

**LIMERICK TOWNSHIP
MONTGOMERY COUNTY,
PENNSYLVANIA
ORDINANCE NO. 438**

AN ORDINANCE OF LIMERICK TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA AMENDING PART 2, GENERAL LEGISLATION, CHAPTER 184 "ZONING", ARTICLE II, "WORD USAGE; DEFINITIONS; ABBREVIATIONS", ARTICLE XXIII "LLI LIMITED LIGHT INDUSTRIAL DISTRICT", SECTION 163.2 "DATA CENTER OVERLAY OPTION", ARTICLE XXXV "LOGISTICS CENTER/WAREHOUSE CONDITIONAL USE OVERLAY DISTRICT", SECTION 246 "CONDITIONAL USE REQUIREMENTS", ARTICLE IX "SUPPLEMENTAL REGULATIONS", SECTION 76.7 "DATA CENTER STANDARDS", ARTICLE X "PERFORMANCE STANDARDS", SECTION 83 "INDUSTRIAL STANDARDS"; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND PROVIDING A SEVERABILITY CLAUSE AND EFFECTIVE DATE

WHEREAS, the Second Class Township Code vests the Limerick Township Board of Supervisors with the authority to adopt ordinances necessary for the proper management, care and control, and welfare of the Township; and

WHEREAS, the Limerick Township Zoning Code allows for Data Centers as a Conditional Use in the HI Heavy Industrial District and LLI Limited Light Industrial District; and

WHEREAS, Limerick Township Board of Supervisors has reviewed the Township's current zoning ordinance and has determined appropriate modifications for the regulation of Data Centers in the Township to ensure the health, safety and welfare of residents, business owners and visitors in the Township; and

WHEREAS, it is in the best interest of Limerick Township to modify Data Center regulations and requirements; and

WHEREAS, this ordinance seeks to make such changes to the current zoning ordinances, in alignment with the goals of improving the health, safety and welfare of residents, business owners and visitors in the Township.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED, by the Board of Supervisors of Limerick Township as follows:

Part I. Legislation.

CHAPTER 184 "ZONING", ARTICLE XXIII "LLI LIMITED LIGHT INDUSTRIAL DISTRICT", SECTION 163.2 "DATA CENTER OVERLAY OPTION", SUBSECTION "A" IS HEREBY REVISED IN ITS ENTIRETY AS FOLLOWS:

§ 184-163.2. Data center overlay option.

A data center Overlay may be permitted as a development option pursuant to a conditional use meeting the following standards:

- A. At least a portion of the tract is within $\frac{3}{4}$ of a mile (3,960 feet) from the physical center of the intersection of Evergreen and Lightcap Road. In no case shall any portion of the tract be located further than one mile (5,280 feet) from the physical center of the intersection of Evergreen and Lightcap Road.

CHAPTER 184 “ZONING”, ARTICLE XXXV “LOGISTICS CENTER/WAREHOUSE CONDITIONAL USE OVERLAY DISTRICT”, SECTION 246 “CONDITIONAL USE REQUIREMENTS”, SUBSECTION “G(2)” IS HEREBY REVISED IN ITS ENTIRETY AS FOLLOWS:

§ 184-246. Conditional use requirements.

In addition to the conditional use requirements set forth in this chapter, specifically § 184-43, an application for conditional use pursuant to the Logistics Center/Warehouse Conditional Use Overlay District shall satisfy the following standards and criteria, as applicable:

G. Dimensional standards shall be in accordance with § 184-170, Dimensional standards of the HI Heavy Industrial District, Class One category with the following exceptions:

- (2) Maximum building height for a building housing a data center shall be 80 feet.

CHAPTER 184 “ZONING”, ARTICLE IX “SUPPLEMENTAL REGULATIONS”, SECTION 76.7 “DATA CENTER STANDARDS”, SUBSECTION “B.(6)(c)” IS HEREBY REVISED IN ITS ENTIRETY AS FOLLOWS:

§ 184-76.7. Data center standards.

B. Conditional use requirements.

(6) Dimensional standards shall be in accordance with § 184-170, Dimensional standards of the HI Heavy Industrial District, Class One category with the following exceptions:

- (c) Maximum building height for a building housing a data center shall be 80 feet.

