UPPER HANOVER TOWNSHIP, MONTGOMERY COUNTY, PA

ORDINANCE NO. 2026-04

AN ORDINANCE OF UPPER HANOVER TOWNSHIP AMENDING THE TOWNSHIP CODIFIED ORDINANCES, CHAPTER 500 "*ZONING*", ARTICLE II "*DEFINITIONS*," SECTION 201 "*DEFINITION OF TERMS*" BY ADDING DEFINITIONS RELATED TO A "DATA CENTER" USE; AMENDING ARTICLE VIII "*GENERAL REGULATIONS*," BY ADDING A NEW SECTION 500-843 "*DATA CENTERS*," TO ESTABLISH SPECIFIC REGULATIONS FOR A "*DATA CENTER*" USE; AMENDING ARTICLE XIX "*OS OUTDOOR STORAGE AND TENTENSIVE COMMERCIAL/INDUSTRIAL DISTRICT*," SECTION 500-1902 "*PERMITTED USES*," SUBSECTION B BY ADDING A NEW SUBSECTION (7) IDENTIFYING A "DATA CENTER" AS A USE PERMITTED BY CONDITIONAL USE IN THE OS DISTRICT; AND PROVIDING SEVERANCE AND REPEALER CLAUSES AND AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors of Upper Hanover Township (the "**Board**") is duly empowered by Section 65607 of the Second Class Township Code, 53 P.S. § 65607, to enact regulations that protect and advance the health, safety, and welfare of the citizens of Upper Hanover Township (the "**Township**"); and

WHEREAS, the Board has adopted a comprehensive zoning ordinance in accordance with the Pennsylvania Municipalities Planning Code known as "the Upper Hanover Township Zoning Ordinance of 1997" as amended (the "**Zoning Ordinance**"); and

WHEREAS, the Board is authorized by law to make such amendments to the Zoning Ordinance as it deems necessary and beneficial to the Township and its citizens; and

WHEREAS, the Board deems it to be in the best interest of the Township and its citizens to make certain amendments to the Zoning Ordinance to permit a "data center" use by conditional use in the OS Outdoor Storage and intensive Commercial/Industrial zoning district (the "**OS District**") of the Township and to create specific criteria for such use.

NOW THEREFORE, be it **ORDAINED** and **ENACTED**, by the Board of Supervisors of Upper Hanover Township, Montgomery County, Commonwealth of Pennsylvania, as follows:

SECTION 1.

Chapter 500 *Zoning*, Article II *Definitions*, Section 500-201 *Definition of terms*, is hereby amended by adding the following newly defined term, which shall be inserted in the appropriate alphabetical order:

DATA CENTER

A facility primarily used for housing and operating computer systems and associated equipment, including servers, data storage and processing systems, and accessory infrastructure such as cooling systems, power generators, electrical substations, and network hardware. A data center may only be classified under one of the following two categories:

(1) **Major Data Center**: consists of a singular structure or campus comprising between 100,000 square feet up to a maximum of 500,000 square feet.

(2) **Edge Data Center**: Consists of a singular structure less than 100,000 square feet

DATA CENTER ACCESSORY USES

Ancillary uses or structures that are secondary and incidental to a Data Center. These can include, but are not limited to, the following:

a. Back-Up Energy Generation. The use shall not include energy generation systems principally used or intended to be used to regularly supply power to the Data Center during normal operations.
b. Administrative
c. Security
d. Fiber optic lines
e. Utility lines
f. Electrical substations
g. Domestic and non-contact cooling water and wastewater treatment facilities
h. Water towers
i. Pump stations
j. Heating, ventilation, air conditioning, and cooling towers

ENERGY GENERATION SYSTEM

Any energy generation system designed or used to supply power directly to a Data Center during normal operations, including but not limited to solar, wind, fossil fuel, fuel cells, or nuclear energy generating systems.

SENSITIVE RECEPTORS

Uses especially susceptible to the sensory impacts of Data Centers and their associated uses, including: residential dwellings (inclusive of institutional uses with residential components); schools; daycare centers; preschools; public parks, playgrounds, recreational facilities, and community centers; hospitals; nursing care facilities; places of worship; and similar institutional uses.

