

**ORDINANCE NO. 257**

**AN ORDINANCE OF THE WEST ROCKHILL TOWNSHIP BOARD  
OF SUPERVISORS AMENDING CHAPTER 450 OF THE WEST  
ROCKHILL TOWNSHIP CODE BY AMENDING REGULATIONS  
FOR THE DATA CENTER USE AND RELATED USES**

**WHEREAS**, Pennsylvania has experienced a surge in data center construction and proposals for data center construction; AND

**WHEREAS**, data centers, unlike traditional commercial or industrial uses, are utility-intensive, space-consuming facilities which require specific preparations and advanced planning with respect to resource availability to assure that there is no adverse impact to the public health, safety, and welfare; AND

**WHEREAS**, land use controls are necessary to ensure that data centers do not create an adverse impact to adjacent land uses; AND

**WHEREAS**, the West Rockhill Township Board of Supervisors, on April 15, 2026, enacted Ordinance No. 256 which formally recognized data centers as a use under the Zoning Ordinance and implemented restrictions on such use and related uses; AND

**WHEREAS**, the West Rockhill Township Board of Supervisors has determined at a public meeting that amending the Township's existing regulations of the data center use would further support the general health, safety, and welfare of West Rockhill Township.

**NOW, THEREFORE**, the West Rockhill Township Code is hereby amended as follows:

**ARTICLE I. DATA CENTER USE REGULATIONS**

Chapter 450 ("Zoning"), Article XVI ("Use Regulations"), Section 450-1604 ("Use Regulations"), Subsection G(18) ("Data Center") of the West Rockhill Township Code is hereby amended to read as follows:

**(18) G18 Data Center.**

- (a) **Data Center Development.** Data centers shall be permitted by special exception in the PI Planned Industrial Zoning District when approved in compliance with the procedures, standards, and criteria contained herein, the factors listed in Section 450-2405 of the West Rockhill Township Zoning Ordinance, and all other applicable local, state, and federal regulations, laws, codes, and ordinances. Unless the context clearly indicates otherwise, any reference to an "application" in this Section refers to an application to the Zoning Hearing Board for zoning approval for any use provided for in this Section.

(b) **Accessory Uses/Structures.** Data center equipment shall be permitted by right in support of a data center. Data center accessory uses/structures shall be permitted by right in support of a data center. Data center equipment and unoccupied data center accessory structures shall be deemed as nonresidential accessory buildings or structures that are subject to the dimensional requirements of Sections 450-1604.H(18) and 450-1909.

(c) **Dimensional Standards.** The area and dimensional requirements set forth in Section 450-1102 of the West Rockhill Township Zoning Ordinance shall apply to data centers, except for the following requirements, which shall apply instead of those listed in Section 450-1102:

Minimum Site Area: 35 acres

Minimum lot width at street lines (site): 750 feet

Minimum front yard: 400 feet from a lot line adjoining any Residential zoning district (RC, RA, SR, VR, or MHP). Otherwise 200 feet.

Minimum side yard: 400 feet from a lot line adjoining any Residential zoning district (RC, RA, SR, VR, or MHP). Otherwise, 200 feet.

Minimum rear yard: 400 feet from a lot line adjoining any Residential zoning district (RC, RA, SR, VR, or MHP). Otherwise, 200 feet.

Maximum lot coverage: 60%

Minimum parking area setbacks: 200 feet where abutting a Residential zoning district. Otherwise, 100 feet.

(d) **Sound.**

[1] **Sound studies required.** Any applicant proposing to establish a Data Center use shall demonstrate through a sound study conducted by a professional acoustical expert, at various phases of the project as described further herein, that the installation of one or more sound reducing materials or systems, approved by the Township, will effectively reduce the sound generated by the Data Center and associated Data Center Equipment during normal operations and testing and maintenance operations (i.e. all standby emergency equipment, including but not limited to generators) to a maximum daytime (7:00 AM to 10:00 PM Monday-Friday, and 9:00 AM to 10:00 PM on Saturdays, Sundays, and legal holidays) decibel level of 65 dB(A) and a maximum nighttime (any time that is not daytime) decibel level of 55 dB(A) as measured from all external property lines of the Data Center use; provided, however, that at no point during daytime or nighttime shall the decibel level exceed 55 dB(A) at a property line adjoining any Residential zoning district (RC, RA, SR, VR, or MHP).

[2] **Specifications for testing.** Such sound study or studies shall be conducted using Sound Level Meters described in ANSI S1.4-2014 and using ANSI S1.13-2020 (Measurement of Sound Pressure Levels in Air) guidelines, as well as methodology generally accepted by professionals trained in acoustics.

