

ORDINANCE NO. 148

**HANOVER TOWNSHIP
WASHINGTON COUNTY, PENNSYLVANIA**

AN ORDINANCE OF HANOVER TOWNSHIP, WASHINGTON COUNTY, PENNSYLVANIA, AMENDING THE TOWNSHIP ZONING ORDINANCE TO ESTABLISH REGULATIONS FOR DATA CENTERS WITHIN THE TOWNSHIP.

WHEREAS, the Second-Class Township Code, 53 P.S. Section 65101, et. seq., authorizes the Board of Supervisors of Hanover Township to make and adopt Ordinances that are consistent with the Constitution and the laws of the Commonwealth of Pennsylvania that it deems necessary for the proper management of Hanover Township; and

WHEREAS, the Pennsylvania Municipalities Planning Code, 53 P.S. Section 10101, et seq., authorizes the Board of Supervisors of Hanover Township to enact, amend and repeal Zoning Ordinances; and

WHEREAS, the Board of Supervisors of Hanover Township deem it to be in the best interests and the general welfare of the citizens and residents of the Township to amend the Code; and

WHEREAS, the Board of Supervisors of Hanover Township desires to establish appropriate regulations for the placement and operation of Data Centers within the Township; and

WHEREAS, the Township has determined that Data Centers, while potentially beneficial to economic development, may have significant impacts on neighboring properties and Township infrastructure if not properly regulated; and

WHEREAS, the Township Planning Commission has reviewed and recommended approval of these amendments to the Township Zoning Ordinance; and

WHEREAS, the Board of Supervisors of Hanover Township have met all procedural requirements of the Pennsylvania Municipalities Planning Code and Second-Class Township Code for the adoption of the proposed Ordinance, including holding a Public Hearing.

NOW THEREFORE, IT IS HEREBY ENACTED AND ORDAINED by the Board of Supervisors of Hanover Township, Washington County, Pennsylvania, as follows:

SECTION 1. TITLE.

This Ordinance shall be known as the “Hanover Township Data Center Ordinance of 2026.”

SECTION 2. PURPOSE.

The purpose of this Ordinance is to Amend the Township Zoning Ordinance to establish regulations for Data Centers within the Township.

SECTION 3. DEFINITIONS.

That the Township of Hanover hereby enacts the following amendment to the Township Zoning Ordinance, Article II, Section 201, to add or amend the following definitions to the Ordinance.

DATA CENTER – A facility used primarily for the storage, management, processing and transmission of digital data, which houses computer systems and associated components, such as telecommunications and storage systems, including, but not limited to power supplies, data communications connections, environmental controls (e.g., air conditioning, fire suppression), and security devices.

DATA CENTER ACCESSORY USE – Systems, equipment, facilities and/or components used in the cooling system including fans, blowers, water or other liquid cooling pumps, power supply systems including electrical substations, transformers, fuel cells, generators and similar systems and components, telecommunication, cloud communication and mechanical or environment controls when used in the support or enabling of a Data Center.

DATA CENTER PARK – A tract of land, developed as an integrated planned development that is laid out exclusively for a group of three (3) or more Data Centers with no other use permitted within the park and having separate building sites designed and arranged in accordance with, and complying with the requirements of Section ___ of this Zoning Ordinance, and other applicable provisions of this Zoning Ordinance, the Hanover Township Subdivision and Land Development Ordinance, and other applicable ordinances of the Hanover Township Code of Ordinances.

DATA CENTER EQUIPMENT (“DCE”) – Data Center Equipment or DCE include Data Center Accessory Uses, which in an un-muffled state generate noise in excess of the permitted maximum dB(A) at the point of generation. DCE shall be accessory to the Data Center and be located on the same tract or assemblage of adjacent parcels developed as a unified development for a Data Center.

INDEPENDENT POWER GENERATION – Power generation for Data Centers and Data Center Parks including, but not limited to, solar, wind fossil fuel or nuclear energy generating systems.