SECTION 2.

Chapter 500 "*Zoning*," Article VIII "*General Regulations*" is hereby amended by adding a new Section 500-843, which shall read as follows:

§ 500-843 Data Centers.

The following requirements apply to all Data Centers, which shall only be permitted by conditional use. If any of these regulations conflict with applicable regulations found elsewhere in this Chapter, the most restrictive regulation applies unless otherwise stated.

A. Building Placement, Orientation, and Design
   (1) All principal and accessory structures associated with a Data Center shall be arranged, designed, and constructed to be harmonious and compatible with the site and surrounding properties. Where Data Centers are located adjacent to commercial or industrial uses, buildings shall be designed to be visually approximate in appearance to the type of buildings on the surrounding properties (i.e., commercial office buildings in commercial districts, industrial buildings in industrial districts, etc.)
   (2) Buildings shall be sited and oriented to:
      (a) Minimize visual impacts of the bulk of the building when examined on a line-of-sight basis from adjacent public streets and sensitive receptors.
      (b) Provide safe and convenient vehicular access to the site, including sufficient on-site queuing areas at security gates.
      (c) Accommodate adequate off-street parking.
      (d) Minimize impacts to natural resources.
      (e) Incorporate appropriate stormwater management practices.
   (3) Connection to public water and public sewer is required.

B. The property shall have frontage on at least one street with a functional classification of "minor arterial" or "principal arterial," as established in § 425-403.
   (1) Data centers shall take primary access from a minor arterial or principal arterial street.
   (2) Secondary access must be provided that is suitable for emergency response purposes.

C. The height of all structures, inclusive of rooftop appurtenances and rooftop accessory uses, shall be determined in accordance with § 500-832, but in no case shall exceed 60 ft.

D. Roof-mounted equipment shall be set back from the parapet at least as far as the equipment's height above the roof surface.

E. Minimum lot area:

(1) Major Data Center: 20 acres

(2) Edge Data Center: 10 acres

F. Minimum lot width: 250 feet.

G. Maximum building coverage: 40%

H. Maximum impervious surface: 60%.

I. Minimum Setbacks.

(1) All principal buildings and accessory structures (exclusive of utility lines, fiber optic lines, security stations, and driveways)

(a) 100 feet from property lines abutting non-residential zoning districts

(b) 500 feet from any sensitive receptors. This distance may be reduced to no less than 300 feet by the Board of Supervisors if the applicant demonstrates that it will exceed other environmental performance standards including noise levels that do not exceed ambient noise for that area, visual screening, and/or aesthetic improvements that mask the Data Center use, and do not contribute to any thermal air changes that would affect the closest sensitive receptors.

(2) All equipment used for cooling, ventilation, heat, or power

(a) 150 feet from property lines abutting non-residential zoning districts

(b) 500 feet from any sensitive receptors.

J. Building Design.

(1) Principal building façades shall require a horizontal offset of at least ten (10) feet at intervals of no more than 150 linear feet (measured horizontally) of principal building façade.

(2) No more than 80% of a principal building façade may consist of one building material.

(3) No more than 80% of a principal building façade may consist of one color, texture, or pattern.

(4) Principal building façades shall require fenestration, step-back(s), cantilever(s), projection(s), or architectural elements extending horizontally across at least 60% of the façade.

(5) Each principal building shall include an articulated main entrance. This entrance shall be differentiated from the rest of the building with a change in building material, pattern, texture, color, or architectural accent. It shall also either project or be recessed from the adjoining building plane.

(6) Elevations/renderings of all principal building façades visible from off-site shall be submitted with the conditional use application.

(7) Fencing shall be located on the interior side of the required buffer.

(8) Fences shall be constructed of good quality and visually appealing materials such as ornamental steel or other durable security-grade materials.

(9) Fencing shall not include barbed or razor wire and shall be painted or coated in a black color.