[3] **Phases for sound studies.** A sound study shall be conducted at various phases in accordance with the following:

- [a] **Preliminary sound study.** The applicant shall conduct a preliminary sound study for the Data Center use and any associated Data Center Equipment as part of the Special Exception process and shall submit such study as an exhibit or attachment to any application to the Zoning Hearing Board made under this Section. The preliminary sound study shall be required to set forth the anticipated sound levels at all external property boundaries and demonstrate compliance with the sound limits provided for in this Section, and shall provide for and describe with particularity any sound attenuation measures necessary for complying with the sound limits provided for in this Section. The Township may refuse to accept any application to the Zoning Hearing Board brought under this Section which fails to include a preliminary sound study that demonstrates compliance with this Section. The Township Manager may elect to have a separate preliminary sound study conducted on behalf of the Township by an entity of his/her choosing.
- [b] **As-built sound study.** The applicant shall conduct and submit to the Township an as-built sound study upon completion of all public and private improvements. No certificate of occupancy shall be issued for any Data Center or Data Center Equipment until the applicant submits an as-built sound study to the Township which demonstrates compliance with the provisions of this Section and demonstrates that any as-built sound level does not exceed the sound levels indicated in the preliminary sound study. The Township Manager, in his/her sole discretion, may choose to issue a certificate of occupancy if any as-built sound level exceeds such level as specified in the preliminary sound study, so long as the as-built sound level does not exceed the limits provided for in this Section.
- [c] **Violations of sound limits.** Any violation of the sound limits established herein shall be subject to enforcement action in the manners provided for in Sections 616.1, 617, and 617.2 of the Pennsylvania Municipalities Planning Code as appropriate, 53 P.S. §§ 10616.1, 10617, and 10617.2.
- [d] **Exception during power outage.** In the event of a failure of the electrical grid which through no fault of the owner or operator of any Data Center or Data Center Equipment removes power from all or part of said Data Center or Data Center Equipment, the sound limits provided in this Section shall be temporarily suspended during the pendency of such failure. The Data Center or Data Center Equipment shall re-establish compliance with the sound limits provided for herein within three (3) hours of the restoration of power thereto.
- (e) **Off Street Loading.** Loading zones shall comply with the provisions of Section 365-49 ("Parking facilities") of the West Rockhill Township Code, provided, however, that each data center shall have at least one (1) off-street loading dock.
- (f) **Utilities.** The proposed use shall be serviced by public utilities as follows:

[1] **Generally.** As part of any application for special exception, the applicant shall provide a “will-serve letter” from each public utility provider of electricity, water, and sanitary sewer services, along with a written assessment by a certified professional in the field of engineering, hydrology, and/or utility design that there is sufficient capacity available to serve the proposed use for electric and water usage and wastewater production as well as the projected service needs for future municipal growth. Any such letters and assessments shall be subject to the satisfaction of the Township Engineer.

[2] **Water and Wastewater.** As part of any application for special exception, the applicant shall submit to the Township a Water & Wastewater Feasibility Study containing an analysis of water needs and projected wastewater production, conducted by a hydrologist certified by the American Institute of Hydrology (or another comparable organization in the discretion of the Township Manager) or a professional engineer certified in the Commonwealth of Pennsylvania and experienced in water and wastewater management. The purpose of the analysis and study is to determine whether there is an adequate supply of water and adequate wastewater treatment capacity for the proposed use(s) and to estimate the impact of the use(s) on the public water supply system and upon any wastewater conveyance and/or treatment systems. The Water & Wastewater Feasibility Study shall at a minimum include the following information:

- [a] Calculations and descriptions of the projected water needs and wastewater production and disposal methods of the proposed use(s).
- [b] A geologic map of the area with a radius of at least one mile from the site.
- [c] The location of all streams and bodies of water within 1,000 feet of the site and all known point sources of pollution.
- [d] A determination of the effects of the proposed use(s) on the quantity and quality of water in any wells, streams, or groundwater tables that may be affected by establishment of the use(s).
- [e] Identification of how water will be recycled or re-used on-site, or released from the site.
- [f] Demonstration of compliance with Chapter 414 (“Wastewater Collection and Treatment; Sewer Use”) of the West Rockhill Township Code, the Clean Streams Law (35 P.S. §§ 691.1 – 691.1001), all regulations of the proposed provider(s) of water service and wastewater conveyance and treatment, and any other applicable statute, ordinance, or regulation.
- [g] A statement of the qualifications of any person involved in preparing the Water & Wastewater Feasibility Study.
- [h] A verification signed by the applicant(s) and/or a person(s) authorized to act on behalf of the applicant which acknowledges that the information contained within the Water & Wastewater Feasibility Study is true to the best of the person’s knowledge, information, and belief,

and that any false statements made therein may subject the person(s) to the penalties of 18 Pa.C.S. § 4904 (unsworn falsification to authorities).