CHAPTER 184 “ZONING”, ARTICLE XXXV “LOGISTICS CENTER/WAREHOUSE CONDITIONAL USE OVERLAY DISTRICT”, SECTION 246 “CONDITIONAL USE REQUIREMENTS”, SUBSECTION “G(3)” IS HEREBY REVISED IN ITS ENTIRETY AS FOLLOWS:

§ 184-246. Conditional use requirements.

In addition to the conditional use requirements set forth in this chapter, specifically § 184-43, an application for conditional use pursuant to the Logistics Center/Warehouse Conditional Use Overlay District shall satisfy the following standards and criteria, as applicable:

G. Dimensional standards shall be in accordance with § 184-170, Dimensional standards of the HI Heavy Industrial District, Class One category with the following exceptions:

(3) The minimum building setback, minimum parking and loading setback, and DCE setback shall be a minimum of 1,000 feet from existing occupied residential uses, except parking located adjacent to Main Street shall be a minimum of 30 feet from the legal right of way of Main Street.

(a) in the alternative, a setback of 500 feet from existing occupied residential uses shall be permitted provided it is demonstrated though the installation of one or more sound reducing materials or systems will effectively reduce the sound generated by the Data Center and associated DCE to at or below the noise standards of 184-83B(4).

**CHAPTER 184 “ZONING”, ARTICLE IX “SUPPLEMENTAL REGULATIONS”,
SECTION 76.7 “DATA CENTER STANDARDS”, SUBSECTION “B.(6)(b)” IS HEREBY
REVISED IN ITS ENTIRETY AS FOLLOWS:**

§ 184-76.7. Data center standards.

B. Conditional use requirements.

(6) Dimensional standards shall be in accordance with § 184-170, Dimensional standards of the HI Heavy Industrial District, Class One category with the following exceptions:

(b) Building setbacks shall be 50 feet or the height of the building, whichever is greater from the ultimate right of way and shall be 30 feet or the height of the building, whichever is greater, from any other lot line. Parking, loading and driveway setbacks shall be 30 feet from the ultimate right of way and 15 feet from any other lot line.

[1] Except the minimum building setback and minimum loading, truck parking, truck idling and DCE setbacks shall be 1,000 feet from a residential district or existing occupied residential uses.

[2] In the alternative, the minimum building setback and minimum loading, truck parking, truck idling and DCE setbacks are permitted to be 500 feet from a residential district or existing occupied residential uses provided it is demonstrated though the

installation of one or more sound reducing materials or systems will effectively reduce the sound generated by the Data Center and associated DCE to at or below the noise standards of 184-83B(4).

CHAPTER 184 “ZONING”, ARTICLE XXXV “LOGISTICS CENTER/WAREHOUSE CONDITIONAL USE OVERLAY DISTRICT”, SECTION 246 “CONDITIONAL USE REQUIREMENTS”, SUBSECTION “G(5)” IS HEREBY ADDED AS FOLLOWS:

§ 184-246. Conditional use requirements.

In addition to the conditional use requirements set forth in this chapter, specifically § 184-43, an application for conditional use pursuant to the Logistics Center/Warehouse Conditional Use Overlay District shall satisfy the following standards and criteria, as applicable:

G. Dimensional standards shall be in accordance with § 184-170, Dimensional standards of the HI Heavy Industrial District, Class One category with the following exceptions:

(5) Data center accessory uses shall comply with principal building setback standards.

CHAPTER 184 “ZONING”, ARTICLE X “PERFORMANCE STANDARDS”, SECTION 83 “INDUSTRIAL STANDARDS”, SUBSECTION “B.(4)” IS HEREBY REVISED IN ITS ENTIRETY AS FOLLOWS:

§ 184-83. Industrial standards.

