DATA CENTER LAND USE ORDINANCE
RANSOM TOWNSHIP, COMMONWEALTH OF PENNSYLVANIA
AN ORDINANCE AMENDING THE RANSOM TOWNSHIP ZONING ORDINANCE TO DEFINE, REGULATE, AND ESTABLISH CONDITIONAL USE REQUIREMENTS FOR DATA CENTERS AND DATA CENTER ACCESSORY USES

ORDINANCE NO. _____

WHEREAS, Article VI of the Pennsylvania Municipalities Planning Code, 53 P.S. §10601 et seq., authorizes counties to enact, amend, and repeal zoning ordinances to regulate land use, protect public health, safety, and welfare, and promote orderly development;

WHEREAS, the Township of Ransom recognizes that emerging technology facilities, including large-scale Data Centers, hyperscale computing facilities, artificial intelligence computing facilities, cryptocurrency mining facilities, server farms, and related technology infrastructure, represent a distinct category of land use with impacts different from traditional industrial uses;

WHEREAS, Data Centers may involve substantial demands upon public infrastructure, including electrical transmission systems, water resources, wastewater systems, transportation facilities, emergency response services, and public safety resources;

WHEREAS, Article I, Section 27 of the Pennsylvania Constitution establishes that the people have a right to clean air, pure water, and preservation of the Commonwealth's natural, scenic, historic, and aesthetic resources, and that the Commonwealth shall conserve and maintain public natural resources for the benefit of all generations;

WHEREAS, Ransom Township recognizes its responsibility to protect natural resources, including agricultural lands, groundwater, surface waters, scenic resources, historic resources, and environmentally sensitive areas;

WHEREAS, Data Centers are unique land uses because the buildings, electrical infrastructure, cooling systems, emergency power systems, battery storage systems, and related improvements operate as an integrated facility and must be reviewed as a unified development;

WHEREAS, the purpose of this Ordinance is not to prohibit Data Centers, but to establish objective, reasonable, and enforceable standards ensuring that Data Centers are appropriately located, designed, constructed, operated, monitored, and decommissioned;

WHEREAS, the Board of Supervisors finds that Data Centers may provide economic opportunities while requiring appropriate safeguards to protect neighboring properties, infrastructure capacity, environmental resources, and community character;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Ransom, Lackawanna County, Pennsylvania, and it is hereby **ENACTED AND ORDAINED** by the authority of the same, as follows:

ARTICLE I - GENERAL PROVISIONS

Section 1.1 Title

This Ordinance shall be known and may be cited as: "Ransom Township Data Center Land Use Ordinance". This Ordinance shall constitute an amendment to the Ransom Township Zoning Ordinance.

Section 1.2 Authority

This Ordinance is enacted by the authority granted to Ransom Township pursuant to the provisions of The Second Class Township Code; Pennsylvania Municipalities Planning Code; and Ransom Township Zoning Ordinance.

Section 1.3. Legislative Findings and Intent

The Board of Supervisors hereby adopts the following findings:

A. Article VI of the Pennsylvania Municipalities Planning Code, 53 P.S. §10601 et seq., authorizes counties to enact, amend, and repeal zoning ordinances to regulate land use, protect public health, safety, and welfare, and promote orderly development;

B. The Township of Ransom recognizes that emerging technology facilities, including large-scale Data Centers, hyperscale computing facilities, artificial intelligence computing facilities, cryptocurrency mining facilities, server farms, and related technology infrastructure, represent a distinct category of land use with impacts different from traditional industrial uses;

C. Data Centers may involve substantial demands upon public infrastructure, including electrical transmission systems, water resources, wastewater systems, transportation facilities, emergency response services, and public safety resources;

D. Article I, Section 27 of the Pennsylvania Constitution establishes that the people have a right to clean air, pure water, and preservation of the Commonwealth's natural, scenic, historic, and aesthetic resources, and that the Commonwealth shall conserve and maintain public natural resources for the benefit of all generations;

E. Ransom Township recognizes its responsibility to protect natural resources, including agricultural lands, groundwater, surface waters, scenic resources, historic resources, and environmentally sensitive areas; and

F. Data Centers are unique land uses because the buildings, electrical infrastructure, cooling systems, emergency power systems, battery storage systems, and related improvements operate as an integrated facility and must be reviewed as a unified development.

Section 1.4 Purpose and Intent.

A. The purpose of this Ordinance is not to prohibit Data Centers, but to establish objective, reasonable, and enforceable standards ensuring that Data Centers are appropriately located, designed, constructed, operated, monitored, and decommissioned.

B. The Board of Supervisors finds that Data Centers may provide economic opportunities while requiring appropriate safeguards to protect neighboring properties, infrastructure capacity, environmental resources, and community character.

C. Data Centers are high-intensity technology and infrastructure facilities that may involve:

Substantial electrical demand;
Large-scale cooling systems;
Extensive mechanical equipment;
Emergency power generation;
Battery energy storage systems;
Fuel Storage systems;
Water consumption;
Wastewater generation;
Noise and low-frequency sound impacts;
Construction traffic impacts;
Increased demands upon emergency response resources.

D. Traditional industrial zoning classifications for M-1 General Commercial/Manufacturing and M-2 Heavy Manufacturing Zoning District may not adequately address the unique impacts associated with Data Centers for the protection of public resources.

E. The Township finds that regulation of Data Centers is necessary to protect:

Surface and groundwater resources;
Agricultural resources;
Scenic and aesthetic resources;
Historic and cultural resources;
Existing residential communities;
Public infrastructure;
Emergency response capabilities;

Public health, safety, and welfare.

Section 1.5 Comprehensive Plan Consistency

Data Centers shall be evaluated for consistency with applicable Township planning objectives, including:

Agricultural preservation;
Responsible economic development;
Environmental protection;
Infrastructure planning;
Protection of rural character;
Protection of community character.

Where a proposed Data Center conflicts with adopted planning objectives, the Applicant shall identify mitigation measures sufficient to address those conflicts.

Section 1.6 Applicability

Conditional Use review is appropriate because:

Data Centers may be suitable in certain locations but incompatible in others;
Impacts are site-specific;
Objective standards are necessary to ensure compatibility;
Public review and individualized consideration are necessary.

ARTICLE II - DEFINITIONS

The following definitions shall be added to the Ransom Township Zoning Ordinance:

BATTERY ENERGY STORAGE SYSTEM - Battery energy storage systems (BESS) are devices that store electrical energy and release it when needed. Key components may include rechargeable batteries, inverters, and management controls.

DATA CENTER – A principal use consisting of one or more buildings, structures, or facilities primarily used for housing computers, servers, telecommunications equipment, networking equipment, data storage systems, and other information technology infrastructure used to process, store, manage, transmit, or distribute electronic data or digital communications. A Data Center includes facilities used for cloud computing, artificial intelligence computing, high-performance computing, hyperscale computing, blockchain processing, cryptocurrency processing, and other similar digital computing technologies.

A Data Center includes all associated mechanical, electrical, communications, structural, environmental, security, fire protection, cooling, water, wastewater, and utility

systems necessary for the continuous operation of the facility.

A Data Center may consist of one or more buildings located on a single lot or on an assemblage of contiguous parcels developed under unified ownership, management, or an approved master development plan, including a Data Center Campus.