SECTION 4. AMENDMENTS TO THE TOWNSHIP ZONING ORDINANCES TO ADD DATA CENTERS AS CONDITIONAL USES IN THE I-B INDUSTRIAL AND BUSINESS ZONING DISTRICT AND IN THE S-D SPECIAL DEVELOPMENT ZONING DISTRICT.

DATA CENTERS

A. Development Standards: The standards for Data Centers shall conform to the standards set forth in the Zoning Ordinance for Industrial and Business (I-B) and Special Development Districts (S-D) in regard to lot area, lot width, lot coverage, setbacks and building height.

1. Setbacks for Data Centers from Residential and Agricultural Districts – four hundred (400) feet minimum from any residential or agricultural zoned lot line.

- a. If located on the ground, any equipment for cooling, ventilating or otherwise operating the facility, including any power generator or other power supply equipment, must be located at least four hundred (400) feet from the lot line of any residential or agricultural zoned property.
 - b. Data Centers shall require a minimum lot of forty (40) acres.
2. Building Design Standards –
- a. Architectural Requirements:
 - i. Façade variations shall be required to enhance visual appeal and to the satisfaction of the Township Supervisors
 - ii. Main entrance features shall be clearly defined;
 - iii. Buildings shall incorporate design elements to improve appearances;
 - iv. Walls visible from public rights-of-way shall not exceed one hundred (100) feet in length without architectural treatment.
 - b. Data Center Accessory Equipment Screening:
 - i. All Data Center Accessory Equipment shall be screened from public view. Furthermore, all Data Center Accessory Equipment shall be secured against unauthorized entry and safeguarded in an approved manner.
 - ii. Screening shall be accomplished through landscaping, fencing or architectural elements compatible with the primary building.
 - iii. Screening shall be a minimum of twelve (12) feet in height for ground mounted components and a minimum of ten (10) feet in height for roof mounted components.

3. Landscaping

a. Buffer Yard Requirement:

- i. Type II Screening shall be required in accordance with Section 1202 of the Township Zoning Ordinance for a visual screen of native vegetation installed between the facility and public roadways.
- ii. A minimum of fifty (50) foot buffer yard shall be provided along all property lines abutting residential and agricultural districts.
- iii. Buffer yards shall include a dense screen of evergreen and deciduous trees.
- iv. Trees within buffer yards shall be planted at a minimum height of twelve (12) feet and reach a minimum height of thirty (30) feet at maturity.

4. Access and Parking

a. Access and Parking:

- i. All access roads, including emergency access roads, shall have a total lane width of not less than twenty-four (24) feet, excluding any on street parking areas and shoulder.
- ii. It shall be demonstrated that there is an adequate second means of ingress and egress suitable for emergency access to the site.
- iii. A minimum of one (1) fire lane intended for aerial apparatus access to roof structures shall be provided. The lane shall be:
 - a. A minimum of twenty-four (24) feet wide restricted to travel and not including any on-street parking or shoulder;
 - b. Clearly identified with ground markings and post-mounted signs;

- c. Free from any overhead obstructions; and
 - d. Able to access the area not less than fifteen (15) feet nor greater than thirty (30) feet from the Data Centers and be on the same side of the structure as the access road.
 - b. Parking:
 - i. 1.5 spaces per onsite employee during peak shift.
 - ii. Off-street loading shall be provided in accordance with §406 Loading Areas and Parking.
- 5. Data Centers shall be considered a conditional use in the I-B Industrial and Business Zoning District and in the S-D Special Development Zoning District.
- 6. Area:

The area for the construction and installation of a Data Center and a Data Center accessory use shall contain at least forty (40) acres.

B. Operational Standards

(1) Noise

- a. Noise Limits:
 - i. Noise limits shall meet the standards set forth in Section 1201.2 of the Zoning Ordinance
- b. Noise Studies:
 - i. A noise study shall be provided during pre-construction plan review showing anticipated levels and post-construction six (6) months after issuance of certificate of occupancy showing noise levels at the time of

operation along all property lines.

