ORDINANCE NO. 6 of 2025

UNION TOWNSHIP
WASHINGTON COUNTY, PENNSYLVANIA

AN ORDINANCE OF UNION TOWNSHIP, WASHINGTON COUNTY. COMMONWEALTH OF PENNSYLVANIA, AMENDING THE 2001 UNION TOWNSHIP ZONING ORDINANCE, TO PROVIDE DEFINITIONS AND STANDARDS RELATED TO DATA CENTERS, AND ADD REGULATIONS AS TO THE REQUIREMENTS OF DIFFERENT ZONING AREAS.

WHEREAS, the Board of Supervisors of Union Township, Washington County, Pennsylvania, have previously enacted the Union Township Zoning Ordinance; and

WHEREAS, Union Township seeks to promote the general health, safety and welfare of the community by adopting and implementing an amendment to the Zoning Ordinance providing for regulations and definitions relating to Data Centers; and

NOW THEREFORE, IT IS HEREBY ENACTED AND ORDAINED by the Board of

Supervisors of Union Township, Washington County, Pennsylvania, as follows:

SECTION 1. TITLE.

This Ordinance shall be known as the "Union Township Data Center Ordinance of 2025."

SECTION 2. DEFINITIONS

Amendment of Article II, Section 280-7 of the 2001 Union Township Zoning Ordinance entitled "Definitions". Section 280-7 of the 2001 Union Township Zoning Ordinance is hereby amended to add or amend the following definitions to the ordinance.

DATA CENTER – A commercial use of one or more buildings, designed and intended primarily to house computer, networking and communication systems, equipment and

components, such as routers, switches, firewalls, servers, storage systems and application-delivery controllers, for storing, processing, managing, transmitting and backing up electronic data necessary for the operation of a business, enterprise, institution, or other similar organizational entity. A data center also includes accessory and supporting public utilities (e.g., substations, switch stations, etc.), infrastructure systems, mechanical equipment, components and environmental controls (e.g., air conditioning or cooling towers, fire suppression, etc.), redundant/backup power supplies, redundant data communications connections and enhanced security.

SECTION 3. Amendment of Article XXII of the 2001 Union Township Zoning Ordinance entitled "Table of Authorized Uses (Appendix A) of the 2001 Union Township Zoning Ordinance. The Table of Authorized Uses, Appendix A, H-1 Heavy Industrial District of the 2001 Union Township Zoning Ordinance are hereby amended to add "Data Centers" as Conditional Uses, to the aforementioned Zoning District.

SECTION 4. Amendment of Article XVII of the 2001 Union Township Zoning Ordinance entitled "Supplementary Regulations" to add a new Section 280-117 for regulation of Data Centers. There is hereby added a new Section 280-117 with related subsections, to Article XVII of the 2001 Union Township Zoning Ordinance, entitled "Supplementary Regulations" to add regulations for the use of Data Centers which shall read as follows:

280-117- Data Centers

280-117.1 Regulations Applicable to All Data Centers

A. Data Centers are a Conditional Use in H-1 Heavy Industrial District Zoning District.

B. Data Center Uses shall not be closer than 1,000 feet (measured radially from Data Center building and/or any exterior equipment to residential property) from any residential use

(whether in a mixed-use development or not).

C. Any proposal for a Data Center Use shall include a letter from the electrical provider that certifies that the power grid has the capacity to meet the demands of the proposed facility while maintaining sufficient levels of service to the existing residents and business in the Township.

D. Any proposal for a Data Center use shall include a letter from the developer providing an analysis of the anticipated raw water needs and proposed sources thereof. Further, the proposal for a Data Center Use shall include a letter from the water provider that certifies that the water provider has the capacity to meet the demands of the proposed facility while maintaining sufficient levels of service to the existing residents and business in the Township.

E. Data Centers shall be required to use an automatic fire suppression system that is in compliance with National Fire Protection Association (NFPA) 75 and 76 Standards. The design and use of the aforementioned fire suppression system shall be to reasonable satisfaction of the Township and shall be in compliance with NFPA 75 and 76 Standards. A gravel berm shall be installed extending at least 30 feet under and around any storage structure and shall be in sufficient size to serve as a fire break.

F. The Data Center developer shall provide the Township fire companies with annual training on firefighting procedures, methods, and possible hazards specific to the designed and built system. The Data Center Developer shall also advise the Township and its fire companies about any necessary changes for firefighting procedures, methods and possible hazards as soon as reasonably possible. Any special equipment that may be required to fight a fire at a Data Center shall be provided to the fire companies at the

expense of the developer and the fire departments shall be trained in their use.

G. Data Centers Uses shall not have blank exterior walls on any side of a building. There shall be adequate fenestration as well as horizontal and vertical breaks every 35 lineal feet.

H. Building materials shall be durable, consisting of brick or other context sensitive masonry materials with variation of color. Rooflines shall have variation throughout.

I. Data Center Uses shall be limited to no more than 80,000 gross square feet for any one building, and shall have at least 300 feet between other similar uses.

J. Any proposal for a Data Center Use shall include pre- and post -construction sound studies which examine all exterior utility functions of the building (rooftop and ground - mounted) that produce sound. The sound study shall identify compliance with Section 280-104.d of the Union Township Zoning Ordinance as applicable. A post-construction sound study shall be submitted prior to an occupancy permit being issued for the building.

   a. All rooftop equipment that produce sound (e.g., HVAC, cooling towers, generators, and the like) shall be fully screened from view and the screening shall be placed to shield the direction of emitted sound.

   b. All ground -mounted equipment that produce sound (e.g., HVAC, cooling towers, generators, and the like) shall be fully screened from view and the screening shall be placed to shield the direction of emitted sound.

K. Any proposal for a Data Center Use shall include roof-mounted solar panels placed at the maximum allowance as specified in the Zoning Ordinance, in order to offset the power needs of this use.

L. Any proposal for a Data Center shall include the latest technology in water conservation,

including utilizing closed loop systems in order to reduce the demand for public water.

SECTION 5. Construction and Severability

A. The provisions of this Ordinance shall be construed to the maximum extent possible to further the purposes and policies set forth herein, as consistent with applicable state statutes and regulations. If the provisions of this section and state law are in conflict, then state law shall prevail.

B. It is the intention of the Township's Board of Supervisors that the provisions of this Ordinance shall be declared unconstitutional or invalid by the judgement or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining provisions of this Ordinance.

SECTION 6. Repealer. All prior ordinances that are inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 7. Ratification. Except as amended by this Ordinance, all other portions, parts and provisions of the 2001 Union Township Zoning Ordinance, as heretofore enacted and amended, shall remain if force and effect.

SECTION 8. EFFECTIVE DATE. This Ordinance shall be effective five (5) days after its enactment.

ENACTED AND ORDAINED by the Board of Supervisors of Union Township, Washington County, Pennsylvania, this 22nd day of October, 2025.

ATTEST:

Mary Ann Kims, Treasurer

UNION TOWNSHIP

By: _____

Michalle M. Dupree, Chairman

(SEAL)