The term includes server farms, cloud computing facilities, artificial intelligence facilities, cryptocurrency and blockchain processing facilities, hyperscale computing facilities, high-performance computing facilities, and other substantially similar facilities, regardless of the specific computing technology employed.

A Data Center may include Data Center Accessory Uses as defined herein.

The term shall not include customary computer systems or information technology equipment that are accessory to an otherwise permitted principal use, nor shall it include independent electrical generation facilities intended to provide normal operating power unless expressly authorized as a principal use under this Ordinance.

DATA CENTER ACCESSORY USE – A use, building, structure, equipment, facility, or improvement customarily incidental and subordinate to a principal Data Center and located on the same lot or on contiguous parcels developed as a unified Data Center development or Data Center Campus.

Data Center Accessory Uses include, but are not limited to:

Administrative and office buildings;
Security buildings, guardhouses, fencing, gates, and surveillance systems;
Storage buildings and maintenance facilities;
Fiber optic, telecommunications, and communications infrastructure;
Electrical substations, transformers, switchgear, utility service equipment, and utility infrastructure;
Cooling systems, chillers, cooling towers, heat exchangers, pumps, piping, and other mechanical equipment;
Domestic water systems, non-contact cooling water systems, wastewater treatment facilities, water holding facilities, pump stations, water towers, and associated water infrastructure;
Fire suppression systems;
Mechanical, electrical, environmental control, and building management systems;
Battery Energy Storage Systems (BESS);
Emergency generators, backup power systems, fuel storage, transfer switches, and related emergency power infrastructure;
Internal roads, parking areas, loading facilities, landscaping, screening, stormwater management facilities, and other site improvements serving the Data Center.

Data Center Accessory Uses shall not include independent electrical generation

facilities intended to provide continuous or normal operating power unless specifically approved as a principal use under this Ordinance.

DATA CENTER CAMPUS – A planned development consisting of two or more Data Center buildings and associated Data Center Accessory Uses located on one or more contiguous parcels under unified ownership, management, or an approved master development plan and operating as an integrated facility.

EMERGENCY GENERATOR - An emergency generator for commercial purposes is a self-contained backup power system that starts automatically during a utility failure to supply electricity strictly to life-safety, legal, or critical systems.

ENERGY GENERATION SYSTEMS - Energy generation systems convert raw energy sources into usable electricity, primarily utilizing thermal turbines, renewable kinetic or radiant capture, and electrochemical reactions. Systems include but are not limited to energy generation systems converting raw energy into usable electricity through the use of Fossil fuel power plants; Nuclear Fission; Geothermal; Hydropower; Wind Turbines; Solar Photovoltaic; Fuel Cells; or Internal Combustion.

FUEL STORAGE SYSTEMS - Fuel storage systems include, but not be limited to: diesel fuel; natural gas; renewable diesel; and other approved fuels used for emergency power systems.

SENSITIVE RECEPTOR – A Sensitive Receptor shall include: Existing residences; Parcels where residential use is permitted as a matter of right; Schools;
Preschools; Daycare facilities; Hospitals; Healthcare facilities; Nursing homes; Assisted living facilities; Retirement communities; Places of worship; Community centers; Parks; Playgrounds; Campgrounds; Correctional facilities; and Dormitories. This definition shall apply regardless of ownership.

QUALIFIED PROFESSIONAL – A person possessing appropriate education, training, experience, certification, or licensing necessary to prepare technical studies required by this Ordinance. Qualified Professionals may include: Professional Engineers; Licensed Surveyors; Certified Environmental Professionals; Acoustical Engineers; Hydrogeologists; Traffic Engineers; Architects; and Other recognized technical experts.

ARTICLE III - CONDITIONAL USE AUTHORIZATION

Section 3.1 Permitted Districts

Data Centers shall be permitted only as a Conditional Use within the M-1 General Commercial/Manufacturing and M-2 Heavy Manufacturing Zoning District. No Data Center shall be permitted except in accordance with this Ordinance.

Section 3.2 Unified Development Requirement

For zoning purposes, all of the following shall be considered part of a single integrated Data Center use:

Principal buildings;
Electrical infrastructure;
Cooling infrastructure;
Utility infrastructure;
Emergency power systems;
Battery storage systems;
Fuel storage systems;
Data Center Accessory facilities;
Accessory facilities;
Related improvements.

No component may be separately evaluated to avoid compliance with this Ordinance.

Section 3.3 Burden of Proof

The Applicant shall have the burden of demonstrating compliance with every applicable requirement of this Ordinance.

Section 3.4 Conditional Use Standards

All Data Centers and Data Center Accessory Uses shall comply with:

The Ransom Township Zoning Ordinance;
The Ransom Township Subdivision and Land Development Ordinance;
Applicable municipal ordinances;
Applicable state and federal laws and regulations;
All requirements contained within this Ordinance.

Where standards conflict, the more restrictive requirement shall apply.

No Conditional Use approval shall be granted unless the Applicant demonstrates that the proposed Data Center:

Meets all objective standards;
Protects public health, safety, and welfare;
Does not create unreasonable impacts upon neighboring properties;
Protects environmental resources;
Provides adequate infrastructure capacity;

Includes appropriate mitigation measures.

ARTICLE IV - DEVELOPMENT STANDARDS

All Data Centers and Data Center Accessory Uses shall comply with the following standards in addition to all applicable requirements of the Ransom Township Zoning Ordinance, Subdivision and Land Development Ordinance, and all applicable federal, state, and local regulations.

Where a conflict exists between this Ordinance and any other applicable regulation, the more restrictive standard shall apply.

Section 4.1 Site Design, Building Placement, and Orientation

A. General Design Standards

All Data Center principal buildings, accessory structures, equipment, and related improvements shall be designed, located, and constructed to minimize adverse impacts upon surrounding properties and community character.

(1) The Applicant shall demonstrate that the proposed Data Center:

a. Minimizes visual impacts from public roads and Sensitive Receptor properties;
b. Minimizes impacts to agricultural lands, natural resources, and environmentally sensitive areas;
c. Provides safe and efficient vehicular circulation;
d. Provides adequate emergency access;
e. Provides appropriate stormwater management;
f. Minimizes impacts upon neighboring properties;
g. Preserves existing topography, vegetation, and natural features where feasible.

B. Building Appearance and Architectural Treatment

Data Center buildings shall incorporate architectural treatments intended to reduce the appearance of large-scale industrial structures.

(1) Buildings visible from public roads or Sensitive Receptor properties shall include variations in:

a. Building materials;
b. Color;
c. Texture;
d. Architectural articulation;
e. Facade treatment.

Long, uninterrupted building walls shall be avoided where feasible.

The Applicant shall incorporate design features comparable to high-quality commercial, institutional, or campus-style development.

C. Multiple Building Campuses

(1) Where a Data Center consists of multiple buildings or phases:

a. Smaller or lower-profile structures shall be located toward public road frontage where feasible;
b. Larger structures shall be located internally within the site;
c. Existing topography, vegetation, and natural screening shall be incorporated into site design;
d. Large structures shall not be placed in visually prominent locations where reasonable alternatives exist.

Section 4.2 Dimensional Standards

A. Lot Area

The minimum lot area for a Data Center shall be Eight (8) acres.

Where a Data Center is proposed on multiple contiguous parcels, all parcels shall be considered one unified development tract for purposes of zoning review.