K. Parking.

(1) Parking facilities shall comply with off-street parking requirements for an "Industry" use as identified in § 500-901(6).

(2) Efforts shall be made to build only the amount of parking necessary for facility operations. Applicants may provide as part of their conditional use application a parking study prepared by a professional engineer utilizing appropriate professional standards that demonstrates the amount of parking necessary to meet the operational needs of the facility. If the necessary parking is less than that required under § 500-901(6), the applicant may reduce the parking that it constructs to what is shown to be necessary in the parking study. Any required parking spaces that are not built must be held in reserve, as permitted by § 500-902. Any associated improvements and calculations, such as impervious coverage and stormwater management facilities, shall be designed and established as though the required parking spaces were being constructed.

(3) The Township may direct property owners to construct any portion of the reserve parking it deems necessary at any point if the Township determines that the constructed parking is insufficient to meet the needs of the facility after it is constructed and operational.

L. Loading space.

(1) A minimum of one loading space is required.

(2) No loading areas shall be permitted to be located between a building and a property line that abuts a residential use or other sensitive receptor.

(3) No loading areas shall be permitted to be located between a building and an ultimate right-of-way of a street.

M. Community Impact Analysis - the applicant shall provide a community impact analysis, which shall include:

(1) A narrative description of the nature of the on-site activities and operations, including the market area served by the facility, the hours of operation of the facility, the total number of employees on each shift, the times, frequencies, and types of vehicle trips generated, the types of materials stored on the property, and the duration that materials will be stored.

(2) A site plan of the property indicating the location of proposed improvements, flood plains, wetlands, waters of the Commonwealth, and cultural and historic resources both on the property and within 500 feet of the boundaries of the property.

(3) An evaluation of the potential impacts of the proposed use, both positive and negative, upon:

(a) Emergency services and fire protection,

(b) Sewage disposal,
(c) Solid waste disposal
(d) School facilities and school district budget, and
(e) Municipal revenues and expenses

N. Environmental Impact Analysis - the applicant shall provide an environmental impact analysis, which shall include:

(1) A comprehensive description of the existing environment and probable future effects of the proposal. The description shall focus on the elements of the environment most likely to be affected as well as potential regional effects and ecological interrelationships.
(2) A detailed examination of public resources most likely impacted by the development plan.
(3) An analysis of the potential for public nuisance to residents resulting from operations.
(4) A discussion of adverse impacts that cannot be avoided.
(5) A description of environmental protection measures, procedures, and schedules to minimize damage to critical impact areas during and after construction, including design considerations.
(6) A listing of steps/structural controls proposed to minimize damage to the site before and after construction.
(7) A plan identifying critical impact areas that are environmentally sensitive or that, if disturbed during construction, would have an adverse impact on the environment. Critical impact areas include, but are not limited to, floodplains, riparian buffers, streams, wetlands, slopes greater than 15%, highly acid or highly erodible soils, hydric soils, hydrologic soil groups, areas of high-water table, and mature stands of native vegetation and aquifer recharge and discharge areas.
(8) A statement of the proposed impact on critical impact areas and of adverse impacts to these areas that cannot be avoided; as well as environmental protection measures, procedures, and schedules to minimize damage to critical impact areas during and after construction.

O. Noise and vibration.

(1) Noise Studies.

(a) Pre-Construction Noise Study. The applicant shall submit a pre-construction noise study prepared by an acoustical engineer or other qualified professional that establishes the baseline ambient noise and vibration levels at appropriate locations on the subject property at different times of day. The study shall include a narrative describing anticipated operational impacts to sound levels in the vicinity of the facility and it shall include an octave band analysis. The study shall account for any proposed electrical substations, on-site power generation

facilities, and other Data Center Accessory Uses that may generate noise or vibration.

(b) Post-Construction Noise Study. The applicant shall submit a post-construction noise study of existing operations no sooner than one (1) month but no more than twelve (12) months after the issuance of the first Certificate of Occupancy. The period for performing such study may be extended at the discretion of the Board of Supervisors upon a showing a good cause.