All permitted uses within the Township shall comply with these standards wherever applicable:

B. Noise control.

(4) For data center uses, it shall be demonstrated through a sound study conducted by a professional acoustical expert that the installation of one or more sound reducing materials or systems, approved by the Township professional acoustical expert, will effectively reduce the sound generated by the data center and associated DCE during normal, testing, maintenance and emergency (time of power loss) operations (i.e., all standby emergency equipment, including but not limited to all generators running) to a maximum daytime (7:00 AM to 8:00 PM Monday to Friday) decibel level of 67 dB(A) and 60 dB(C) and a maximum nighttime (8:00 PM to 7:00 AM, Monday to Friday and all day Saturday and all day Sunday) decibel level of 57 dB(A) and 50 dB(C) as measured from the property line of the data center use. Such sound study or studies shall be conducted using sound level meters described in ANSI S1.4-2014 and using generally accepted criteria. A sound study shall be conducted at the following phases:

- (a) A preliminary sound study for the data center and associated DCE shall be conducted as part of the conditional use process. The preliminary sound study shall recommend the sound reducing materials or systems to meet the aforesaid sound limits.
- (b) An interim sound study shall be conducted during the building permit process based upon the proposed user or users of the data center and associated DCE depicted on the building plans. The sound reducing materials or systems recommended by the interim sound study shall be incorporated into the construction plans for the data center.
- (c) An as-built sound study shall be conducted six months after issuance of the certificate of occupancy for any data center and associated DCE and prior to the final escrow release for any data center land development phase. An as-built sound study may also be required thereafter by the Township upon request. If it is determined by the as-built sound study that there is a violation of the aforesaid sound limits, then the owner or occupant of the data center shall promptly remediate the violation into compliance with the aforesaid sound limits.
- (d) An as-built sound study shall be conducted annually for any data center and associated DCE. If it is determined by the as-built sound study that there is a violation of the aforesaid sound limits, then the owner or occupant of the data center shall promptly remediate the violation into compliance with the aforesaid sound limits.

CHAPTER 184 “ZONING”, ARTICLE II “GENERAL REGULATIONS; DISTRICTS ESTABLISHED”, SECTION 10 “DEFINITIONS” TO REVISED THE TERM “DATA CENTER EQUIPMENT (“DCE”)” IN ITS ENTIRETY AS FOLLOWS:

§ 184-10 Definitions.

DATA CENTER EQUIPMENT (“DCE”) – Data center equipment, or DCE includes any data center accessory uses which in an unmuffled state generate noise in excess of the permitted maximum dB(A) and dB(C) in §184-83B at the point of generation. DCE shall be accessory to the data center and be located on the same tract or assemblage of adjacent parcels developed as a unified development for a data center. All rooftop DCE shall have rooftop acoustical and visual screening applied to all sides. Acoustical screen shall be designed by the professional acoustical expert to mitigate noise at the source. Visual screen shall be Screen Type No. 3 as defined in Chapter 155 with height of screen to be sufficient to shield the DCE to the satisfaction of the Township Engineer.

CHAPTER 184 “ZONING”, ARTICLE XXXV “LOGISTICS CENTER/WAREHOUSE CONDITIONAL USE OVERLAY DISTRICT”, SECTION 246 “CONDITIONAL USE REQUIREMENTS”, SUBSECTION “H(1)(d)” IS HEREBY ADDED AS FOLLOWS:

§ 184-246. Conditional use requirements.

In addition to the conditional use requirements set forth in this chapter, specifically § 184-43, an application for conditional use pursuant to the Logistics Center/Warehouse Conditional Use Overlay District shall satisfy the following standards and criteria, as applicable:

H. Development standards shall be in accordance with the §184-171, Development standards of the HI Heavy Industrial District, with the following additions:

(1) Development standards for a data center shall include the following:

(d) Cooling technology standards of 184-76.7 shall apply.

CHAPTER 184 “ZONING”, ARTICLE IX “SUPPLEMENTAL REGULATIONS”, SECTION 76.7 “DATA CENTER STANDARDS”, SUBSECTION “B.(7)(e)” IS HEREBY ADDED AS FOLLOWS:

§ 184-76.7. Data center standards.

B. Conditional use requirements.

(7) Development standards for a data center shall be in accordance with the §184-171, development standards of the HI Heavy Industrial District, with the following additions:

(e) Cooling technology standards.

[1] Data centers shall be designed to include a closed-loop water circulation system to cool data center processing equipment. An alternative cooling system can be proposed if it can be demonstrated to use less water and energy than a closed-loop systems to the satisfaction of the Township Engineer.

[2] If the proposed source is from a public system, certified documentation that the public system has the capacity to supply the water needed shall be provided.