B. Building Height

The maximum height of all Data Center buildings and Data Center Accessory Uses shall be:

Forty (40) feet.

The height limitation shall include:

Rooftop mechanical equipment;
Cooling equipment;
Ventilation equipment;
Screening structures;
Similar appurtenances.

No height exception shall be permitted for Data Center operational equipment.

C. Setback Requirements

All Data Center buildings, accessory structures, mechanical equipment, generators, substations, and related improvements shall comply with the following minimum setbacks.

(1) General Setbacks

The minimum setback from:

a. Any adjoining property line Four Hundred (400) feet
b. Any public road right-of-way Four Hundred (400) feet

(2) Sensitive Receptor Setbacks

Where a Data Center property abuts a Sensitive Receptor:

A minimum setback of Eight Hundred (800) feet shall be maintained from the property line adjoining the Sensitive Receptor.

(3) Greater Setback Controls

Where any other applicable ordinance, regulation, or approval condition establishes a greater setback, the greater setback shall apply.

D. LOT COVERAGE, OPEN SPACE, AND STORMWATER PROTECTION

The following requirements shall apply:

(1) Minimum landscape and open-space requirements of the underlying zoning district shall remain applicable;

(2) Maximum impervious coverage shall not exceed the more restrictive requirement established by:

a. The underlying zoning district; or
b. This Ordinance.

The Applicant shall demonstrate that the proposed design minimizes:

a. Impervious surfaces;
b. Stormwater runoff;
c. Heat island effects;
d. Impacts to groundwater recharge;
e. Loss of natural drainage patterns.

Section 4.3 Landscaping and Environmental Protection

A. Perimeter Buffer Requirement

(1) A continuous vegetative buffer shall be installed around the entire Data Center site unless the Township determines that:

a. Existing mature vegetation provides equivalent screening; or
b. The Data Center cannot reasonably be viewed from public roads or Sensitive Receptor properties.

B. Buffer Location

(1) Required landscaping shall:

a. Be located outside security fencing;
b. Generally be located within fifty (50) feet of the required fence line;
c. Provide year-round visual screening.

C. Vegetation Standards

(1) The Applicant shall:

a. Utilize native plant species where feasible;
b. Design buffers to resemble existing woodland, hedgerows, and natural vegetation patterns;
c. Provide sufficient density and maturity to achieve substantial screening within thirty-six (36) months;
d. Replace dead, diseased, or ineffective vegetation throughout the life of the Data Center.

D. Pollinator Requirement

At least Twenty Percent (20%) of required plantings shall consist of pollinator-supporting species where feasible.

E. Berms and Natural Features

Existing topography, vegetation, and earthen berms may be incorporated where they provide equivalent or superior screening.

F. Riparian Forest Buffer Area

(1) Riparian buffer areas shall be considered protected environmental resources and shall not be used for placement of Data Center buildings, mechanical equipment, emergency generators, substations, stormwater facilities, utility infrastructure, parking,

access drives, or other Data Center Accessory Uses except where expressly permitted by applicable law. Data Centers subject to the requirements of this Section must satisfy the stricter of the requirements of this Section, or of 25 Pa. Code 102.14, Riparian Buffer Requirements.

(a) For purposes of this Section, a riparian buffer is an area of permanent vegetation along a waterway that is left undisturbed to allow for the natural succession of native vegetation. A riparian forest buffer is a type of riparian buffer that consists predominantly of native trees, shrubs, and forbs, providing at least 60% uniform canopy cover.

(b) Where the project site contains, is along, or is within 150 feet of a perennial or intermittent river, stream, or creek, lake, wetland, floodplain, pond, or reservoir, whether natural or artificial, the use will be subject to the requirements of this Section and shall, in accordance with the requirements of this subsection, do one of the following:

[i] Protect an existing riparian forest buffer.

[ii] Convert an existing riparian buffer to a riparian forest buffer.

[iii] Establish a new riparian forest buffer.

(c) Where a riparian forest buffer exists, it shall be left intact to meet the width requirements in subsections (f) and (g). An existing riparian forest buffer need not be altered to establish individual Zones 1 and 2 under subsection (j).

(d) Riparian buffers that consist predominantly of native woody vegetation that do not satisfy the composition requirements for a riparian forest buffer in subsection (1) or the width requirements in subsections (f) and (g) shall be enhanced or widened, or both, by additional plantings in open spaces around existing native trees and shrubs to provide at least 60% uniform canopy cover for the required width and shall be composed of zones in accordance with subsection (j).

(e) On sites without native woody vegetation, a riparian forest buffer providing at least 60% uniform canopy cover shall be established to meet the width requirements in subsections (f) and (g) and be composed of zones in accordance with subsection (j).

(f) The width of the riparian forest buffer shall be a minimum of 100 feet on each side of the water body as measured from the top of the bank. The boundary of the buffer shall follow the natural streambank or shoreline.

(g) Measured within the 100-foot buffer, the following additional distances shall be added to the minimum width of the riparian forest buffer:

[i] 10 feet if the average slope is 10-15%,

[ii] 20 feet if the average slope is 16-17%,

[iii] 30 feet if the average slope is 18-20%,

[iv] 50 feet if the average slope is 21-23%,

[v] 60 feet if the average slope is 24-25%, or

[vi] 70 feet if the average slope exceeds 25%.

(h) In the case of the presence of a nontidal wetland or vernal pond wholly or partially within the riparian buffer area, an additional 25 feet shall be added to the width of the riparian forest buffer area for that portion of the buffer area along the wetland, floodplain, or pond.

(i) A new riparian forest buffer or a converted riparian forest buffer shall be

composed of zones as follows:

[i] Zone 1 shall begin at the top of the streambank or normal pool elevation of a lake, pond, or reservoir and occupy a strip of land 50 feet in width, measured horizontally on a line perpendicular from the top of the streambank or normal pool elevation of a lake, pond, or reservoir. Predominant vegetation must be composed of a variety of native riparian tree species identified in Appendix C.1 of the PA Department of Environmental Protection Guidance Document 394-5600-001, entitled Riparian Forest Buffer Guidance.

[ii] Zone 2 shall begin at the landward edge of Zone 1 and occupy an additional strip of land a minimum of 50 feet in width, measured horizontally on a line perpendicular from the top of the streambank or normal pool elevation of a lake, pond, or reservoir. Predominant vegetation must be composed of a variety of native riparian trees and small tree/shrub species identified in Appendix C.1 of the PA Department of Environmental Protection Guidance Document, 394-5600-001, entitled Riparian Forest Buffer Guidance.

(j) No earth disturbance, land development, or storing or stockpiling of materials shall occur within the riparian forest buffer area.

(k) In the management of riparian buffers, noxious weeds and invasive species shall be removed or controlled to the greatest extent possible.

(l) Existing, converted, and newly established riparian buffers, including access easements, must be protected in perpetuity through deed description, conservation easement, permit conditions, or any other mechanisms that ensure the long-term functioning and integrity of the riparian buffer.

(m) The riparian buffer shall be designated on the final subdivision and/or land development plan.