- ii. Annual noise monitoring reports, if requested by the Township, shall be provided at the owner's expense.
- iii. A preliminary sound study for the Data Center and associated DCE shall be conducted as part of the Conditional Use process. The preliminary sound study shall recommend the noise reduction materials or systems to meet the aforesaid noise limits.

c. Noise Mitigation:

- i. All equipment that generates noise, including HVAC systems, generators and cooling systems, shall be enclosed within sound-attenuating structures.
- ii. Noise barriers or berms shall be installed where necessary to achieve compliance with noise limits.
- iii. When noise production equipment is abutting a residential or agricultural district or use, such equipment shall be placed so that the Data Center is between the affected lot and the equipment.
- iv. If the Data Center has more than one (1) lot line that abuts a residential or agricultural district or use, the sound producing equipment shall be placed on the side of the Data Center that does not abut the residential or agricultural district or use or side that has the greatest setback from the affected property line(s) with distance preference going to existing residential or agricultural uses.

(2) Vibration

- a. No vibration from equipment, including fans and pumps, shall be perceptible

beyond the property line.

(3) Lighting

- a. All outdoor lighting shall comply with the Township's outdoor lighting regulations.
- b. Lighting shall be designed to minimize glare and light trespass onto adjacent properties.
- c. Full cut-off fixtures shall be used for all outdoor lighting.
- d. A photometric plan shall be provided showing all exterior lighting for the Data Center and shall be designed so as to not produce more than zero (0) foot-candles at all property lines.

(4) Utilities and Infrastructure

- a. Power Supply:
 - i. Data Center Parks shall provide independent power generation by building their own facility.
 - ii. Any independent power generation system designed or used to supply power directly to a Data Center and/or Data Center Park during normal operations 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.
 - iii. If the applicant proposes to connect the Data Center to the electric grid, the applicant shall provide documentation from the applicable electric provider certifying that the necessary capacity is available without negatively impacting existing power users and that the 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.

- iv. All primary and backup power systems shall be identified in the application.
 - a) Short term backup power shall utilize uninterruptible power supplies (UPS) providing twenty-four (24) hours of operation.
 - b) Long term backup power shall utilize diesel or gas-powered.

(5) Battery Energy Storage Systems (BESS) shall be allowed as a separate use and shall be approved according to the zoning regulations applicable to such use.

b. Decommissioning of Data Centers

- i. A decommissioning plan shall be submitted as part of any Land Development submission and shall show how the site will be returned to a neutral state, being a condition that is easily adapted to similar uses, and the handling and removal of any Electronic Waste (also known as “E-Waste”) and/or other hazardous material that may be present on the site.
- ii. To ensure proper decommissioning of a Data Center and Data Center Accessory Use upon abandonment, the operator must post financial security in the form of a security bond or escrow payment in an amount equal to 150% of the total estimated cost of decommissioning, code enforcement, and reclamation, less salvage value, which cost estimate must be approved by the Township. The operator, the Township, and Township Engineer will review the amount of the financial security annually to ensure that the amount remains

adequate. This financial security must be posted within fifteen (15) business days after approval of the conditional special use application.

iii. In the event that a Data Center ceases operations or the property is no longer being used for the purposes of facilitating a Data Center use for a period longer than eighteen (18) months or begins decommissioning the Data Center operator shall:

- a) Conduct an environmental impact assessment to identify potential risks develop strategies for minimizing the ecological footprint of decommissioning activities, as well as consider factors such as e-waste disposal, energy consumption and carbon emissions.
- b) Prioritize the recycling or responsible disposal of decommissioned hardware and materials to reduce environmental impact and partner with certified e-waste recycling facilities to ensure proper handling and recycling of electronic components.
- c) Establish secure logistics protocols to track the movement of decommissioned hardware throughout the decommissioning process and maintain a chain of custody to ensure accountability and prevent unauthorized access or tempering.
- d) Properly decommission power and cooling infrastructure, including UPS units, HVAC systems, and generators, to minimize energy consumption and ensure safety. The operator shall disconnect and remove all electrical and mechanical components according to industry best practices.
- e) Provide comprehensive training to employees involved in the

decommissioning process to ensure they understand and adhere to best practices. Increase awareness of data security protocols, environmental responsibilities, and safety procedure to minimize risks and errors during decommissioning activities. Regularly update training materials to reflect changes in regulations, technologies and industry standards.