The Water & Wastewater Feasibility Study shall be subject to approval by the Township. The Township may refuse to accept any special exception application submitted without an acceptable Water & Wastewater Feasibility Study, and no special exception sought pursuant to this Section shall be approved by the Zoning Hearing Board in the absence of proof of the Township's approval of such study.

In no event shall a Data Center use be permitted to withdraw or extract water from any groundwater supply, aquifer, impoundment, running stream, or body of surface water.

[3] **Electricity.** As part of its application, the applicant shall submit to the Township a report showing an analysis of anticipated electricity needs and a Power Feasibility Study, conducted by a professional engineer licensed in the Commonwealth of Pennsylvania and experienced in electrical engineering, for the purpose of determining whether there is an adequate supply of electricity for the proposed use(s) and to estimate the impact of the use(s) on the power supply in West Rockhill Township and the region. The Power Feasibility Study shall at a minimum include the following information:

- [a] Calculations and descriptions of the projected electricity needs of the proposed use(s) and any projected on-site power generation.
- [b] A determination of the impacts of the proposed use(s) upon the service rates and availability of electricity to the Township and adjacent municipalities.
- [c] Documentation indicating that all efforts have been undertaken to eliminate any negative impact on the service rates or availability of electricity to the Township and adjacent municipalities, and that any such negative impacts have been eliminated.
- [d] Identification of all on-site solar power systems and other on-site energy generation systems and their projected levels of energy production.
- [e] A statement of the qualifications of any person involved in preparing the Power Feasibility Study.
- [f] A verification signed by the applicant(s) and/or a person(s) authorized to act on behalf of the applicant which acknowledges that the information contained within the Power Feasibility Study is true to the best of the person's knowledge, information, and belief, and that any false statements made therein may subject the person(s) to the penalties of 18 Pa.C.S. § 4904 (unsworn falsification to authorities).

The Power Feasibility Study shall be subject to approval by the Township. The Township may refuse to accept any special exception application submitted without an acceptable Power Feasibility Study, and no special exception sought pursuant to this Section shall be approved by the Zoning Hearing Board in the absence of proof of the Township's approval of such study.

Every use under this Section shall be designed and operated so that the service lines, substation, and all other electrical equipment shall conform to the most acceptable safety requirements recognized by the Pennsylvania Bureau of Labor and Industry, shall be so constructed and installed as to be an integral part of the architectural features of the plant or, if visible from abutting residential properties, shall be concealed in accordance with the landscaping requirements herein.

[4] **Improvements at Applicant's Expense.** If either the Water & Wastewater Feasibility Study or the Power Feasibility Study identifies a detrimental impact to utility capacity, or that utility capacity is not sufficient, the applicant shall provide as a condition prerequisite to zoning approval, at its own expense, all necessary system improvements necessary to eliminate any limits or system constraints to accommodate the proposed use. The necessary system improvements shall conform to all specifications, procedures, and timelines required for the public utility such as the relevant provisions of the West Rockhill Township Code, including but not limited to Chapter 414 ("Wastewater Collection and Treatment; Sewer Use") and Chapter 420 ("Water"). If any necessary electric, or wastewater system improvements are determined by both the Township Engineer and the respective public utility providers to be infeasible, then on-site utility methods for electric and/or sewer may be considered if developed in compliance with all Township ordinances, to the satisfaction of the Township Engineer.

- (g) **Utility Lines.** To the extent practical, utility lines, including but not limited to electronic, fiber optic, cable, and telephone lines, from substations to a data center shall be placed underground. This requirement shall not apply if the utility company requires above-ground lines, or the placement of under-ground lines is not feasible in the opinion of the Township Engineer, or in any situation over which the Public Utilities Commission ("PUC") exercises exclusive jurisdiction. Utility lines to substations from off-site may be placed above ground.
- (h) **Emergency Access.** It shall be demonstrated that there is an adequate second means of ingress and egress suitable for emergency access to and from the site. Written approval from the Fire Chief of the fire company that provides primary fire coverage for the site shall be provided demonstrating there is adequate emergency access, truck turning, fire suppression, and fire hydrant availability on the site.
- (i) **Height.** No part or component of a Data Center or Data Center Equipment shall exceed thirty-five feet (35') in height as measured from the ground. For purposes of determining the height of a Data Center or a building associated with data center accessory uses, anything attached to the structure such as projections through the roof of the building for items such as elevator towers, heating or cool units, parapet walls to screen rooftop equipment and protrusions, and other such items and components shall be considered to be part of the building/structure and shall be included in any measurement of height of the building/structure.
- (j) **Landscape Buffering.** Type 2 buffer, as described in Section 450-1704 of the Zoning Ordinance, shall be provided wherever a Data Center use abuts a Residential zoning

district (RC, RA, SR, VR, or MHP) in compliance with Section 450-1704. Any application shall include information demonstrating compliance with this requirement.