G. Woodland Disturbance, Replacement and Mitigation

Woodland Disturbance, including alteration or removal of any hedgerows, which shall be minimized. No portions of tree masses, tree lines, hedgerows, or individual freestanding trees measuring six (6) inches or greater in diameter at breast height (DBH) shall be removed unless it is clearly necessary to effectuate the proposed development. In no case shall more than 50% of any existing tree masses, tree lines, hedgerows, or individual freestanding trees with six (6)-inch or greater DBH be removed. For purposes of this subsection, a woodland is defined as a tree mass or plant community in which tree species are dominant or codominant and the branches of the trees form a complete, or nearly complete, aerial canopy. Any area, grove, or stand of mature or largely mature trees (i.e., six (6)-inch or greater DBH) covering an area of .25 of an acre or more, or consisting of more than 50 individual trees six (6) inches or greater DBH, shall be considered a woodland.

Where woodland disturbance or removal is permitted pursuant to this Ordinance, the Applicant shall provide a Woodland Replacement and Mitigation Plan demonstrating that impacts to existing woodlands have been avoided and minimized to the maximum extent practicable and that unavoidable woodland loss will be mitigated.

(1) Woodland Replacement Plan - The Woodland Replacement and Mitigation Plan shall identify:

(a) The location, acreage, and type of woodland proposed to be disturbed or removed;
(b) The number, species, and size of trees proposed to be removed;
(c) The location, design, and plant species proposed for replacement areas;
(d) Proposed measures to preserve existing trees, hedgerows, and natural vegetation;
(e) A maintenance plan to ensure successful establishment of replacement plantings.

(2) Replacement Plantings - For every acre of woodland disturbed or removed, the Applicant shall establish replacement woodland plantings at a minimum ratio of one (1) acre of replacement woodland for each one (1) acre of woodland removed.

(3) Replacement plantings shall consist of native trees, shrubs, and understory vegetation appropriate to the site conditions and shall be designed to achieve a diverse, self-sustaining woodland community.

H. SECURITY FENCING

Security fencing shall:

Not exceed eight (8) feet in height;
Be designed to minimize visual impacts;
Be integrated with required landscaping;
Be reviewed as part of Conditional Use and Land Development approval.
Security fencing shall not substitute for required landscape buffering.

I. SCREENING OF MECHANICAL EQUIPMENT

All Data Center Accessory Uses shall be screened from view on all sides through visually effective screening.

(1)Screening shall be designed to reduce:

(a) Visual impacts;
(b) Noise impacts;
(c) Industrial appearance.

J. LIGHTING REQUIREMENTS

All Data Centers shall comply with Dark Sky principles, established by DarkSky

International and the Illuminating Engineering Society.

(1) Exterior lighting shall:

Be fully shielded;
Direct illumination downward;
Prevent glare beyond the property boundary;
Prevent light trespass onto neighboring properties;
Minimize impacts upon wildlife and surrounding communities.

(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) Adjacent Residential Uses. The illumination projected onto a residential use shall at no time exceed 0.1 footcandle, measured line-of-sight and from any point on the receiving residential property.

(5) Adjacent Non-Residential Uses. The illumination projected from any property onto a non-residential use shall at no time exceed 0.5 initial footcandle, measured line-of-sight from any point on the receiving property.

(6) Glare. Vegetation screens shall not be employed to serve as the primary means for controlling glare. Rather, glare control shall be achieved primarily using such means 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.

(9) Lighting After Hours. Lighting for parking areas and vehicular traffic ways shall be automatically extinguished nightly within ½ hour of the close of the Data Center. On/off control shall be by an astronomic programmable controller with battery or capacitor

power-outage reset. When after-hours site safety/security lighting is proposed, such lighting shall not exceed 25% of the number of fixtures required or permitted for illumination during regular business hours. Where there is reduced but continued onsite activity throughout the night that requires site-wide even illumination, the use of dimming circuitry to lower illumination levels by at least 50% after 11 PM or after regular business hours, or the use of motion sensor control, shall be permitted.

(10) Lighting plans shall be submitted with the Conditional Use Application.

Section 4.4 Utilities and Infrastructure

A. WATER SUPPLY REQUIREMENTS

(1) Public Water Requirement

A Data Center shall utilize public water service where available.

Where public water service is unavailable, the Applicant shall demonstrate that any proposed alternative water source will not adversely impact:

(a) Existing water users;
(b) Groundwater resources;
(c) Surface water resources;
(d) Agricultural operations;
(e) Environmentally sensitive areas.

(2) Water Demand Analysis

The Applicant shall submit a Water Resource Assessment identifying:

(a) Estimated daily water demand;
(b) Estimated annual water demand;
(c) Cooling water requirements;
(d) Proposed water sources;
(e) Water conservation measures;
(f) Anticipated wastewater generation;
(g). Drought response measures.

(3) Protection of Groundwater and Surface Water Resources

A Data Center shall not utilize groundwater withdrawals or direct withdrawals from surface waters as the primary cooling source unless the Applicant demonstrates:

(a) No feasible alternative exists;
(b) The withdrawal will not adversely affect existing users;

(c) The withdrawal will not adversely affect aquifers, streams, wetlands, or ecosystems;
(d) All applicable state and federal approvals have been obtained.

(4) Cooling Technology Requirements

The Applicant shall demonstrate utilization of water-conserving cooling technology, including:

(a) Air-cooled systems;
(b) Closed-loop cooling systems;
(c) Other technology providing equal or greater protection of water resources.

Alternative cooling systems shall demonstrate reduced or equivalent water and environmental impacts.

(5) Water Availability Certification

Prior to approval, the Applicant shall provide documentation from the applicable water provider demonstrating adequate capacity exists to serve the proposed Data Center without unreasonable impacts upon existing users.

No Conditional Use approval shall be granted unless adequate water supply is demonstrated.

B. WASTEWATER REQUIREMENTS

(1) Public Sewer Requirement

A Data Center shall utilize public sewer service where available.

(2) Wastewater Analysis

The Applicant shall provide a wastewater analysis identifying:

a. Estimated sanitary wastewater generation;
b. Cooling system wastewater generation;
c. Treatment requirements;
d. Proposed disposal methods;
e. Capacity of the receiving wastewater system.

(3) Disposal Restrictions

No untreated wastewater generated by a Data Center shall be discharged into:

(a) Stormwater systems;
(b) Streams;
(c) Wetlands;
(d) Surface waters;
(e) Groundwater resources.

(4) Sewer Capacity Certification

The Applicant shall provide documentation from the applicable sewer authority demonstrating sufficient capacity exists for conveyance and treatment.

C. ENERGY SUPPLY AND POWER SYSTEM REQUIREMENTS

(1) Energy Usage Plan Required

The Applicant shall submit an Energy Usage Plan as part of the Conditional Use Application.

The Plan shall include:

(a) Estimated annual electricity demand;
(b) Peak electrical demand;
(c) Anticipated energy supply sources;
(d) Energy storage capacity;
(e) Emergency power systems;
(f) Renewable energy opportunities;
(g) Energy efficiency measures;
(h). Cooling efficiency strategies;
(i) Best available energy conservation technologies.

(2) Electrical Grid Interconnection Review

Where the Data Center will connect to the electric grid, the Applicant shall provide documentation from the applicable utility provider addressing:

(a) Submission of interconnection application;
(b) Payment of required fees;
(c) Available system capacity;
(d) Transmission and distribution impacts;
(e) Required infrastructure improvements;
(f) Anticipated energization date.

