use table in the local land use ordinance. If "data center" isn't listed, it usually isn't allowed — but look for cousins: "data storage," "technology park," "advanced manufacturing," or a catch-all industrial category. Grantsville, for example, already permits "data storage centers" in its manufacturing zone; Tooele County had no data center use at all until it started drafting one.
3. **What has actually been filed?** Ask community development staff directly and in writing: any rezone, general plan amendment, annexation petition, subdivision plat, site plan, conditional use permit, building permit, or development agreement on these parcels? "No application has been filed" can be literally true while roads, water plants, and gas lines are already under construction.
4. **Where will the power come from?** Grid power goes through the utility and the Public Service Commission's large-load process. On-site gas turbines or engines need a state air permit and are often the real environmental fight. A gas pipeline commitment or a nuclear "letter of intent" tells you the scale being planned even when the applicant won't say.
5. **Where will the water come from, and where does the wastewater go?** Water rights are decided by the State Engineer, not the city or county. Discharges need a state water quality permit. In a closed groundwater basin, this can be the strongest chokepoint available.

2. Who decides what — and why it matters

The single most useful thing to know is whether a decision is legislative or administrative.

- **Legislative decisions** (ordinances, rezones, general plan changes, annexations, development agreements, moratoriums) are policy choices. Elected officials have wide discretion. "We don't want this here" is a legitimate argument, and numbers in the room matter.
- **Administrative decisions** (subdivision plats, conditional use permits, site plans, building permits) apply rules that already exist. If the application meets the code, the body is generally required to approve it. Here the winning argument is evidence: a missing study, a stale water analysis, a self-certified letter, a checklist item marked "N/A" that should have been evaluated. Tooele County's own hearing notices say it plainly: the Planning Commission "can only rely on evidence, not opinion or conjecture."

Decision	Who typically decides (Utah)	Type	What works
New ordinance chapter / text amendment (e.g., a data center chapter)	Planning Commission holds hearing and recommends; City or County Council adopts	Legislative	Push for strong standards: water and power disclosure, setbacks, anti-segmentation, decommissioning, noise, no NDAs. Once adopted, tightening later is hard.
Rezone or general plan amendment	Planning Commission recommends; Council decides	Legislative	Turnout, written comment, asking what the community gets.
Annexation	City Council, on landowner petition; county can protest	Legislative	Watch for developers shopping for the friendlier jurisdiction.
Subdivision plat (preliminary and final)	Varies by local code — Planning Commission has final say in some counties (Tooele); Council in others	Administrative	Compliance evidence; ask to table when a required study is missing.
Conditional use permit (CUP)	Usually Planning Commission; some places use a hearing officer or the Council	Administrative	Must be approved if impacts can be mitigated — so argue specific conditions. Notice can be minimal; Juab County approved one in a four-minute hearing.
Site plan, building permit	Staff	Administrative	Usually no hearing. GRAMA the file.
Development agreement	Council	Contract	Can lock in rules for years — read every clause.
Moratorium (temporary land use regulation)	Council	Legislative	Max 180 days in Utah; needs a stated compelling public interest; can't be stacked. A "pause on accepting applications" is not the same thing.

Procedural differences to check in your own jurisdiction

- **City vs. county vs. town.** Cities and towns operate under Utah Code Title 10, Chapter 9a; counties under Title 17, Chapter 27a. The rules are parallel but not identical. Small towns often contract out planning and legal work, post packets late, and have part-time staff — Fairfield (about 60 households) is handling a 1,300-acre proposal that way.
- **Form of government.** In a council-manager county like Tooele, the county manager and department heads field the developer day to day and the elected council votes at the end. In a three-member commission county like Juab, the same people are both the legislature and the executive. Who the developer emails — and who you should — differs.
- **Planning commission power.** Some local codes make the planning commission the final authority on plats or CUPs; others make it recommend-only. Find the "decision matrix" or "land use authority" table, usually in an early chapter of the land use ordinance.
- **Appeals.** Administrative decisions are appealed to an appeal authority (often a hearing officer), not to the council, and the deadline is short — commonly 10 days. After that, district court.
- **Vested rights.** An applicant is generally entitled to the rules in effect when a complete application is filed. That creates a race between a new ordinance and a developer's filing. Ask: is anything filed, and has the body formally stopped accepting applications until the rules are done?
- **Notice.** State law sets minimums (10 days' published notice for ordinance hearings; mailed notice to nearby owners for many CUPs and rezones, with the radius set locally). Work sessions and "presentation and discussion" items get less notice than hearings but are where drafts take shape.

3. The layers that route around local process

This is where Utah differs most from other states, and where residents get blindsided.

- **UIPA project areas.** Created by the Inland Port Authority board with the consent of the local government, they capture up to 75% of new property tax revenue for up to 25 years and bring infrastructure loans, bonds, and PIDs. Local zoning authority usually stays with the city or county — which means the county's ordinance still matters — but incentives and infrastructure are decided at UIPA board meetings in Salt Lake City.
- **MIDA project areas.** The Military Installation Development Authority can take land use authority away from local governments inside its project areas, as happened with the Stratos proposal in Box Elder County. The Governor has since called for major reform; watch the 2027 session.
- **Public Infrastructure Districts (PIDs).** Appointed boards, initially seated by property owners in the district — so the developer can chair the board that certifies his own water adequacy and issues bonds for his own project. Created by UIPA or a local government by resolution; the creating resolution and the district's board meetings are public records.
- **Overlay zones and special districts.** A "technology overlay" or "regionally significant development zone" overlay can change what's allowed and who reviews it without a parcel ever being rezoned. Look for carve-out language like "unless the project area plan expressly provides otherwise."
- **HB 507 (2026).** Starting May 6, 2027, a city or county can't offer tax incentives to a large-load data center unless it's inside a Regionally Significant Development Zone approved through a state process under the Governor's Office of Economic Opportunity, with a separate appointed board. UIPA has said it will route projects that way now. Ask who sits on that board and when it meets. The composition of the board changes with each proposed project.
- **Federal land.** On an Army installation (Dugway), the deal is an Enhanced Use Lease negotiated by the Army Corps of Engineers; local zoning doesn't apply; environmental review is NEPA, which the Army may try to narrow; tribal consultation is required. State water law still applies to any new water use.
- **The tax "boomerang."** Data center equipment depreciates fast. After abatements and increment capture, the promised tax base can shrink and land on residents: Eagle Mountain adopted a 183% property tax increase in 2026 after years of data center incentives. Ask what the general fund and school district actually receive, and when.