(c) Sound shall be measured at all property lines. The studies shall use full spectrum modeling to address low-frequency noise.

(d) If the Pre-Construction Noise Study establishes a baseline sound level in excess of the maximum sound level permitted under this Chapter, the Post-Construction Noise Study shall demonstrate that operations of the proposed use do not materially increase the baseline sound level as measured at the property line. Any increase above the established baseline shall be deemed a violation unless specifically authorized as a condition of approval.

(e) Noise mitigation measures may be required by the zoning officer or as a condition of approval by the Board of Supervisors when studies show that the use is generating noise approaching or exceeding established limits.

(2) Sound level.

(a) Sound levels at the property line shall not exceed 40 dB(A) and 50 dB(C) from 7:00pm to 7:00 am, nor shall they exceed 45 dB(A) and 60 dB(C) from 7:00am to 7:00pm. The A-weighted decibel limits are consistent with those recommended by Physicians for Social Responsibility. The use of C-weighted decibels accounts for low-frequency sound components, such as those generated by ventilation fans, cooling units, and similar equipment, which may add 10–20 decibels of additional perceptible noise beyond the A-weighted measurement.

(b) Where baseline/ambient noise measured for the Pre-Construction Noise Study exceeds that of the maximum sound level above, sound levels at the property line shall not exceed the baseline/ambient noise level (for dB(A) and dB(C)).

P. Energy use and production.

(1) Projects shall be designed and constructed to meet the current USGBC LEED BD+C: Data Centers rating system, or equivalent design standard, as approved by the Township Engineer.

(2) An Energy Management Plan shall be submitted with the zoning application. The Energy Management Plan shall provide or identify, at minimum, the following:

(a) annual electricity demand;

(b) energy supply sources that will be utilized;

(c) energy storage capacity (if applicable);

(d) proposed sources of back-up power;

(e) documentation of efforts to maximize use of renewable and/or clean energy for all electrical and cooling needs, including those to:

1. reduce the need for new electric generation by incorporating the best available energy efficiency into the design of data center servers, cooling units, and the building structure;
2. cover 50-80% of all unused roof space with solar arrays to offset a portion of the demand on the electric grid and reduce onsite emissions;
3. explore battery storage as a backup energy source for 50-100% of total onsite back-up energy needs to reduce or eliminate the pollution associated with diesel backup generators;
4. support off-site renewable energy generation through a power purchase agreement or other arrangement that will result in new renewable energy generation; and
5. monitor and report energy efficiency and emissions data to the Township upon request.

(f) If interconnecting to the energy grid, documentation of the energy utility interconnection approval process with answers to the following:

1. documentation that an application for the project has been filed with the electric utility provider, and the required fee has been paid;
2. documentation that a transmission security agreement has been received by the applicant;
3. documentation that the transmission security agreement has been signed by all necessary parties; and
4. the date that the electric utility provider provided for the proposed energization of the data center.

(3) The Plan will be prepared and certified by a professional engineer or other qualified professional. The Energy Management Plan shall be subject to review and comment by the Township. The Township shall have the right to require supplemental or amended plans based upon comments by the Township prior to any zoning approval.

(4) A proposed Data Center whose Energy Management Plan shows power demand of over 50 megawatts (MW) and that proposes to connect to the power grid shall be required to procure a minimum of 10% of its power from renewable generation sources generated within the region, which include solar, wind, hydroelectric power, geothermal, and waste

heat from data center cooling processes. Electricity supply shall be procured through a power purchase agreement or similar mechanism as opposed to purchasing renewable energy credits only.

(5) On-Site Energy Generation Systems

(a) Any energy generation system designed or used to supply power directly to a Data Center during normal operations, including but not limited to solar, wind, fossil fuel, fuel cells, or nuclear energy generating systems, shall not be considered part of the Data Center use but shall be subject to existing Township or utility regulations. Such systems shall be considered a separate principal use and shall be approved according to all applicable state and federal regulations along with Township zoning regulations applicable to such use. The applicant shall select, design, and locate the energy generation systems to limit noise, emissions, and visual impacts to adjacent and nearby uses as much as possible. Data Center principal buildings shall be located between energy generation systems and any residential districts or uses or other sensitive receptors.

