

**TOWNSHIP OF RANSOM
LACKAWANNA COUNTY
COMMONWEALTH OF PENNSYLVANIA**

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE TOWNSHIP OF RANSOM ZONING ORDINANCE, ADOPTED JANUARY 2, 2012, CREATING THE DATA CENTER, OR "DC", OVERLAY ZONING DISTRICT; INCLUDING DEFINITIONS PERTAINING TO DATA CENTERS IN SECTION 302 OF ARTICLE III; ADDING SECTION 406 TO ARTICLE IV ALLOWING DATA CENTERS AS A USE IN THE DATA CENTER OVERLAY ZONING DISTRICT; AND AMENDING THE TOWNSHIP OF RANSOM ZONING MAP TO CREATE THE DATA CENTER OVERLAY (DC) ZONING DISTRICT

WHEREAS, the Legislature of the Commonwealth of Pennsylvania enacted the Township Code as Amended, authorizing Townships to enact such regulations as may be necessary for the health, safety, morals and general welfare of the Township; and

WHEREAS, the Legislature of the Commonwealth of Pennsylvania enacted the Pennsylvania Municipalities Code, 53 P.S. § 10101 et seq. as amended, which pursuant to 53 P.S. § 10601 (Entitled "General Powers") and 53 P.S. § 10609 (Entitled "Enactment of Zoning Ordinance Amendments") and P.S. § 10501 (Entitled "Grant of Power") authorizes the Township's Supervisors to enact and amend zoning ordinances and subdivision and land development ordinances;

WHEREAS, certain lots and tracts of real property within the TOWNSHIP OF RANSOM are underutilized and have potential for development that would benefit the community;

WHEREAS, the Township Supervisors of the TOWNSHIP OF RANSOM recognizes that data centers provide a unique opportunity to facilitate economic growth in the Township and would be compatible within certain areas of the Township;

THEREFORE, the TOWNSHIP OF RANSOM desires to create flexible and appropriate regulations for the development of land used for data center and related uses; and

THEREFORE, the Board of Supervisors of the TOWNSHIP OF RANSOM does hereby **ENACT** and **ORDAIN** as follows:

SECTION I. CREATION OF DATA CENTER OVERLAY ZONING DISTRICT, "DC ZONING DISTRICT"

Article IV of the Township's Zoning Ordinance is hereby amended as to create Section 406, which section shall read as follows:

406. Data Center Overlay Zoning District (the "DC District"):

To allow for the orderly and efficient development of data centers, data center campuses, data center accessory uses, data center equipment (DCE) and related technology uses, the Data Center Overlay Zoning District, or "DC" Zoning District is hereby created and is set forth on the Amendment to the Ransom Township Zoning Map attached hereto and made a part hereof as Exhibit "A". The Data Center overlay Zoning District shall be an overlay zoning district available for development subject to the standards set forth in Section 406.1.

406.1. Data Center Overlay Zoning District Qualifying Standards:

Data centers, data center campuses, data center accessory uses, data center equipment (DCE) and related technology uses, which may be a single or multi-tenant building or campus, may be permitted by conditional use as a development option if the following standards are met:

1. The Lot or tract must be comprised of at least 120 acres.
2. The Lot or tract must be located in close proximity to a high voltage power transmission line or facility with the capacity to transmit 230kv or greater.
3. The tract shall have direct access to an arterial or collector street.

SECTION II. USES PERMITTED IN THE DATA CENTER OVERLAY (DC) ZONING DISTRICT

A. Article V of the TOWNSHIP OF RANSOM's Zoning Ordinance is hereby amended as to create Section 506 which shall read as follows:

506. Uses in the Data Center Overlay Zoning District:

1. Data Centers
2. Data Center Campus
3. Data Center Accessory Uses
4. Data Center Equipment ("DCE").

5. Full-time electrical generators, subject to the following standards:
 - a. Nuclear, coal and oil powered generation is prohibited for full-time electrical generators. For avoidance of doubt, emergency generators and similar emergency and back-up facilities and equipment may operate on diesel fuel, natural gas or propane.
 - b. All generators must operate and comply with applicable state and federal guidelines and permitting standards.
6. Accessory Uses in the Data Center Overlay Zoning District
 - a. Office space related to Data Center or Data Center Campus use.
 - b. Support and logistics buildings related to Data Center or Data Center Campus use.
 - c. Security buildings and related facilities related to Data Center or Data Center Campus use.
 - d. Utility infrastructure facilities such as electrical switch yards, substations, water storage and treatment pump stations related to Data Center or Data Center Campus use.
 - e. Emergency power generators, including diesel fuel, natural gas or propane power generators.

