

**HAMPTON TOWNSHIP
ORDINANCE NO. 2026-13**

**AN ORDINANCE TO AMEND CHAPTER 108, ENTITLED “ZONING” OF THE CODE
OF THE TOWNSHIP OF HAMPTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY
TO PROHIBIT DATA CENTERS IN ALL ZONES**

WHEREAS, the Township of Hampton Master Plan emphasizes protection of the Township rural character, agricultural lands, scenic landscapes, environmental resources, and historic and cultural heritage; and

WHEREAS, data centers designed to facilitate artificial intelligence processing and the like, present an intense and unique form of use of land use and development, posing significant challenges related to electricity consumption, noise, air quality, water use, community character and long-term planning objectives; and

WHEREAS, preliminary data cited by Members of the New Jersey State Legislature has cautioned that large-scale data centers can use as much as 3 to 5 million gallons of water in a single day between liquid cooling and water consumed to generate the energy that powers them; and

WHEREAS, this extreme volume of water usage impacts homes and businesses both within the municipality and the surrounding communities; and

WHEREAS, preliminary studies noted by the State Legislature also indicate that some data centers require 300 MW of electricity, which is roughly equivalent to the output of a small modular nuclear reactor; and

WHEREAS, aside from increases in taxes and governmental services across the board, in only the last year the majority of the State has already seen consumer energy costs increase more than twenty percent (20%), with additional increases expected within the next few months; and

WHEREAS, the high-tech data centers that are proliferating throughout the state consume a large amount of electrical power at a time when energy costs are increasing for ratepayers; and

WHEREAS, it is well established that overdevelopment, urbanization, and overuse of environmental resources impacts subterranean aquifers and the quality of drinking and other water resources and poses a substantial strain on community water resources; and

WHEREAS, the Hampton Township Committee is conscious of the hazards, such as depletion of critical groundwater resources, and the impact on the environmental and natural resources posed by the scope, depth and pervasiveness of large-scale commercial data center operations; and

WHEREAS, municipal regulations designed for the preservation of the environment and the protection of ecological values are a well-recognized, legitimate, and proper exercise of municipality authority; and

WHEREAS, cutting and removal of trees has been found to cause and create increased soil erosion and dust, instability, and deterioration in the value of surrounding property and other adverse environmental and geographical conditions; and

WHEREAS, dramatic increases and changes in population, development, and the impact of certain data center operations on residents, businesses, the environment, and private and public property have imposed significant burdens on municipal resources and have created increased need to balance the rights and interests of the residents and general public with that of the legitimate rights of property owners to conduct business without unreasonable regulation; and

WHEREAS, in light of these significant changes in confluence with modern advancement in technology, scientific and environmental research that have allowed for a more accurate and comprehensive understanding of the hazards and dangers posed to surrounding property, environmental and natural resources, the general public, and the proliferation and expansion of governmental regulation of the environment, safety and business in general, that have occurred since the enactment of the municipalities zoning and development regulations, the Township Committee has determined it necessary and appropriate to amend and update its ordinances to adequately address data center uses in a manner that best reflects present needs and realities; and

WHEREAS, the Township Committee of the Township of Hampton has determined that it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of its residents and members of the public who visit, travel or conduct business in the Township to amend the Township Code to include all manner of data centers land use and development as a non-permitted use within the

geographic boundaries of the Township and to otherwise improve and strengthen the nature, scope, manner and effectiveness of such regulations;

BE IT ORDAINED by the Township Committee of the Township of Hampton in the County of Sussex, as follows:

SECTION 1. Section 108-7, entitled “Definitions” of Article II, entitled “Word Usage; Construction and Application; Definitions” of Chapter 108, entitled “Zoning”, of the Code of the Township of Hampton, County of Sussex, State of New Jersey, is amended to add the following definition:

DATA CENTER

A structure or combination of structures which (a) house(s) computer systems and include(s) associated components such as telecommunication and data storage systems; redundant or “backup” power and data storage components; electrical transformers, substations, and other power supply infrastructure; data communication connections; environmental and safety controls for building climate, equipment cooling, and fire suppression; and security devices, systems, and installations; and (b) which serve(s) as an off-site or remote accessory facility available and accessible to users via telecommunication or internet utilities for purpose(s) of aggregating collective computing demands for cloud services, video streaming, blockchain and crypto mining, artificial intelligence and machine learning, virtual reality, and/or other internet, telecommunication, computing, and data storage, maintenance, processing and transmission purposes. Also commonly referred to as an “internet data center”, “AI data center” or “cloud data center”.

SECTION 2. Section 108-11.2, entitled “Prohibited uses and structures in all zones.” of Chapter 108, entitled “Zoning”, of the Code of the Township of Hampton, County of Sussex, State of New Jersey, is amended to add the following:

(D) Data centers and all uses related to same.

SECTION 3. If any article, section, subsection, paragraph, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION 4. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township, the provisions hereof shall be determined to govern. All other ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 5. The Clerk is directed to give notice at least 10 days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this Ordinance, after public hearing, the Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

SECTION 6. This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

CERTIFICATION

I hereby certify that the above Ordinance was adopted by the Township Committee at their regular meeting held June 29, 2026 at the Hampton Township Municipal Building, Baleville, Sussex County, New Jersey.

Date: _____

Diana Juarez, RMC
Township Clerk

NOTICE

NOTICE IS HEREBY GIVEN that the attached Ordinance #2026-13 was introduced at a regular meeting of the Township Committee of the Township of Hampton, Sussex County, New Jersey, held on the 26th day of May 2026 and passed on first reading, and that such Ordinance will be further considered for final passage and adoption at the regular meeting of the Township Committee to be held on the 29th day of June 2026 at the Municipal Building, One Rumsey Way, in the Township of Hampton, at 7:00 p.m., and remotely via Zoom if available, or remote only at the discretion of the Administrator or Mayor, at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance. To attend

the meeting remotely use the following link: <https://us02web.zoom.us/j/4919500389>, or to attend the meeting by phone, dial 929-205-6099 (Meeting ID: 491 950 0389).

Diana Juarez, RMC
Township Clerk

**HAMPTON TOWNSHIP
NOTICE
ORDINANCE #2026-13**

NOTICE IS HEREBY GIVEN that the foregoing Ordinance #2026-13 was adopted at Final Reading at the regular meeting of the Township Committee of the Township of Hampton, County of Sussex held on Tuesday, June 29, 2026, at the Hampton Township Municipal Building, Baleville, N.J.

Diana Juarez, RMC
Township Clerk