- f) Maintain comprehensive documentation of the decommissioning process, including records of data sanitization, hardware disposal, and environmental compliance. Retain audit trails to demonstrate adherence to best practices and regulatory requirements.
- g) Notify Township public safety and emergency management personnel of any changes in facility use and/or occupancy.

c. Water Usage:

- i. Water-cooled Data Centers shall submit a water impact study to demonstrate that water systems will not adversely impact nearby wells, ponds, streams, and adjoining public potable water users. Water used shall be from a public water source and shall not negatively impact existing public water users.
- ii. Water conservation methods shall be implemented to minimize consumption during drought conditions.
- iii. Applicant shall provide a letter of capacity from the public water utility confirming that the required quantities will be supplied and shall supply a water needs analysis confirming the required quantities.
- iv. Applicant shall provide a letter of capacity letter from the public sewage

utility confirming capacity is available for the site.

- v. Annual water usage reports shall be provided to confirm compliance with the amount of water permitted to be used.
- vi. Water recycling and reuse strategies shall be implemented where possible.
- vii. The applicant or owner/operator 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 Sewage Enforcement Officer and/or the Pennsylvania Department of Environmental Protection.

d. Utility Connections:

- i. Backup generators and related Data Center accessory infrastructure shall be identified on site plans.

(6) Emergency Management Requirements

a. Emergency Preparedness

- i. An emergency response plan shall be submitted and approved by the Township Emergency Management Coordinator and fire department.
- ii. The plan shall address fire prevention, suppression systems, evacuation procedures, and hazardous materials management.
- iii. Annual emergency response drills shall be conducted in coordination with local emergency services.
- iv. Any gated emergency access route or secondary access route shall be fitted with the “knox-box” type device dictated by the fire department.
- v. Signage: Approved signs shall be provided on all exterior doors and

around the perimeter of the complex notifying of all hazards.

- vi. Energy Management System: An approved energy management system shall be provided for monitoring and balancing voltages, temperatures, and other functions within the manufacturer's specifications. This system shall transmit an alarm signal to an approved location if potentially hazardous conditions are detected.
- vii. Smoke Detection System: An approved automatic smoke detection system shall be installed. This system will alert emergency responders.
- viii. Fire Extinguishing System: All rooms within the structure shall be equipped with an automatic sprinkler system. This system will alert emergency responders.
- ix. Alternative Fire Extinguishing System: Areas that utilize water reactive materials or equipment shall be protected with an approved alternative automatic fire extinguishing system. This system will alert emergency responders.
- x. Emergency Shutdown: An emergency shutdown switch shall be located outside of the structure readily available for emergency responders.
- xi. Spill Control and Neutralization: In areas that contain liquid electrolytes, acids or other hazardous materials, an approved method shall be provided to control, contain and neutralize spills.
- xii. Gas Detection System: A gas detection system shall be provided if natural gas is used. The system shall be designed to detect natural gas leaks in concentrations of not more the twenty five percent (25%) of the

lower flammable limit. The system will close all supply valves, shut down all fuel power systems, and initiate local audible and visual alarms, and notify emergency response automatically.

- xiii. Vehicle Impact Protection: Protection from impact by a motor vehicle shall be provided around the perimeter of the structure.

C. Conditional Use Requirements

(1) Additional Permits

- a. Applicant/User shall be responsible for obtaining all applicable federal and state permits.