SECTION III. DIMENSIONAL REQUIREMENTS FOR DATA CENTERS

Article VII of the Township's Zoning Ordinance is hereby amended as to create Sections 774.A. and 775 which shall read as follows:

774.A.. Data Center buildings in excess of 120 feet may be permitted as a use subject to the following standards:

1. Data Center Accessory Uses such as water and cooling towers may be higher than 120 feet upon proof that such additional height is required for required water pressure and fire suppression systems.
2. The Data Center operator must provide an emergency management plan demonstrating to the Township's satisfaction that the building or accessory structure can be adequately served by fire, police and emergency services.
3. Data Center Buildings in excess of 120 feet in height must comply with the additional setback requirements of 775.4.

775. Dimensional Standards for Data Centers

1. Minimum Lot Area: 120 acres.

2. Minimum Lot Width Measured at the Minimum Building Setback Line: 300 feet.
3. Maximum Building Height:
 - a. Data Center Building: 120 feet maximum, unless a greater height is permitted under Section 774. A.
 - b. Data Center Accessory building: 50 feet maximum.
 - c. Building Height shall not include parapets, chimneys, spires, towers, mechanical equipment and penthouses, elevator structures, tanks and similar projections. Appropriate screening of such elements is required.
4. Minimum Building Setbacks:
 - a. Data Center Buildings - Front, Side and Rear Yard Setbacks shall be fifty (50) feet or the height of the building whichever is greater; In addition, the minimum required setback shall be increased to a minimum of three (300) hundred feet from any property boundary of a lot in an R-1, R-2 or R-3 zoning district except such lots that are: (i) contained within the Data Center Overlay, or (ii) owned in common with the Data Center operator.
 - b. Data Center Accessory Structures- Front, Side and Rear Yard Setbacks shall be 50 feet or the height of the building, whichever is greater, except that one-story security sheds or similar structures may be setback 25 feet.
5. Maximum Building Coverage: 50%
6. Maximum Impervious Coverage: 75%
7. Architectural Design Guidelines:
 - a. With the exception of materials related to rooftop solar or a vegetated green roof, all rooftop equipment shall be screened from view or setback adequately from the building edge so as to not be visible from adjoining properties
 - b. Minimum five-foot-wide sidewalks shall be provided adjacent to buildings for safe access by employees.
 - c. Fronts of buildings (i.e., yards) must be fully appointed with landscaping of trees, shrubs, ornamental grasses or ground cover, see additional requirements below and Section 1304.
 - d. Lighting shall comply with the requirements in article 10 Section 1007 and the latest IESNA guidelines.
8. Buffer Requirements: Each edge of the site is unique and requires different setback and buffering requirements tailored to that edge's characteristics and its neighboring land use. All buffer types must be continuously effective all year round and are to be a combination

of berms, deciduous and evergreen planted material, sound wall and horizontal green space and shall be employed to the satisfaction of the Township to achieve sufficient screening of sight and sounds from adjacent properties.

- a. A buffer of at least fifty (50) feet in depth shall be maintained adjacent to all exterior property boundaries of the Data Center development except where bordering a public road.
- b. No activity, material storage, or parking of vehicles shall be permitted within a buffer or screen area except for freestanding signage.

SECTION IV. ADDITIONAL STANDARDS FOR DATA CENTERS

Article VIII of the TOWNSHIP OF RANSOM's Zoning Ordinance is hereby amended as to create Section 817, which shall read as follows:

(802) (Additional Standards for Data Centers:

1. As a part of any applicant's Land Development Application, all Data Center applications shall include a sound study conducted by a professional acoustical expert, paid for by the applicant and approved by the TOWNSHIP OF RANSOM's professional acoustical expert. A sound study shall be conducted in the following phases:
 - a. A preliminary sound study for the Data Center and associated DCE shall be conducted as part of the applicant's application for a zoning permit to determine current ambient sound levels existing at the proposed data center location.
 - b. The preliminary sound study shall consider the current use of the property as well as the requirements of Section 809.A herein.
 - c. An as-built sound study shall be conducted nine (9) months after issuance of the certificate of occupancy and at full occupancy for any Data Center and associated DCE and shall be paid for by the applicant. An as-built sound study may also be required thereafter by the Township upon request. If it is determined by the as-built sound study that there is a violation of the aforesaid sound limits, then the owner or occupant of the Data Center shall promptly remediate the violation into compliance with the aforesaid sound limits.
 - d. Study Requirements: All sound studies shall be conducted by a professional acoustical expert using applicable ANSI standards and generally accepted criteria.
 - e. Violation Remediation: If violations are found, the owner/occupant shall promptly remediate to compliance. In

addition to all other remedies and penalties available to the TOWNSHIP OF RANSOM for a violation of the TOWNSHIP OF RANSOM Zoning Ordinance, any failure to remediate may result in permit revocation.