[3] A drought response plan shall be provided to demonstrate compliance with state, water supplier, and local drought declaration requirements.

[4] Wastewater disposal analysis:

- i. A wastewater disposal analysis shall be provided, indicating the quantity of wastewater generation expected. The wastewater disposal analysis shall include sewage and water discharged to either public or private system as part of the data center's HVAC system.
- ii. Any untreated wastewater generated is prohibited to be discharged to stormwater systems or surface waters.
- iii. If wastewater is proposed to be conveyed and/or treated by a public system, documentation shall be provided to show that the public system can support the conveyance and treatment needed.

CHAPTER 184 "ZONING", ARTICLE XXXV "LOGISTICS CENTER/WAREHOUSE CONDITIONAL USE OVERLAY DISTRICT", SECTION 246 "CONDITIONAL USE REQUIREMENTS", SUBSECTION "J" IS HEREBY ADDED AS FOLLOWS:

§ 184-246. Conditional use requirements.

In addition to the conditional use requirements set forth in this chapter, specifically § 184-43, an application for conditional use pursuant to the Logistics Center/Warehouse Conditional Use Overlay District shall satisfy the following standards and criteria, as applicable:

J. Decommissioning standards of 184-76.7 shall apply.

CHAPTER 184 "ZONING", ARTICLE IX "SUPPLEMENTAL REGULATIONS", SECTION 76.7 "DATA CENTER STANDARDS", SUBSECTION "B.(9)" IS HEREBY ADDED AS FOLLOWS:

§ 184-76.7. Data center standards.

B. Conditional use requirements.

(9) Decommissioning standards.

(a) A Decommissioning Plan prepared by a qualified professional engineer shall be submitted at conditional use and with every land development submission. The plan shall outline the procedures for safe shutdown, removal of equipment, disposal or recycling of materials, and site restoration.

(b) The facility owner or operator shall submit a notification of closure if operations are permanently ceased.

(c) Decommissioning shall begin within 1 year of cessation of data center operations, or upon notice of abandonment by the facility owner or operator, whichever occurs first. An extension of 1 year may be granted by the Township if the property owner can demonstrate that they are actively marketing the site for a compatible replacement use. Decommissioning shall be completed within 18 months thereafter, unless extended by the Township for good cause.

(d) Standards for Decommissioning:

[1] All above-ground structures, equipment, and accessory facilities shall be removed.

[2] Hazardous materials, including batteries, fuel, or refrigerants, shall be disposed of in compliance with state and federal law.

[3] Disturbed soils shall be stabilized and re-vegetated.

[4] Any utility connections shall be safely disconnected and capped.

[5] The site shall be restored to green unless otherwise approved by the Township.

(e) At the time of issuance of the UCC permit for construction of the first structure on the tract, the facility owner or operator shall provide financial security to the Township to secure the expense of dismantling and removing the data center and all associated data center accessory uses. The financial security shall be in the amount of one hundred ten (110%) percent of the cost of decommissioning. The decommissioning funds shall be posted and maintained during the life of the project and in the form of an Irrevocable Letter of Credit or alternate form acceptable to the Township.

(f) An independent professional engineer shall be retained by the Township at the facility owner or operator's expense to estimate the total cost of decommissioning of the data center. Thereafter, the facility owner or operator shall retain a professional engineer to provide the Township with cost estimates of decommissioning after the first year of operation and every fifth year thereafter. The financial security shall be updated every five (5) years, throughout the life of the project.

**CHAPTER 184 "ZONING", ARTICLE XXXV "LOGISTICS CENTER/WAREHOUSE
CONDITIONAL USE OVERLAY DISTRICT", SECTION 246 "CONDITIONAL USE
REQUIREMENTS", SUBSECTION "K" IS HEREBY ADDED AS FOLLOWS:**

§ 184-246. Conditional use requirements.

In addition to the conditional use requirements set forth in this chapter, specifically § 184-43, an application for conditional use pursuant to the Logistics Center/Warehouse Conditional Use Overlay District shall satisfy the following standards and criteria, as applicable:

K. Electrical rate impact standards of 184-76.7 shall apply.

**CHAPTER 184 “ZONING”, ARTICLE IX “SUPPLEMENTAL REGULATIONS”,
SECTION 76.7 “DATA CENTER STANDARDS”, SUBSECTION “B.(10)” IS HEREBY
ADDED AS FOLLOWS:**

§ 184-76.7. Data center standards.