The Applicant shall demonstrate that the proposed Data Center will not unreasonably affect:

Electrical reliability;
Voltage stability;
Power quality;
Existing utility customers.

(3) Infrastructure Improvements

The Applicant shall be responsible for costs associated with infrastructure improvements required as a result of the Data Center development.

D. ENERGY GENERATION SYSTEMS

(1) Separate Principal Use Requirement

Any energy generation facility intended to provide normal operating power to a Data Center shall be considered a separate principal use.

Such facilities include: Solar; Wind; Natural gas; Fossil fuel; Nuclear; Other generation facilities.

Such facilities shall require separate zoning approval and shall comply with all applicable regulations.

(2) Emergency Generator Requirements

Emergency generators shall:

(a) Meet United States Environmental Protection Agency Tier 4 emission standards where applicable;
(b) Be designed to minimize noise impacts;
(c) Be designed to minimize emissions;
(d) Be screened from public view;
(e) Comply with all applicable air quality requirements.

(3) Generator Operation Restrictions

Emergency generators shall be operated only:

(a) During emergency outages;
(b) During required maintenance;
(c) During readiness testing required by applicable standards.

Emergency generators shall not be used for:

(a) Peak shaving;

(b) Normal operating power;
(c) Selling power to the electric grid.

(4) Generator Testing Requirements

Routine generator testing shall:

(a) Not exceed one hundred (100) hours annually;
(b) Occur between: 10:00 a.m. and 4:00 p.m., Monday through Friday;
(c) Avoid holidays unless required for emergency preparedness.

(5) Generator Notification Requirements

The operator shall:

(a) Provide the Township with generator testing schedules;
(b) Maintain a publicly accessible website identifying scheduled testing;
(c) Provide at least twenty-four (24) hours advance notice of planned testing;
(d) Provide the Township with emergency contact information.

E. ELECTRICAL SUBSTATION REQUIREMENTS

Electrical substations serving a Data Center shall comply with the following:

(1) Location Requirements

Substations shall:

(a) Be located to the side or rear of the Data Center building;
(b) Not be located within a required front yard;
(c) Be screened from public view.

(2) Residential and Sensitive Receptor Setbacks

Substations shall maintain a minimum setback of:

Eight Hundred (800) feet from:

(a) Residential uses;
(b) Residential zoning districts;
(c) Sensitive Receptors.

(3) Screening Requirements

Substations visible from public roads shall include:

(a) Year-round opaque landscaping;
(b) Screening walls or equivalent visual barriers.

(4) Electrical Line Installation

Underground installation of electrical lines is strongly encouraged.

All on-site electrical lines of:

34.5 kV or less shall be installed underground unless the Applicant demonstrates that underground installation is technically infeasible.

Section 4.5 Operational Standards

A. NOISE AND VIBRATION STANDARDS

(1) Pre-Construction Noise and Vibration Study Required

The Applicant shall submit a noise and vibration study with the Conditional Use Application. The study shall be prepared by a Qualified Professional and shall include:

(a) Predicted operational noise levels;
(b) Predicted vibration levels;
(c) All mechanical equipment;
(d) Cooling systems;
(e) Emergency generators;
(f) Electrical equipment;
(g) Maximum operational conditions.

(2) Maximum Operational Assumption

All noise evaluations, modeling, and compliance determinations shall assume simultaneous operation of: All generators; All cooling systems; All mechanical systems; and All other noise-producing equipment; at maximum rated capacity unless a more restrictive operating condition is required by the Township.

(3) Measurement Standards

Noise measurements shall comply with:

(a) ANSI standards;
(b) Generally accepted acoustical engineering practices;
(c) Applicable professional standards.

(4) Maximum Noise Limits

Noise levels shall not exceed the following:

Receiving Land Use	Daytime (7:00 AM–10:00 PM)	Nighttime (10:00 PM–7:00 AM)
Residential / Sensitive Receptor	55 dBA Leq (1 hour)	45 dBA Leq (1 hour)
Commercial / Mixed Use	60 dBA Leq (1 hour)	50 dBA Leq (1 hour)
Industrial	65 dBA Leq (1 hour)	55 dBA Leq (1 hour)

Short-duration tonal or impulsive noise exceeding applicable limits by five (5) dBA or more shall constitute a violation.

(5) Low-Frequency Noise Standards

Low-frequency noise shall be evaluated using dBC measurements.

Maximum limits:

Time Period	Maximum Level
Daytime	70 dBC Leq
Nighttime	60 dBC Leq

Clearly perceptible tonal low-frequency noise shall require mitigation regardless of compliance with numeric limits.

(6) Post-Construction Verification Study

Within one hundred eighty (180) days after commencement of operations, the Applicant shall submit an as-built noise and vibration study.

The study shall include:

(a) Measurements at all property boundaries;
(b) Peak cooling operations;
(c) Emergency generator operation under load;
(d) Equipment specifications;
(e) Calibration documentation;
(f) Weather conditions;
(g) Testing methodology;
(h) Modeling assumptions.

(7) Vibration Standards

Ground vibration shall not exceed:

Building Protection 0.2 to 0.5 inches per second peak particle velocity (PPV) measured pursuant to USBM RI 8507 or successor standard. Human Perception 65 VdB measured pursuant to ISO 2631-1 or successor standard.

(8) Corrective Action

If testing demonstrates non-compliance:

(a) The Applicant shall submit a corrective action plan within thirty (30) days of written notice;
(b) Violations shall be corrected within ninety (90) days unless extended by the Township for good cause;
(c) The Township may require additional testing following complaints, equipment changes, or operational modifications.
(d) Noise compliance shall be evaluated based upon Sensitive Receptors existing or approved as of the date of Conditional Use approval. A Sensitive Receptor established thereafter shall not be used to establish a violation unless otherwise required by law.
(e) Where compliance cannot reasonably be demonstrated through equipment selection, operational controls, or site design, the Township may require noise barriers, acoustic enclosures, landscaping berms, or other mitigation measures.

B. AIR QUALITY, ODOR, GLARE, HEAT, AND EMISSIONS

All Data Center operations shall be conducted in a manner that minimizes impacts upon surrounding properties and the environment.

The Applicant shall demonstrate that:

Smoke, dust, odors, glare, heat, humidity, and exhaust impacts are minimized and not unreasonably detectable beyond the property boundary;
No offensive emissions shall adversely affect neighboring properties;
Vehicle idling emissions shall be minimized;
Emergency generators and other combustion equipment shall comply with all applicable federal, state, and local air quality regulations;
Best available practices shall be utilized to reduce emissions and environmental impacts.

The Applicant shall identify all anticipated air emission sources as part of the Conditional Use Application.

Section 4.6 Public Safety

A. Emergency Response Plan Required

(1) The Applicant shall submit an Emergency Response Plan ("ERP") prepared by a Qualified Professional.

The ERP shall be reviewed by:

(a) Local fire departments;
(b) Emergency management officials;
(c) Applicable emergency response agencies.

(2) The ERP shall include:

(a) Fire suppression procedures;
(b) Emergency containment procedures;
(c) Ventilation procedures;
(d) Evacuation procedures;
(e) Hazardous material response procedures;
(f) Emergency communication procedures;
(g) Emergency access routes;
(h) Hydrant locations;
(i) First responder access evaluation;
(j) Required responder training.