(b) Electric Utility Substations on the same property as the Data Center they serve shall be located to the side or rear of a Data Center principal building so they are screened from public view and shall not be located in a required front yard. On-site substations do not require a buffer or screening between the Data Center principal building and the substation.

(c) Data Center electric utility substations visible from any roadway shall include a combination of year-round opaque landscaping and screening walls to minimize visual impact.

(d) Burying power lines serving the property is strongly encouraged. On-site power lines of 34.5 kV and below must be buried.

(e) Proposed substations on a parcel that abuts a zoning district boundary other than industrial, and/or a boundary with a property with a sensitive receptor shall be set back a minimum of 800 feet from the property line. If abutting both an industrial-zoned parcel and use, substations shall meet the requirements for accessory uses in the underlying zoning district.

(f) The Data Center electric utility substation shall be subject to applicable zoning district setback requirements. Setbacks shall be measured from the edge of the enclosure containing the substation to the property boundary of the lot it occupies.

(6) Backup Power Generation

(a) Diesel generators shall meet Tier 4 emission standards of the U.S. Environmental Protection Agency.

(b) Diesel generators shall undergo annual testing, and reports shall be provided to the Township to ensure that Data Center

equipment is performing as designed and that emissions from the Data Center do not exceed permitted limits.

(c) Emergency energy generation that uses diesel, gasoline, or another fossil fuel shall be used only at the following times:

1. When the primary source of energy is not available due to an emergency outage.
2. During routine maintenance, or readiness testing for a short duration of time and capped at 100 hours per year.
3. Routine maintenance testing of back-up fossil fuel-powered generators is restricted to the hours of 10 am through 4 pm Monday through Friday.

(d) Use for peak shaving or supplying power to the grid is prohibited. The applicant shall design and locate emergency energy generation systems to limit noise and visual impacts as much as possible.

Q. Water utilization and impact.

(1) No proposed Data Center shall use groundwater or direct withdrawals from surface watercourses as its primary source of water for cooling purposes.

(2) Data Centers shall be designed to include a closed-loop water circulation system to cool Data Center processing equipment. An applicant may propose an alternative cooling system that can be demonstrated to use less water and energy than closed-loop systems to the satisfaction of the Township engineer.

(a) No proposed data center shall be approved without proof of sufficient water supply or for a use that poses adverse impacts on existing wells or surface waters in the vicinity.

(3) The applicant shall submit an analysis of raw water needs (groundwater or surface water) from either private or public sources, indicating quantity of water required, as well as any seasonal fluctuations in water requirements. If the proposed source is from a municipal system, the applicant shall submit certified documentation that the public authority has the capacity to supply the water needed.

(4) The applicant shall provide a water feasibility study, prepared by a qualified professional, if the proposed data center will utilize nonpublic water sources. The purpose of the water feasibility study is to determine if an adequate supply of water is present to support the proposed Data Center's water use and to evaluate the potential adverse effects on the quantity and quality of existing wells or nearby surface waters. The water feasibility study shall include, at minimum, the following information:

(a) calculations of the projected water needs;

(b) a geologic map of the proposed project area within a radius of at least one (1) mile from the site property boundary;

(c) the location of all existing and proposed wells within 1,000 feet of the site property boundary with a notation of the capacity of all high-yield wells;

(d) the location of all surface waters within 1,000 feet of the site property boundary and all known point sources of pollution;

(e) a determination of the long-term safe yield of the water source;

(f) a determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, streams, and the groundwater table;

(g) identification of how water will be recycled, treated, or released into surrounding water bodies; and

(h) a statement of the qualifications and the signature(s) of the person(s) preparing the study.

The study shall be subject to review and comment by the Township. The Township shall have the right to require supplemental or amended reports based upon comments by the Township prior to any zoning approval.