B. Conditional use requirements.

(10) Electrical rate impact standards. Proof in the form of a letter from the power provider shall be provided to certify that the data center use will have no impact on electrical rates in perpetuity.

**CHAPTER 184 “ZONING”, ARTICLE XXXV “LOGISTICS CENTER/WAREHOUSE
CONDITIONAL USE OVERLAY DISTRICT”, SECTION 246 “CONDITIONAL USE
REQUIREMENTS”, SUBSECTION “L” IS HEREBY ADDED AS FOLLOWS:**

§ 184-246. Conditional use requirements.

In addition to the conditional use requirements set forth in this chapter, specifically § 184-43, an application for conditional use pursuant to the Logistics Center/Warehouse Conditional Use Overlay District shall satisfy the following standards and criteria, as applicable:

L. Emergency services coordination standards of 184-76.7 shall apply.

**CHAPTER 184 “ZONING”, ARTICLE IX “SUPPLEMENTAL REGULATIONS”,
SECTION 76.7 “DATA CENTER STANDARDS”, SUBSECTION “B.(11)” IS HEREBY
ADDED AS FOLLOWS:**

§ 184-76.7. Data center standards.

B. Conditional use requirements.

(11) Emergency services coordination standards.

(a) An Emergency Services Coordination Plan shall be required as part of the conditional use application and shall be prepared by a qualified professional. In addition to the current township standards for an emergency services coordination plan, this plan shall also include:

[1] Evaluate the impacts, both positive and negative, of the proposed data center upon emergency services and fire protection.

[2] Be reviewed and acceptable to the Township's Department of Emergency Services as part of the conditional use process.

[3] Include detailed procedures for fire suppression, containment, ventilation, and evacuation.

[4] Ensure that all first responders receive adequate training specific to the installed system at the expense of the applicant on an annual basis.

[5] Include provisions that ensure compliance with the Township's Department of Emergency Services annual fire and life safety inspection program.

(b) Each Data Center shall provide 24-hour emergency contact signage that is visible at the main entrance. Such signage shall include the company name (if applicable), the owner/representative's name, the telephone number, and the corresponding local power company's name and telephone number.

(c) The applicant shall coordinate with the Department of Emergency Services to ensure there is adequate radio coverage for emergency responders within all on-site buildings and facilities, based upon existing coverage levels of the Township's public safety radio communications system exterior to on-site buildings. The applicant shall install enhancement systems, as needed, to achieve compliance.

(d) Data Centers and any Data Center Accessory Uses proposing battery storage or any other device or group of devices capable of storing energy in order to supply electrical energy at a later time, whether the energy is stored for use on-site or off-site, shall demonstrate compliance with National Fire Protection Association (NFPA) Standard 855, Installation of Stationary Energy Storage Systems, or similar standards acceptable to the Township's Director of Emergency Services or appointed designee and shall include fire suppression systems designed specifically for battery storage.

(e) No Data Center shall be approved unless the applicant demonstrates that procedures for fire suppression, containment, ventilation, and evacuation are sufficiently protective of public health, safety and welfare.

SECTION II. REPEALER

All ordinances or resolutions or parts thereof inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

SECTION III. SEVERABILITY

The terms, conditions and provisions of this Ordinance are hereby declared to be severable, and, should any portion, part or provision of this Ordinance be found by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, Limerick Township Board of Commissioners hereby declares its intent that the Ordinance shall have been enacted without regard to the invalid, unenforceable, or unconstitutional portion, part or provision of this Ordinance.

SECTION IV. EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after its approval as required by the law.

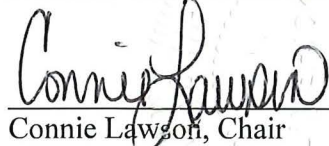
ORDAINED AND ENACTED, by the Board of Supervisors of Limerick Township, Montgomery County, Pennsylvania, this 7 day of July, 2026

ATTEST:



Daniel Kerr, Township Manager

**LIMERICK TOWNSHIP
BOARD OF SUPERVISORS**



Connie Lawson, Chair