2. Data Centers, Data Center Campuses, Data Center Accessory Uses, and DCEs shall comply with the Township's Noise Regulations set forth in Section 809.A, except that:
 - a. Maximum dBA limitations shall not apply during a power outage or similar emergency and for a period of two hours after power is restored.
 - b. Maximum dBA limitations shall not apply during routine testing and maintenance of back-up generators, such testing shall not occur before 7 am or after 8 pm.
 - c. Future sound levels attributable to Project Operation ("Project Sound") shall not exceed the measured pre-construction ambient sound level by more than 15 dBA, as assessed at any lot line of the property.
 - d. The pre-construction ambient sound level shall be quantified through a continuous, long-term sound measurement survey paid for by the applicant. The measurement survey shall be performed, to the extent practicable, per the methodology described in ANSI S12.9-1992, Part 2, "American National Standard Quantities and Procedures for Description and Measurement of Environmental Sound, Part 2, Measurement of Long-Term, Wide-Area Sound".
 - e. Project Sound determined to be fifteen (15) decibels above the determined ambient noise level shall be a violation of the TOWNSHIP OF RANSOM Zoning Ordinance, subjecting the applicant to all penalties and remedial provisions of the TOWNSHIP OF RANSOM Zoning Ordinance, and shall be attenuated and mitigated to comply with the terms of the TOWNSHIP OF RANSOM Zoning Ordinance as soon as possible.
3. A Lot may include lots, tracts parcels or assemblages owned in common or otherwise developed in common and considered contiguous for the purpose of all bulk, area and land mass calculations. Lots, tracts, parcels or assemblages shall be deemed contiguous even if separated by rights of way so long as they are owned or developed in common.
4. Public water and sewer facilities shall be provided. If existing public water and sewer facilities are insufficient, compliance with the TOWNSHIP OF RANSOM's Subdivision and Land Development

Ordinance (SALDO) shall be demonstrated.

- a. If the Data Center is to rely upon non-public sources of water, a water feasibility study shall be provided including:
 - 1) Calculations of projected water needs
 - 2) Geologic map of the area with a radius of at least one mile from the site
 - 3) Location of all existing and proposed wells within 1,000 feet
 - 4) Location of all streams within 1,000 feet and known pollution sources
 - 5) Long-term safe yield determination
 - 6) Effects on nearby wells, streams, and groundwater table
 - 7) Water recycling and release plans
 - b. Depending on location, proof of review and approval from the appropriate local, state and/or federal regulatory agencies for projects with water withdrawals of 100,000 gpd or more, or consumptive use of 20,000 gpd or more.
5. The applicant shall provide a fully executed Letter of Authorization from the applicable electric service provider indicating the necessary capacity is available.
 6. Secondary means of ingress and egress shall be provided to the satisfaction of the Township's fire and emergency management officials.
 7. Data Centers shall have a campus security plan prepared in consultation with the Township's police and emergency management officials.
 8. All disturbance of wetlands, riparian buffers, streams and similar water resources shall comply with standards and requirements of the Pennsylvania Department of Environmental Protection.
 9. Data Center developments shall be exempt from the Steep Slope provisions of §403, provided that all proposed grading is in accordance with an Erosion and Sedimentation Control Plan approved by the Lackawanna County Conservation District and/or the Pennsylvania Department of Environmental Protection (PADEP). Such approval shall be evidenced by the issuance of the applicable Erosion and Sedimentation Control Permit, including, where applicable, an NPDES permit.
 10. Development within a floodplain shall comply with standards and requirements of the PADEP and Section related to Floodplains.

11. Ground mounted Noise Generating Data Center Equipment shall not be located in any front yard between the Data Center buildings and arterial or collector roads and shall be separated from all adjacent residential uses by principal buildings.
12. The minimum parking requirement shall be one (1) space per eight thousand (8,000) square feet of floor area of the portions of a Data Center building designed and intended to be accessible regularly by employees, or one (1) space for every one (1) employee, based upon the maximum number of employees onsite during the largest shift, whichever is lesser.
13. The minimum loading space requirement shall be one (1) space per Data Center building.