B. Emergency Personnel Training

(1) The Applicant shall reimburse reasonable costs associated with specialized training required for: Fire departments; Emergency medical services; and Emergency management personnel.

(2). Emergency Communications

The Applicant shall coordinate with emergency services to verify: Adequate emergency radio coverage; and Installation of required communication amplification systems.

(3). Emergency Contact Information

The Data Center shall maintain visible twenty-four-hour emergency contact signage identifying:

Data Center name;
Owner/operator contact;
Emergency telephone number;
Utility provider information.

C. Battery Energy Storage System Requirements

(1) Any battery energy storage system associated with a Data Center shall comply with:

National Fire Protection Association Standard 855;
Applicable fire codes;
Applicable state and federal requirements.

(2) Battery storage systems shall include:

(a) Dedicated fire suppression systems;
(b) Monitoring systems;
(c) Emergency response procedures;
(d) Safe emergency responder access.

D. Fuel Storage Systems and Management Requirements

(1) Applicability

All fuel storage systems serving a Data Center, including emergency generators, backup power systems, and associated equipment, shall comply with all applicable federal, state, and local laws, including applicable requirements of the Pennsylvania Department of Environmental Protection, the Pennsylvania Uniform Construction Code, applicable fire codes, National Fire Protection Association (NFPA) standards and Section 714 of the Ransom Township Zoning Ordiancne.

(2) Permitted Fuel Storage Systems

Fuel storage shall be limited to quantities reasonably necessary to support emergency backup power operations, testing, maintenance, and reliability requirements of the Data Center. The storage of fuel for purposes of supplying continuous electrical generation for normal Data Center operations shall be prohibited unless separately approved as a principal use.

(3) Location of Fuel Storage Facilities

Fuel storage tanks and associated equipment shall:

(a) Be located within designated mechanical, utility, or generator areas;
(b) Not be located within required riparian buffers, wetlands, floodplains, stormwater facilities, or required landscape buffers unless specifically permitted by applicable law;
(c) Maintain required setbacks from property lines, buildings, public rights-of-way, water resources, and Sensitive Receptors;

(d) Be screened from public view through landscaping, fencing, architectural treatment, or other approved methods.

(4) Aboveground Storage Tanks (ASTs)

Aboveground fuel storage tanks shall be permitted only where designed and installed in accordance with applicable NFPA standards and applicable federal and state regulations.

Required measures shall include:

Secondary containment;
Leak detection systems;
Overfill protection;
Spill prevention controls;
Emergency shutoff systems;
Protection from vehicle impact;
Appropriate security measures.

(5) Underground Storage Tanks (USTs)

Underground fuel storage tanks shall comply with applicable Pennsylvania Department of Environmental Protection requirements and all applicable federal regulations governing underground storage tanks.

The Applicant shall provide:

Registration documentation;
Installation certification;
Monitoring requirements;
Closure requirements.

(6) Secondary Containment

All liquid fuel storage systems shall include secondary containment capable of containing the contents of the largest single tank or compartment, together with applicable regulatory requirements for precipitation, fire protection, and emergency response.

(7) Spill Prevention and Emergency Response Plan

Prior to issuance of a Certificate of Occupancy, the Applicant shall provide a Fuel Storage Management and Emergency Response Plan addressing:

(a) Fuel storage locations and quantities;
(b) Tank specifications;

(c) Spill prevention measures;
(d) Leak detection;
(e) Emergency shutoff procedures;
(f) Spill response procedures;
(g) Notification procedures;
(h) Coordination with emergency responders.

(8) Fuel Delivery Requirements

Fuel delivery operations shall:

(a) Occur only in designated loading areas;
(b) Avoid interference with public roads and emergency access routes;
(c) Include spill prevention measures during transfer operations;
(d) Comply with applicable fire safety requirements.

(9) Maximum Fuel Inventory Disclosure

The Applicant shall provide the Township with the maximum anticipated on-site fuel inventory, including:

Total gallons stored;
Number and size of tanks;
Fuel type;
Generator capacity served;
Expected duration of emergency operation.

(10) Generator Fuel Storage Duration

The Applicant shall demonstrate that the proposed fuel storage capacity is reasonably related to emergency reliability requirements and shall provide justification for storage quantities exceeding seventy-two (72) hours of continuous emergency generator operation.

(11) Security Requirements

Fuel storage areas shall be secured against unauthorized access through controlled access fencing, locking mechanisms, lighting, surveillance, and other security measures.

(12) Inspection and Maintenance

Fuel storage systems shall be maintained in good operating condition. Records of inspections, testing, maintenance, and regulatory compliance shall be maintained and provided to the Township upon reasonable request. Where multiple generators are proposed, the Applicant shall provide a comprehensive fuel system plan demonstrating

tank locations, interconnections, transfer systems, containment, emergency shutoff capability, and compliance with all applicable fire protection requirements.

Section 4.7 Site Operations

A. Parking Requirements

A minimum of 1 parking space per employee on the largest shift is required, plus an additional 3 visitor spaces.

B. Off Street Loading

A minimum of one loading space is required. Loading spaces/bays are only permitted to be located on one facade of the Data Center Principal Building. The Township may require revisions or updates during construction.

C. Construction Management Requirements

Prior to commencement of construction, the Applicant shall submit a Construction Management Plan. The Plan shall address:

Construction traffic routes;
Truck delivery schedules;
Oversized equipment movement;
Contractor access;
Road protection measures;
Dust control;
Noise control;
Construction hours;
Emergency access during construction.

ARTICLE V - APPLICATION REQUIREMENTS

Section 5.1 Conditional Use Required

Data Centers and Data Center Accessory Uses shall be permitted only as a Conditional Use within the M-1 General Commercial/Manufacturing and M-2 Heavy Manufacturing Zoning Districts, subject to compliance with all requirements of this Ordinance, the Ransom Township Zoning Ordinance, the Ransom Township Subdivision and Land Development Ordinance, the Pennsylvania Municipalities Planning Code, and all applicable federal, state, and local laws and regulations.

The Applicant shall have the burden of demonstrating compliance with every applicable requirement of this Ordinance.

The Applicant shall submit a report demonstrating compliance with Article IV, Section 4.5.

No Conditional Use approval shall be granted unless the Applicant demonstrates that the proposed Data Center:

Is located in an appropriate zoning district;
Complies with all objective standards and dimensional requirements;
Will not adversely affect the public health, safety, and welfare;
Will not create unreasonable impacts upon:
(a) Public infrastructure;
(b) Emergency services;
(c) Water resources;
(d) Wastewater facilities;
(e) Transportation systems;
(f) Agricultural resources;
(g) Environmental resources;
(h) Neighboring properties;

Includes appropriate mitigation measures sufficient to address identified impacts; Is consistent with applicable goals and objectives of the Ransom Township Comprehensive Plan.

Section 5.2 Conditional Use Application Submission Requirements

A complete Conditional Use Application for a Data Center shall include all information and studies necessary for the Township to determine compliance with this Ordinance.

At a minimum, the Applicant shall submit the following:

A. General Application Information

(1) The Applicant shall provide:

(a) Completed Conditional Use Application form;
(b) Required application fees established by resolution of the Board of Supervisors;
(c) Name, address, telephone number, and contact information for:
Applicant; Property owner; Developer; Data Center operator; Parent company or controlling entity, if applicable;
(d) Proof of ownership or authorization from the property owner;
(e) Legal description of the property;
(f) Tax parcel identification numbers;
(g) Identification of all properties included within the proposed Data Center development.