4. State permits that run in parallel

These agencies decide on their own schedules, usually with a public comment period, and often before the local body has voted on anything. They can be the most effective place to slow a project.

Issue	Agency and process	Public opening
Water rights	Division of Water Rights / State Engineer — new appropriations and change applications; many basins are closed to new appropriations	Protest period (about 20 days after publication). Search filings by water right area on waterrights.utah.gov .
Wastewater / brine discharge	Division of Water Quality — UPDES discharge permits, groundwater permits	30-day comment period; a public hearing can be requested and extends the period.
Air (on-site gas or diesel generation)	Division of Air Quality — Notice of Intent, Approval Order; large plants may trigger PSD/BACT review; ask whether phased plants are being split to avoid it	Comment period on the draft Approval Order; daqpermitting.utah.gov .
Grid power	Utility and the Public Service Commission — large-load contracts and tariffs	PSC dockets are public; large-load applications are reported to legislative interim committees.

Wetlands and species	Army Corps of Engineers Section 404; U.S. Fish and Wildlife Service Section 7 consultation if listed species	Corps public notices; agency consultation letters.
Onsite wastewater, wells	Local health department	Records available by GRAMA.

5. Records: where the real story is

What to request under GRAMA

- Complete application files, staff reports, and internal processing timelines for every application on the parcels.
- Pre-application correspondence between the developer (and every LLC they use) and staff, the manager, and elected officials — including personal email accounts used for public business.
- Development agreements, water adequacy letters, water rights analyses, traffic studies, wetland delineations.
- Sign-in sheets and invitations for any developer briefing; if a quorum of the council attended, that's an open meetings question.
- Fee waiver: cite Utah Code 63G-2-203(4) — release primarily benefits the public.

• Where to look without a request

- utah.gov/pmn — every public body's agendas, packets, and notices; subscribe by entity. Also each city's and county's own site.
- **County recorder and assessor** — deeds, recorded plats, ownership changes, parcel maps.
- **Division of Corporations** — who is behind each new LLC. Developers change entity names as they go; a fresh LLC on a filing is a signal, not an accident.
- **UIPA, MIDA, and PID board packets and meeting audio** — staff often say in the room what the written record leaves out.
- **The developer's own marketing** — park websites and rail-served-site listings routinely say "data center" while officials say no such plan exists.
- **Federal and state environmental docket** — Surface Transportation Board environmental assessments, for instance, can contain the developer's own full-buildout traffic numbers.

6. Red flags

Watch for these

- "No application has been filed" while roads, water treatment, or a gas line are already being built.
- The applicant certifies their own water adequacy or chairs the district that will fund them.
- Studies in the packet are years old, or checklist items are marked "N/A" on a technicality.
- Ordinance drafts with carve-outs for project areas, overlays, or "unless expressly provided otherwise."
- Non-disclosure agreements, unnamed "hyperscaler" tenants, and occupancy deadlines used to pressure staff to skip steps.
- Emails demanding self-permitting, threatening litigation, or warning staff not to "make this political."
- Sudden interest in annexing into the neighboring city with looser rules.
- Generic agenda titles — "trigger resolution," "text amendment," "updates to Chapter 2" — that activate tax collection or change definitions.

- Hearings of a few minutes with minimal mailed notice; special meetings called on short notice.
- A "moratorium" that turns out to be a study resolution with no end date or enforceable scope.

7. Showing up in any way you can counts!

- **Match the argument to the decision.** Bring your values and turnout in large numbers for legislative votes; bring evidence and code citations for administrative votes - but also robust engagement matters here too, because it shows administrators the issue matters to people.
- **Put it in writing.** Written comment joins the record even if you can't attend! And, you can use your comment as the basis for a letter to the editor, or as social media content.
- **Ask for tabling with a reason.** Generally "Table until an independent traffic study is complete" survives in an administrative process, where "table because we're opposed" doesn't.
- **Get promises in writing.** When an official says the project is "paused" or "not alive," follow up with a letter asking for written confirmation and the process the project will use instead.
- **Track every track at once.** The local ordinance, the plat, the state water permit, the air permit, the UIPA or RSDZ financing, and the election calendar are separate clocks. Assign people to each.
- **Know the limits of local power.** Utah local governments can regulate, condition, and pause; they generally can't ban a use outright without legal exposure, and a moratorium runs 180 days. Use that time to adopt real standards, and solidify community opposition and engage all forms of the media with your opposition activities.
- **Keep coming back.** Consistency is what officials notice. In Tooele County the pause, the tabled plats, and UIPA's public retreat all followed months of packed rooms and one residents' records request.

Remember, while you are usually fighting against well funded and well connected developers, determined to pursue ever more profit, the power of strong public opposition can often defeat these projects.