- (k) **Lighting.** As part of any application, any applicant shall submit proof of compliance with this subsection, including an analysis of potential glare on neighboring properties that demonstrates compliance with this subsection. The provisions of Section 450-1808 ("Lighting") of the West Rockhill Township Code shall apply to a data center unless they are modified by or in conflict with this subsection, in which case the provisions of this subsection shall apply.

- [1] **Footcandle, defined.** As used in this subsection, "footcandle" means the quantity of light sufficient to saturate one square foot with one lumen of light.
- [2] **Horizontal Surfaces.** For the lighting of predominantly horizontal surfaces, such as, but not limited to, parking areas, roadways, vehicular and pedestrian passage areas, loading docks, building entrances, sidewalks, bicycle paths, and site entrances, luminaires shall be aimed down, and shall meet Illuminating Engineering Society of North America (IESNA) full cut-off/fully shielded criteria.
- [3] **Non-horizontal Surfaces.** For the lighting of predominantly non-horizontal surfaces, such as, but not limited to, facades, landscaping, and signs, luminaires shall be shielded and shall be installed and aimed to not project their output into the windows of neighboring residences, adjacent uses, past the object being illuminated, skyward, or onto a public roadway.
- [4] **Nearby Residential Uses.** The illumination projected onto any nearby residential use shall at no time exceed 0.1 footcandle, measured line-of-sight and from any point on the receiving residential property.
- [5] **Nearby Non-Residential Uses.** The illumination projected onto a nonresidential use shall at no time exceed 0.5 footcandle, measured line-of-sight from any point on the receiving property.
- [6] **Glare.** The provisions of this subsection shall apply to any use under this Section in lieu of Section 450-1805 ("Glare") of the Zoning Ordinance. Landscape buffers and/or vegetation screens shall not be employed to serve as the primary means for controlling glare. Glare control shall be achieved by using means such as cutoff luminaires, shields and baffles, and appropriate application of luminaire mounting height, wattage, aiming angle, and luminaire placement.
- [7] **LED Lights.** LED light sources shall have a correlated color temperature that does not exceed 3000K.
- [8] **Luminaires.** Luminaires shall not be mounted more than 20 feet above the finished grade of the surface being illuminated. No pole-mounted lighting on the roof shall be permitted.

- (l) **Cooling Systems.** All systems which use any liquid for the cooling of a Data Center and/or Data Center Equipment and/or accessory uses shall employ strictly closed-loop technology which shall not release any liquid, steam, or vapor, whether by evaporation, boiling, steam generation, leak or spill, or any other method that causes the discharge

of any coolant liquid (water or otherwise) from inside of the system to outside of the system.

(m) **Environmental Impacts.** Environmental impacts associated with a data center shall be mitigated by demonstrating compliance with the following standards:

[1] **Air pollution controls.** All uses shall comply with the standards of the Air Pollution Control Act, 35 P.S. §§ 4001 through 4015, as amended, and the following standards:

[a] **Visible emissions.** Visible air contaminants shall not be emitted in such a manner that the opacity of the emissions is equal to or greater than 20% for a period or periods aggregating more than three minutes in any one hour, or equal to or greater than 60% at any time, and shall comply with Pennsylvania Code Title 25, Chapter 127A(7), or its most recent update.

[b] **Hazardous air emission.** All emissions shall comply with National Emissions Standards for Hazardous Air Pollutants promulgated by the United States Environmental Protection Agency under the Federal Clean Air Act (42 U.S.C. § 7412) as promulgated in 40 CFR 61, or its most recent update.

[c] **Dust, fumes, smoke, vapors, gases, and odor.** All dust, fumes, vapors, and gases shall comply with Section 450-1802 ("Dust, fumes, vapors and gases") of the West Rockhill Township Code. All odor shall comply with Section 450-1804 ("Odor") of the West Rockhill Township Code.

[2] **Vibration control.** All vibrations or concussions caused by the use of a data center shall comply with Section 450-1806 ("Vibrations") of the West Rockhill Township Code.

[3] **Heat control.** No data center use shall produce heat perceptible beyond its lot lines.