(2) Project Narrative

The Applicant shall submit a detailed written narrative describing the proposed Data Center, including:

(a) Nature and function of the Data Center;
(b) Type of computing operations proposed;
(c) Intended users or operators;
(d) Whether the Data Center will include:
    Artificial intelligence computing;
    Cryptocurrency mining;
    Blockchain processing;
    Hyperscale computing;
    Cloud computing;
    Other high-performance computing operations;
(e) Total building square footage;
(f) Number and size of server rooms;
(g) Maximum computing capacity;
(h) Number of employees;
(i) Hours of operation;
(j) Construction schedule;
(k) Anticipated expansion plans;
(l) Estimated electrical demand;
(m) Estimated water demand;
(n) Cooling system design;
(o) Emergency power systems;
(p) Battery storage systems, if proposed;
(q) Environmental impacts and proposed mitigation measures.

B. Required Technical Studies and Assessments

The Applicant shall submit the following studies prepared by Qualified Professionals.

The Township may require independent review of any submitted study by consultants selected by the Township. All reasonable costs associated with such review shall be reimbursed by the Applicant.

(1) Noise and Vibration Study

The Applicant shall submit a noise and vibration study prepared by a Qualified Professional.

The study shall include:

(a) Existing ambient sound conditions;

(b) Predicted operational noise levels;
(c) Predicted vibration levels;
(d) Noise generated by:
    Cooling equipment;
    Mechanical equipment;
    Electrical equipment;
    Emergency generators;
    Substations;
    Other operational equipment;
(e) Maximum operational assumptions;
(f) Low-frequency noise evaluation;
(g) Proposed mitigation measures.

The study shall comply with the noise and vibration requirements contained in this Ordinance.

(2) Emergency Response Plan

The Applicant shall submit an Emergency Response Plan ("ERP") prepared by a Qualified Professional.

The ERP shall include:

(a) Fire suppression procedures;
(b) Fire containment procedures;
(c) Emergency evacuation procedures;
(d) Ventilation procedures;
(e) Battery storage emergency procedures;
(f) Hazardous material response procedures;
(g) Emergency communication procedures;
(h) Emergency vehicle access plans;
(i) Hydrant locations;
(j) Training requirements for emergency responders.

The ERP shall be reviewed by: Local fire departments; Emergency management officials; and Applicable emergency response agencies.

The Applicant shall reimburse reasonable costs associated with specialized training required for emergency responders due to the Data Center operation.

(3) Energy Impact Assessment

The Applicant shall submit an Energy Impact Assessment addressing:

(a) Estimated annual electrical demand;

(b) Peak electrical demand;
(c) Proposed energy sources;
(d) Utility provider;
(e) Electrical grid interconnection status;
(f) Required transmission or distribution upgrades;
(g) Backup generation capacity;
(h) Energy storage systems;
(i) Renewable energy opportunities;
(j) Energy efficiency measures;
(k) Cooling efficiency strategies.

The Applicant shall demonstrate that the proposed Data Center will not adversely affect electrical reliability within Ransom Township or the surrounding service area.

(4) Water Resource Assessment

The Applicant shall submit a Water Resource Assessment addressing:

(a) Daily water demand;
(b) Annual water demand;
(c). Cooling water requirements;
(d) Proposed water sources;
(e) Water conservation measures;
(f) Cooling technology;
(g) Impact on groundwater resources;
(h) Impact on surface water resources;
(i) Documentation from applicable water suppliers;
(j) Compliance with applicable Susquehanna River Basin Commission requirements.

No Data Center shall be approved unless the Applicant demonstrates that adequate water resources exist without unreasonable adverse impacts upon existing users or protected resources.

(5) Environmental Impact Assessment

The Applicant shall submit an Environmental Impact Assessment prepared by a Qualified Professional.

The assessment shall evaluate:

(a) Wetlands;
(b) Streams;
(c) Riparian areas;
(d) Floodplains;
(e) Wildlife habitat;

(f) Threatened and endangered species;
(g) Agricultural resources;
(h) Prime farmland soils;
(i) Stormwater impacts;
(j) Air emissions;
(k) Noise impacts;
(l) Lighting impacts;
(m) Heat impacts;
(n) Waste disposal;
(o) Historic and cultural resources.

(6) Pennsylvania Natural Heritage Program Review

The Applicant shall provide a Pennsylvania Natural Heritage Program (PNDI) Receipt and associated review documentation as part of any Conditional Use, Special Exception, Subdivision, or Land Development Application, whichever approval is sought first. The PNDI Receipt shall be dated no earlier than two (2) years prior to the date of submission of the applicable application.

The Applicant shall provide all applicable agency clearance letters, recommendations, and correspondence resulting from the PNDI review process.

(7) Compliance and Mitigation Measures

The Applicant shall comply with all measures, conditions, recommendations, or mitigation requirements identified by applicable federal, state, or local agencies to avoid, minimize, or mitigate impacts to threatened, endangered, candidate, or special concern species, and their associated habitats.

The Applicant shall submit a summary of all proposed mitigation measures, including any habitat protection, avoidance measures, restoration plans, monitoring requirements, or other actions required by agency review.

C. Site Plan Requirements

The Conditional Use Application shall include detailed plans showing:

Property boundaries;
Existing and proposed structures;
Building elevations;
Building height;
Required setbacks;
Parking areas;
Access drives;
Emergency access routes;

Loading areas;
Stormwater facilities;
Landscaping and buffering;
Utility connections;
Electrical substations;
Generator locations;
Cooling equipment;
Water facilities;
Wastewater facilities;
Security fencing;
Lighting plan;
Screening features.

D. Construction Management Plan

Prior to final land development approval, the Applicant shall submit a Construction Management Plan.

The Plan shall address:

Construction traffic routes;
Truck delivery schedules;
Oversized equipment deliveries;
Contractor access;
Road protection measures;
Dust control;
Construction noise control;
Construction hours;
Protection of adjoining properties;
Emergency access during construction.

The Township may require revisions to the Construction Management Plan to minimize impacts.

ARTICLE VI - REVIEW STANDARDS

In reviewing a Conditional Use Application for Data Centers, the Board of Supervisors shall evaluate compatibility based upon the objective standards contained within this Ordinance, including setbacks, noise limitations, visual buffering, infrastructure capacity, environmental protection measures, and operational controls and consider:

Compatibility with surrounding land uses;
Compliance with the Ransom Township Zoning and this Ordinance;
Consistency with the Comprehensive Plan;
Protection of agricultural resources;

Protection of environmental resources;
Adequacy of utilities;
Water availability;
Wastewater capacity;
Electrical infrastructure impacts;
Traffic impacts;
Emergency response capability;
Noise and vibration impacts;
Lighting impacts;
Visual impacts;
Property impacts;
Cumulative impacts of other intensive industrial uses.

The proposed use must not result in a substantial detriment, hazard or adverse impact to the community.

ARTICLE VII - OPERATIONAL STANDARDS

Section 7.1 Continuing Compliance Required

A. Approval of a Data Center Conditional Use shall not relieve the owner, operator, or successor entity from continued compliance with this Ordinance.

Failure to comply shall constitute a violation of the Ransom Township Zoning Ordinance.