(5) No final approvals shall be granted until all required state and regional permits have been obtained (i.e., PADEP, SRBS, DRBC).

(6) The applicant shall provide a drought response plan to demonstrate compliance with state, water supplier, and local drought declaration requirements.

R. Wastewater disposal.

(1) The applicant shall submit an analysis of wastewater disposal needs to either a public sewer system or private system, indicating the quantity of wastewater generation expected. Wastewater shall include sewage and water discharged as part of the data center's HVAC system.

(2) Any untreated wastewater generated is prohibited to be discharged to stormwater systems or surface waters.

(3) If wastewater will be conveyed and/or treated by a municipal system, the applicant shall submit documentation certified by the public authority that the public authority can support the conveyance and treatment needed. If discharging to a municipal system, confirm compliance of pretreatment.

(4) If the Data Center is to rely upon a private system of wastewater disposal, a wastewater feasibility study shall be provided that has been prepared by a qualified professional. The study shall determine if there is adequate capacity to dispose of wastewater and that the disposal technique does not pose adverse impacts on surrounding water bodies. A wastewater feasibility study shall include the following information at a minimum:

(a) calculations of the projected wastewater generation including the sources of wastewater;

(b) a geologic map of the area with a radius of at least one mile from the site property boundary;

(c) the location of all existing and proposed wells within 1,000 feet of the property boundary, with reference to the capacity of all high-yield wells;

(d) the location of all surface waters within 1,000 feet of the property boundary and all known point sources of pollution;

(e) identification of the process by which water will be recycled or released into surrounding water bodies;

(f) a determination of the effects of the proposed wastewater disposal system on the quantity and quality of water in nearby wells, surface waters, and the groundwater table; and

(g) a statement of the qualifications and the signature(s) of the person(s) preparing the study.

The study shall be subject to review and comment by the Township. The Township shall have the right to require supplemental or amended reports based upon comments by the Township prior to any zoning approval.

S. Electronic waste.

(1) An Electronic Waste Plan shall be submitted with the zoning application outlining procedures for safe removal and recycling and/or disposal of server infrastructure, hazardous materials, batteries, electronic waste, and related products that meet all state and federal requirements, which will apply in cases when the equipment within the Data Center is updated or decommissioned. The Report shall be subject to review and comment by the Township. The Township shall have the right to require supplemental or amended reports based upon comments by the Township prior to any zoning approval.

T. Thermal mitigation.

(1) A Thermal Impact Mitigation Plan shall be submitted, including, at a minimum:

(a) identification of primary sources of waste heat (air- and water-based);

(b) evaluation of potential off-site thermal impacts (including plume/heat discharge and localized heat islands) under representative seasonal conditions;

(c) description of design measures to minimize heat impacts (e.g., equipment siting, shielding, landscaping, cool roofs/paving where applicable);

(d) evaluation of feasible opportunities for waste heat reuse. Where reuse is not feasible, the reason(s) why should be given, in which case alternative mitigation shall be identified (e.g., vegetative or green roof and/or site design modifications);

(e) inclusion of a monitoring/verification approach if required by conditions of approval based on proximity to sensitive receptors or site constraints; and

(f) the Plan shall be prepared and certified by a professional engineer or other qualified professional.

The Thermal Impact Mitigation Plan shall be subject to review and comment by the Township. The Township shall have the right to require supplemental or amended plans based upon comments by the Township prior to any zoning approval.

U. Buffer Yards

(1) All Data Center operations shall provide buffer yards along all property boundary lines, except for areas of ingress and egress into the site.

(2) A minimum 100-foot-wide buffer yard shall be provided along the entire length of any public street frontage of any property and along any property line that abuts property zoned residential, or that contains a sensitive receptor.

(3) A minimum 50-foot-wide buffer yard shall be provided along any property line adjacent to a non-residential use or zoning district.

(4) No improvements other than driveways and essential utilities shall cross the buffer. If a utility must do so, it shall be by the minimum traversal distance and then only if every precaution is used to replace any lost visual screen with a screen wall or comparable feature.

