

WEST NORRITON TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2026-785

AN ORDINANCE OF WEST NORRITON TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA AMENDING CHAPTER 27-2001 DEFINITIONS TO INCLUDE DATA CENTERS, CHAPTER 27 PART 11 I INDUSTRIAL DISTRICTS TO ALLOW DATA CENTERS BY CONDITIONAL USE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND PROVIDING A SEVERABILITY CLAUSE AND EFFECTIVE DATE

WHEREAS, the First Class Township Code vests the West Norriton Township Board of Commissioners with the authority to adopt ordinances necessary for the proper management, care and control, and welfare of the Township; and

WHEREAS, data centers are a rapidly expanding use that is not regulated at the state level in Pennsylvania and may exert significant impacts related to energy demand, water consumption, noise, vibration, and environmental quality; and

WHEREAS, local regulation of data centers through conditional use in the designated industrial zone is necessary to ensure any development is compatible with the surrounding community and infrastructure.

NOW, THEREFORE, be it **ORDAINED** that West Norriton Township amends its code as follows:

SECTION I. Chapter 27, titled “Zoning,” Part 20, § 2001, is hereby amended to include the following definitions:

Ambient Noise Level: the noise level associated with a given environment, being a composite of sounds from all sources at the location consisting of the normal or existing level of environmental noise at a given location without extreme atmospheric conditions, such as wind greater than three meters per second or precipitation, and then adjusting the noise level to eliminate any noise associated with then existing development of facilities.

Data Center: A building(s) which is occupied primarily by computers, electronics, and/or telecommunications and/or related equipment where digital information is processed, stored, and/or transferred primarily to and from offsite locations. This definition does not include

computers, electronics, and/or telecommunications and/or related equipment that is customarily incidental to an otherwise permissible use on the property, such as servers associated with an office building or similar technology. This definition shall include, but is not limited to, cryptocurrency mining, blockchain transaction processing, server farms, or cloud environments.

Data Center Accessory Use: Ancillary uses or structures secondary and incidental to a Data Center use, including but not limited to: administrative, logistical, fiber optic, storage, and security buildings or structures; electrical substations; utility lines; domestic and non-contact cooling water and wastewater treatment facilities; water holding facilities; pump stations; water towers; environmental controls (air condition or cooling towers, fire suppression, and related equipment); security features, provided such data center accessory uses/structures are located on the same tract or assemblage of adjacent parcels developed as a unified development with a Data Center.

SECTION II. Chapter 27, Part 11 § 1101.F(3) is hereby amended to include the following:

“(3) Data Centers provided the following requirements are met:

(a) Data Centers shall be permitted by conditional use in the I Industrial Zoning District when approved in compliance with the procedures, standards, and criteria contained in this section.

(b) For purposes of this section, sensitive receptors shall be defined as residential uses, schools, preschools, daycare centers, in-home daycares, long term care facilities, retirement and nursing homes, community centers, places of worship, parks (excluding trails), campgrounds, prisons, and dormitories.

*(c) **Dimensional Standards.** The dimensional standards of Data Centers and Data Center Accessory Uses shall be in accordance with § 27-1102, with the following exceptions:*

1. The maximum building height for a Data Center shall be 50 feet, inclusive of roof-mounted equipment such as cooling and ventilation systems, HVAC units and cooling towers.

2. The maximum height of Data Center Accessory Uses shall be no greater than the height of the principal building.

3. Data Centers and Data Center Accessory Uses shall be set back 200 feet from the boundary of adjoining zoning districts or the lot line of any property

developed with a sensitive receptor, including those located in adjoining/adjacent municipalities.

*(d) **Landscape Buffer.** A landscape buffer is required between Data Centers and Data Center Accessory uses and any adjoining zoning district, sensitive receptor, or public roadway.*

1. The landscape buffer shall be at least [25] feet in width and may be part of the minimum setback distance.

2. In the event that existing vegetation is adequate to meet the intent of the required buffer yard to screen the Data Center and Data Center Accessory Uses from adjoining zoning districts, sensitive receptors, and public roadways, the West Norriton Township Board of Commissioners, upon recommendation by the Township Engineer and Planning Commission, may determine that existing topography and/or vegetation constitutes all or part of the required buffer yard.

*(e) **Screening and Fencing.***

1. To provide visual screening and reduce noise levels, ground-mounted and roof-mounted equipment used for cooling, ventilating, or otherwise operating the facility, including power generation or other power supply equipment, that is located within [300] feet of a public roadway, adjoining zoning districts, or the lot line of any sensitive receptor must be fully enclosed, except where not mechanically feasible based on the manufacturer's specifications. If it is not mechanically feasible to fully enclose the equipment, it must be fully screened from view using one or more of the following means:

(A) The landscape buffer required by subsection (D) above.

(B) By existing vegetation that will remain on the property.

(C) By the principal Data Center building or an accessory building

(D) A berm averaging a minimum of five (5) feet in height above the adjacent average ground level with a maximum side slope of 3:1, provided that the berm shall be covered by a well-maintained all season natural ground cover and any required screening plantings shall be arranged on the outside and top of the berm.

(E) A visually solid fence, screen wall or panel, parapet wall, or other visually solid screen that shall be constructed of materials compatible with those used in the exterior construction of the principal building.

2. Fencing of the property is permitted, provided that fencing along public and private roadways is not chain-link, with or without slatted inserts, and does

not include barbed wire or other similarly visibly intrusive deterrence device. An applicant shall not be required to comply with this requirement if fencing is fully screened from view by one or more of the means identified in subparagraph 1 above.