B. Periodic Compliance Review

(1) The Township may require periodic compliance reviews, including:

(a) Noise testing;
(b) Vibration testing;
(c) Water usage verification;
(d) Emergency response plan updates;
(e) Environmental monitoring;
(d) Decommissioning security review.

(2) The Township may require:

(a) Annual compliance reports;
(b) Periodic inspections;
(c) Noise verification studies;
(d) Generator testing records;
(e) Environmental monitoring reports; and
(f) Recordkeeping demonstrating compliance with this Ordinance.

ARTICLE VIII - EXPANSION OR MODIFICATIONS

The following shall require additional Conditional Use approval:

Expansion of building area;
Increase in computing capacity;
Increase in electrical demand;
Increase in water consumption;
Addition of generators;
Addition of cooling systems;
Addition of battery storage systems;
Addition of substations;
Material operational changes.

Approval of an initial Data Center shall not create a vested right to future expansion.

ARTICLE IX DECOMMISSIONING

Section 9.1. Decommissioning and Financial Security

A. Decommissioning Required.

The Owner and/or Operator of a Data Center shall, at its sole cost and expense, decommission the Data Center upon abandonment, discontinuance of operations, or the end of the Data Center's useful life.

For purposes of this Ordinance, a Data Center shall be deemed abandoned or to have reached the end of its useful life when:

(1) the Data Center has ceased operations for a continuous period of twelve (12) months, excluding temporary outages resulting from maintenance, repairs, natural disasters, or other events beyond the reasonable control of the Owner; or
(2) the Owner or Operator provides written notice that the Data Center has been permanently retired.

Unless otherwise approved by the Township, decommissioning shall be completed within twelve (12) months after abandonment or retirement.

B. Notice of Cessation.

The Owner or Operator shall provide written notice to the Township within forty-eight (48) hours after any permanent cessation of operations or abandonment of the Data Center.

If the Township determines that the Data Center has ceased operations for a period that constitutes abandonment and has not received the required notice, the Township may issue written notice to the Owner, Operator, and property owner identifying the apparent abandonment.

Failure to respond within thirty (30) days shall constitute prima facie evidence of abandonment.

C. Scope of Decommissioning.

Decommissioning shall include, at a minimum:

(1) removal of all buildings, structures, equipment, generators, battery storage systems, transformers, cooling equipment, fuel storage facilities, electrical equipment, communication equipment, conduits, cabling, foundations, and other above-ground and below-ground improvements associated with the Data Center;

(2) removal and lawful disposal of all hazardous materials and regulated substances in accordance with all applicable federal, state, and local laws;

(3) removal of all debris and construction materials;

(4) remediation of any environmental contamination caused by operation of the Data Center;

(5) restoration of the property to a safe, stable, and environmentally sound condition;

(6) grading of disturbed areas to approximate original contours, stabilization of soils, replacement of topsoil where necessary, and revegetation with appropriate vegetation unless the property owner submits a written request that specified improvements, access roads, or impervious surfaces remain.

D. Certification of Completion.

Within thirty (30) days following completion of decommissioning, the Owner shall submit certification prepared by a Professional Engineer licensed in the Commonwealth of Pennsylvania stating that all decommissioning activities have been completed in accordance with this Ordinance and all applicable laws.

The Township may require an independent inspection, at the Owner's expense, to verify completion.

E. Decommissioning Cost Estimate.

(1) Prior to issuance of a Zoning Permit, the Owner shall submit a decommissioning cost estimate prepared, signed, and sealed by an independent Professional Engineer licensed in Pennsylvania.

The estimate shall:

(a) be based upon the cost of removal by a third-party contractor;
(b) assume no credit for salvage value;
(c) include disposal costs, transportation, environmental remediation, site
(d) restoration, engineering, permitting, legal, and administrative costs; and
(e) include a contingency of not less than ten percent (10%).

(2) The estimate shall be updated after the first year of operation and every five (5) years thereafter, or sooner if significant modifications are made to the Data Center.

F. Financial Security.

(1) Prior to commencement of construction, the Owner shall provide financial security in an amount equal to one hundred ten percent (110%) of the approved decommissioning cost estimate.

(2) Acceptable financial security may include:

an irrevocable letter of credit;
a performance bond;
a surety bond;
cash escrow; or
another form of financial assurance approved by the Township and authorized under Pennsylvania law.

(3) The financial security shall remain in effect throughout the operational life of the Data Center and shall be adjusted whenever an updated decommissioning estimate demonstrates that additional security is required.

G. Default.

If the Owner or Operator fails to complete decommissioning within the time required by this Ordinance, the Township shall provide written notice of default to the Owner, Operator, and property owner.

If the default is not cured within ninety (90) days after receipt of notice, the Township may enter the property, perform or contract for completion of the decommissioning work, and draw upon the financial security to pay all associated costs.

The Owner and property owner shall grant reasonable access to the Township for this purpose as a condition of approval under this Ordinance.

H. Deficiency in Financial Security.

If the financial security is insufficient to cover the full cost of decommissioning, the Owner and Operator shall remain jointly and severally liable for all remaining costs incurred

by the Township.

I. Release of Financial Security.

The Township shall release the financial security only after:

all required decommissioning has been completed;
the Township has verified satisfactory completion through inspection;
all required certifications have been submitted; and
all outstanding costs owed to the Township have been paid.

Partial releases may be authorized by the Township as portions of the work are satisfactorily completed.

J. Transfer of Ownership.

Any sale, assignment, lease, transfer, or other conveyance of the Data Center shall not relieve the Owner or successor Owner of any obligation imposed by this Ordinance.

Prior to transfer, the successor Owner shall provide written acknowledgment that it accepts all decommissioning obligations and shall provide replacement financial security acceptable to the Township.

K. Liability Insurance.

The Owner and Operator shall maintain commercial general liability insurance throughout the operational life of the Data Center in an amount of not less than Three Million Dollars ($3,000,000) per occurrence and Three Million Dollars ($3,000,000) aggregate, or such greater amount as may reasonably be required by the Township.

Certificates of insurance naming the Township as a certificate holder shall be provided prior to issuance of a zoning permit and upon each renewal.

ARTICLE X - ENFORCEMENT

The provisions of Section 1213 entitled “Enforcement of Violations” of the Ransom Township Zoning Ordinance shall apply to any and all violations of this Ordinance.

ARTICLE XI - SEVERABILITY

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is declared invalid, unconstitutional, or unenforceable by a court of competent jurisdiction, such determination shall not affect the validity of the remaining portions of this Ordinance.

The Board of Supervisors expressly declares that it would have enacted the

remaining provisions of this Ordinance regardless of the invalidity of any individual provision.

ARTICLE XII - REPEALER

All ordinances, resolutions, or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

ARTICLE XIII - EFFECTIVE DATE

This Ordinance shall become effective immediately upon enactment as provided by law.

ENACTED AND ORDAINED by the Board of Supervisors of Ransom Township, Pennsylvania, this ____ day of _____, 2026.

ATTEST: RANSOM TOWNSHIP BOARD OF SUPERVISORS

_____ _____

Secretary Chairman

This is to certify that the foregoing Ordinance was duly approved by the Ransom Township Board of Supervisors, County of Lackawanna and Commonwealth of Pennsylvania at the meeting held on the ____ day of August 2026.

_____

Secretary