(5) Buffer yards shall be composed of a combination of landscaping and screening techniques. A holistic landscape plan prepared by a professional landscape architect shall be submitted with the zoning application.

(a) Use of existing vegetation in buffer yards is strongly encouraged and may be substituted for new plantings if approved by the Township.

(b) Earthen berms, with no grade steeper than 3:1 shall be planted on the top and along exterior slopes.

V. Screening

(1) Screening shall be provided to reduce the noise output and visual impact of any facilities and equipment necessary for cooling, ventilating, or operating the facility, including but not limited to power generators, accessory electrical substations, or other power supply equipment.

(2) Ground-mounted facilities and equipment shall be fully enclosed when technically feasible. If full enclosure is deemed infeasible by the Township, the equipment must be screened by a visually solid barrier such as a wall, fence, building and/or natural materials that absorb noise and protect neighboring properties from noise pollution.

(3) Rooftop facilities equipment shall be screened by a parapet wall, equipment penthouse, or visually solid screen on all four sides.

Rooftop equipment that is visible above the parapet wall shall be set back from the exterior or parapet wall a distance no less than the height of said equipment.

W. Emergency services

(1) An Emergency Response Plan shall be required as part of the conditional use application and shall be prepared by a qualified professional. The Emergency Response Plan shall:

(a) Evaluate the impacts, both positive and negative, of the proposed data center upon emergency services and fire protection.

(b) Be reviewed by and be acceptable to the local fire department and emergency management services as part of the conditional use process.

(c) Include detailed procedures for fire suppression, containment, ventilation, and evacuation.

(d) Ensure that all first responders receive adequate training specific to the installed system at the expense of the applicant.

The Emergency Response Plan shall be subject to review and comment by the Township. The Township shall have the right to require supplemental or amended plans based upon comments by the Township prior to any zoning approval.

(2) 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.

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

(4) Data Centers and any Data Center Accessory Use 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 and shall include fire suppression systems designed specifically for battery storage.

(5) 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.

X. Decommissioning

(1) When a facility is no-longer utilized as a Data Center, the owner of the property shall be responsible for ensuring that all computer servers and other computer equipment, and all hazardous or extremely hazardous substances are removed from the premises. The Board may impose a reasonable timeline for removing such equipment and materials from the premises as a condition of approval and may require such other actions it deems necessary to put future owners of the property on notice of such responsibility.

Y. Public engagement.

(1) The applicant shall hold a public meeting prior to the first planning commission meeting when the proposed land development or conditional use proposal is discussed. The purpose of the meeting shall be to inform the public about the nature of the proposed development, including the location, scale, and general characteristics. A representative(s) of the applicant with knowledge of the project and the ability to answer general questions from the public about the project's general location, scale, and parameters shall participate in the meeting. The public meeting shall be advertised consistent with "public notice" as defined by the Pennsylvania Municipalities Planning Code.

(2) The applicant shall create and maintain a project website for viewing by the general public. The site shall explain the project parameters, including maps and elevations/renderings, beginning at least two weeks prior to the meeting discussed above, and until the time of final land development approval. The site shall provide a description of the proposed use, construction timelines and phasing plans, dates of public meetings with municipal bodies, and status of permits.

SECTION 3.

Chapter 500 *Zoning*, Article XIX *OS Outdoor Storage and Intensive Commercial/Industrial District*, Section 500-1902 Permitted uses, subsection B is hereby amended by adding a new subsection (7) as follows:

(7) Data center, in accordance with the § 500-843.

SECTION 4.

Should any portion of this ordinance be invalidated by a court of competent jurisdiction, then such invalid portion shall to the extent possible be severed from the remainder, which shall continue in full force and effect.

SECTION 5.

Any existing Township ordinance that is inconsistent with the foregoing is to the extent of such inconsistency repealed.

SECTION 6.

This ordinance shall be effective immediately upon adoption.

SO ORDAINED this 9th day of June, 2026.

Steven R. Rothenberger, Board Chairman

Attest: Anne W. Klepfer

Anne Klepfer, Secretary