(n) **Construction Hours.** Construction and related operation of heavy machinery, operating or permitting the operation of any tools, equipment or heavy machinery used in construction, drilling, or demolition work for a data center may occur only between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, between 9:00 a.m. and 5:00 p.m. on Saturdays, and at no time on Sundays or legal holidays. The Township Manager may permit additional construction hours in his/her discretion upon request by an applicant, and may revoke or modify such additional construction hours in his/her discretion with or without request.

(o) **On-Site Solar Power Systems.**

[1] To the maximum extent technically feasible, as determined by the Township Engineer, the following surface areas relating to data centers shall be utilized for the generation of solar energy:

[a] **Roof surfaces.** 100% of the available unshaded roof area of the principal data center structure(s) shall be equipped with a rooftop-mounted solar photovoltaic system.

- [b] Parking and loading areas. All off-street parking spaces, loading docks, and internal drive aisles shall be sheltered by carports or canopy structures. All such carports and canopies must be fully covered by solar photovoltaic systems, and shall maintain a minimum vertical clearance of at least fourteen (14) feet for emergency vehicle access where applicable.
- [c] Vertical integration (solar walls). Building facades that face an eastern direction (from 45° up to 135°), southern direction (from 135° up to 225°), or western direction (from 225° up to and including 315°) shall incorporate building-integrated photovoltaics (or “BIPVs”). BIPVs may include solar siding, solar glass, or architectural solar louvers. BIPVs must cover no less than forty percent (40%) of such wall surface area.
- [d] Data center accessory uses/structures and data center equipment. All data center accessory structures and data center equipment shall be covered on top by solar arrays which are part of the on-site solar photovoltaic system.

[2] Any on-site solar power systems shall comply with all applicable provisions of Chapter 200, Article II relating to the submission of a Safety Plan for on-site energy generation.

**(p) On-Site Energy Generation and Storage.**

- [1] Any form of on-site energy generation or on-site energy storage shall comply with all applicable provisions of Chapter 200, Article II relating to the submission of a Safety Plan for on-site energy generation, regardless of the type of facility.
- [2] On-site electricity generation devices or systems shall be designed for “behind-the-meter” consumption separate from the power grid in order to reduce or offset the data center’s consumption of electricity from the power grid. In the event that on-site electricity is generated in an amount that exceeds that required by the data center and its accessories and equipment, all such excess electricity shall be fed back into the power grid in accordance with the public electricity supplier’s and Pennsylvania Public Utility Commission’s (“PUC”) regulations and guidelines.

(q) **Estimated economic impact.** As part of its application, the applicant shall submit a good faith estimate of the costs expected to be incurred by the Township related to infrastructure, emergency preparedness, administrative costs, police protection, and fire protection.

(r) **Decommissioning.** In the event that a data center use is discontinued, the property owner shall submit a decommissioning plan to the satisfaction of the Township Engineer, and shall post financial security with the Township in accordance with the procedures outlined in Section 509 of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10509, to ensure the proper removal of all Data Center Equipment, on-site solar power systems, on-site power generation or storage systems, and any Data Center Accessory Equipment/Structures.



**ARTICLE II.        REPEALER**

All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

**ARTICLE III.       SEVERABILITY**

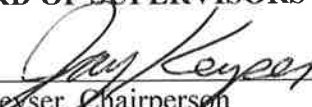
If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality by a court of competent jurisdiction, such illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of West Rockhill Township, that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part had not been included.

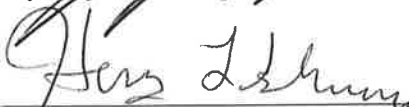
**ARTICLE IV.       EFFECTIVE DATE**

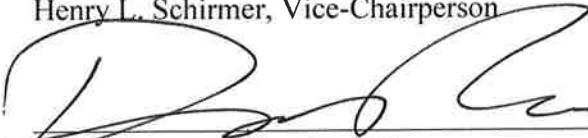
This Ordinance shall become effective immediately upon enactment.

***ENACTED AND ORDAINED*** into an Ordinance this 15<sup>th</sup> day of July, 2026, by the Board of Supervisors of West Rockhill Township in lawful session duly assembled.

**WEST ROCKHILL TOWNSHIP  
BOARD OF SUPERVISORS**

  
\_\_\_\_\_  
Jay Keyser, Chairperson

  
\_\_\_\_\_  
Henry L. Schirmer, Vice-Chairperson

  
\_\_\_\_\_  
David A. Reiss, Sr., Member

ATTEST:

  
\_\_\_\_\_  
Gregory J. Lippincott  
West Rockhill Township Manager