SECTION V. AMENDMENT OF SECTION 1502 OF ARTICLE 15
(DEFINITIONS) TO INCLUDE DEFINITIONS PERTAINING TO
DATA CENTERS

- A. Article II "Definitions", it is hereby amended to include the following definitions, which shall be incorporated in alphabetical sequence:

Data Center – a building, structure or facility, or a dedicated space within a building, structure or facility, or a group or campus of such buildings, structures, or facilities used primarily for, or intended to be used primarily for, the housing, operation and/or co-location of computer and/or communications equipment and/or for the handling, storage and backing up of the data or other information necessary for the operation of a business or organizational entity, such as, by way of illustration and not by means of limitation, telecommunications systems, storage systems, internet systems and/or artificial intelligence, telecommunications and storage systems and digital currency mining systems. The term "Data Center" may also include Data Center Equipment, or DCE, and/or Data Center Accessory Uses, when located on a same tract or assemblage of adjacent parcels developed as a unified development or campus.

1. **Data Center Accessory Uses** – Data Center Accessory Uses generally include but are not limited to utilities, utility lines, electrical substations, transformers, emergency and back-up generators, including but not limited to diesel and natural gas powered emergency and back-up generators, switchgears, electrical fields, mechanical fields, pump stations, water towers, heating and cooling equipment, mechanical equipment and environmental controls (air conditioning, chillers, cooling towers, fire suppression, etc.), battery and power storage facilities and equipment, redundant/backup power supplies, storage facilities for water, natural gas and propane, including pumps, compressors and related facilities and equipment, operations which directly support Data Center uses, water and wastewater treatment and processing facilities, redundant data communications connections, guard houses and security facilities, parking,

support offices, storage and logistic buildings when located on the same tract or assemblage of adjacent parcels developed as a unified development for a Data Center. Data Center Accessory Uses shall comply with all applicable provisions of the Ransom Township Zoning Ordinance.

2. **Data Center Equipment (DCE)** – Data Center Equipment, or DCE, includes by way of illustration and not by means of limitation, any data center accessory uses which in an un-muffled state generate noise in an excess of any applicable provisions of the TOWNSHIP OF RANSOM Zoning Ordinance or other Ordinance. Data Center Equipment, or DCE, shall be accessory to the Data Center and shall be located on the same tract or assemblage of adjacent parcels developed as a unified development or campus for a Data Center and shall comply with all applicable provisions of the TOWNSHIP OF RANSOM Zoning Ordinance.
3. **Data Center Campus.** An integrated group or campus of Data Center Buildings, Data Center Accessory Uses and DCE's located on the same Lot or tract of assemblage of adjacent lots and parcels and developed as a unified development. A Data Center Campus may include land bisected by private or public roadways and right of ways so long as they are developed as a unified development.

SECTION VI. AMENDMENT OF THE TOWNSHIP OF RANSOM'S ZONING MAP TO CREATE AND ILLUSTRATE THE DATA CENTER OVERLAY (DC) ZONING DISTRICT

The TOWNSHIP OF RANSOM's Zoning Map is hereby amended to create and illustrate the Data Center Overlay Zoning District, the DC District, in accordance with the Zoning Map attached hereto and made a part hereof as Exhibit "A".

SECTION VIII. REPEALER

All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed, it being understood and intended that all Ordinances of the TOWNSHIP OF RANSOM, such as are not otherwise specifically in conflict or inconsistent with this Ordinance, shall remain in full force and effect, the same being reaffirmed hereby

SECTION IX. SEVERABILITY

If any provision, sentence, clause, section, term, phrase or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, term, phrases, or part of this Ordinance. It is hereby declared as the intent of the Township Supervisors of the TOWNSHIP OF RANSOM that this Ordinance would have been adopted had such

an unconstitutional, illegal or invalid provision, sentence, clause, section, term, phrase or part there of not been included herein.

SECTION X. EFFECTIVE DATE

This amendment shall become effective five (5) days after date of enactment.

ORDAINED AND ENACTED THIS ____ day of _____, of 2025.

ATTEST:

TOWNSHIP OF RANSOM

By: _____
**DAVID BIRD, CHAIRMAN RANSOM
TOWNSHIP BOARD OF SUPERVISORS**

ATTEST:

By: _____
**JULIE KELLY, SECRETARY,
TOWNSHIP OF RANSOM**