(f) Noise and Vibration.

1. The applicant must submit a professional pre-construction study establishing baseline ambient noise and vibration levels, as well as predicted operational impacts.

2. Noise from operations, including cooling units and backup generators, shall not exceed 45 dBA or 60 dBC at the property line adjoining any residential zone between 10:00 p.m. and 7:00 a.m., and shall not exceed 40 dBA at other times.

3. Following commencement of operations, an as-built noise and vibration study must be performed within six months to confirm compliance; any exceedance requires immediate mitigation.

4. The applicant shall provide a vibration study prepared by a qualified professional that demonstrates that no vibration from the Data Center, Data Center Accessory Uses or associated equipment will be perceptible to the human sense of feeling beyond the property line.

(g) Water and Sewer.

1. If the use will be served by a public water supply, the applicant shall submit documentation from the public authority certifying that the public authority will supply the water needed.

2. If the use is to rely upon nonpublic sources of water, the applicant shall provide a water feasibility study. The purpose of the study is to determine if there is an adequate supply of water for the proposed use and to estimate the impact of the use on existing wells, groundwater, and surface waters in the vicinity. No Data Center shall be approved unless the water feasibility study demonstrates that the anticipated water supply yield is adequate for the project and that the proposed water withdrawals and discharges will not endanger or adversely affect the quantity or quality of groundwater supplies or surface waters in the vicinity. The water feasibility study shall include the following information at a minimum:

(A) The projected water demands of the Data Center;

(B) The source of water to be used;

- (C) *A description of how water will be used, including the amount or proportion of water to be used for each purpose (e.g. cooling, humidity control, fire suppression, and domestic usage);*
- (D) *The long-term safe yield of the water source;*
- (E) *A description of the amount or portion of water withdrawn that will be recycled or discharged and by what means;*
- (F) *A geologic map of the area with a radius of at least one mile from the site;*
- (G) *The location of all existing and proposed wells within 1,000 feet of the property boundary, with a notation of the capacity of all high-yield wells;*
- (H) *The location of all surface waters, including perennial and intermittent streams, rivers, lakes, reservoirs, ponds, wetlands, springs, natural seeps, and estuaries, within 1,000 feet of the property boundary;*
- (I) *A determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, surface waters, and the groundwater table;*
- (J) *A statement of the qualifications and the signature(s) of the person(s) preparing the study.*

3. *The applicant shall provide proof of review and approval from the Delaware River Basin Commission for projects proposing:*

- (A) *Water withdrawals of 100,000 gallons per day (gpd) or more over a 30-day average from any source or combination of sources within the Delaware River Basin; or*
- (B) *Any consumptive water use of 20,000 gpd or more over a 30-day average from any water source.*

4. *The applicant shall demonstrate that adequate means of wastewater disposal, including domestic wastewater and wastewater used for cooling or industrial purposes, have been provided and approved by the Pennsylvania Department of Environmental Protection.*

(h) **Power Supply.**

1. *If the applicant proposes to connect the Data Center to the electric grid, the applicant shall provide documentation from the applicable electric service provider certifying that that the necessary capacity is available and that electric*

service provider will serve the Data Center. Known impacts on electric rates or availability for other uses directly attributable to the Data Center project shall be noted.

2. Any energy generation system designed or used to supply power directly to a Data Center during normal operations, including solar, wind, fossil fuel, or nuclear energy generating systems, shall not be considered part of the Data Center use. Such systems shall be considered a separate use and shall be approved according to the zoning regulations applicable to such use.

(i) Emergency Management

1. The applicant shall submit an Emergency Response Plan (ERP) prepared by a qualified professional. The ERP shall:

(A) Be reviewed and accepted by the local fire department and emergency management services as part of the conditional use process;

(B) Include detailed procedures for fire suppression, containment, ventilation, and evacuation;

(C) Include an evaluation of the access roads and hydrant locations within the site to ensure suitable access for emergency equipment within the site;

(D) Ensure that all first responders receive adequate training specific to the installed system;

(E) Include provisions for annual fire safety inspections demonstrating compliance with fire safety standards to be performed by a qualified professional on behalf of the Data Center.

2. Any Data Center 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 must include fire suppression systems designed specifically for battery storage.

3. 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.

(j) Aesthetics

1. Any Data Center and Data Center Accessory Use building façade that faces a road, Industrial Zoning District, or existing residential use must incorporate at least two of the following design elements every 150 horizontal feet:

- (A) A change in building material, pattern, texture, or color;
- (B) A change in building height;
- (C) Building step-backs or recesses having a minimum depth of five (5) feet;

(k) Parking

1. Data Centers are to be provided with at least one parking space per 8,000 square feet of floor area designed and intended to be accessible regularly by employees, or one parking space for every one employee, based upon the maximum number of employees on site during the largest shift, whichever is lesser.”

(l) Environmental Impact Assessment

1. Applicant shall submit a comprehensive assessment covering: a) effects on ecosystems, stormwater, and water resources; b) air quality and emissions; c) energy consumption and greenhouse gas impacts; d) infrastructure implications including waste, heat and traffic.

SECTION XI: SEVERABILITY

In the event that any section, sentence, clause, or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose the validity of the remaining portions of this Ordinance.

SECTION XII: 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 Commissioners of West Norriton Township, Montgomery County, Pennsylvania, this _____ day of _____, 2026

ATTEST:

**WEST NORRITON TOWNSHIP
BOARD OF COMMISSIONERS**

Jason Bobst, Township Manager

Roseanne Milazzo, President