(2) Air Quality and Emissions

- a. Any emissions of exhaust, gases, noxious odor or similar shall adhere to applicable State and Federal emission standards.

(3) Ecological Impact

- a. Inventory of existing natural resources, habitats and wildlife shall be provided (PNDI Receipt).

(4) Waste Management Plan

- a. All E-waste and recycling shall be handled and disposed of in an approved disposal site.
- b. All conditional use applications shall include a hazardous materials management plan including onsite storage. Hazardous materials shall include, but not be limited to, batteries, diesel fuel for backup generators, coolants, cleaning and maintenance materials, and E-waste such as fluorescent lamps and circuit boards.

(5) Infrastructure Impact

- a. Identify all necessary infrastructure improvements, if applicable.
- b. Proposed contributions to infrastructure improvements.

(6) Public Services Impact

- a. Prior to commencement of construction, Applicant/User must coordinate with the local school districts to coordinate construction and equipment traffic in an effort to ensure that there is no impact on school drop-off and pick-up times.

(7) Visual and Aesthetic Impact: The Applicant/User shall provide and implement the following:

- a. Visual simulation model showing the facility from multiple viewpoints.
- b. Analysis of compatibility with surrounding land uses.
- c. Facility design elements to minimize visual impacts.
- d. Viewshed protection measures.

(8) Cumulative Impact Analysis

- a. Application shall show compatibility with the Township's comprehensive plan.

(9) Geotechnical Analysis

D. A geotechnical analysis report, signed and sealed by a qualified professional geotechnical engineer, shall be provided with all Land Development submissions for Data Centers and Data Center Parks, Enforcement and Penalties.

(1) Violations of this Ordinance shall be subject to the enforcement procedures and penalties set forth below and/or in Hanover Township Zoning Ordinance.

(2) In addition to other remedies, the Township may require the facility operator to implement additional mitigation measures if operational impacts exceed projections or standards established by this ordinance.

- (3) The failure of Hanover Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

E. Violations

- (1) In the event of a violation of any provision herein and failure of owner to correct said violation in the time period provided by the Township and/or its designated agent, said failure shall constitute a Civil Violation, as defined in the laws of the Commonwealth, and shall be prosecuted in accordance with the laws of the Commonwealth and the Rules of Civil Procedure adopted by the Pennsylvania Supreme Court.

- (2) Except where specific maximum penalties are provided elsewhere, in a law of the Commonwealth uniformly effective for political subdivisions or in another ordinance of the Township for a particular violation, any person/entity who shall violate any provision of this Ordinance, any provision of any Ordinance or other regulations adopted by reference by this Ordinance or any provision of any other Township Ordinance, including applicable general performance standards for said use, shall, upon an adjudication and a finding of a violation, pay a civil penalty not to exceed **One Thousand and 00/100 (\$1,000.00) Dollars** for a violation of building, housing, property maintenance, health, fire and public safety codes and for water, air and noise pollution violations; and civil penalty not exceeding **Six Hundred and 00/100 (\$600.00) Dollars** for any violation of the Township Ordinance, costs of prosecution, attorneys' fees where authorized; all collectible as provided by law.

- F. The Applicant agrees to meet (at minimum) at least one (1) time per year with representatives of the Township to discuss operations and any foreseeable plans for the facility. This will be an opportunity for industry experts on behalf of the Applicant to

express industry standards and forecast demands for services that the Township through Public Works and/or Emergency Management may need to be aware of at the facility. The Township shall be provided with a point of contact for the facility and said contact shall coordinate and make best efforts to meet with Township personnel (including Board of Supervisors, Staff and Emergency Management personnel) at a time that is agreeable to all parties. This meeting may occur annually but more frequently, if deemed necessary by either the Township or the Applicant.

(1) The Applicant agrees to provide Hanover Township with a Community Benefit, agreed upon by the Applicant and the Township throughout the Land Development process to promote the health, safety and welfare of the residents of Hanover Township. This shall include, but not be limited to, incidental benefits, negotiations and any other stipulation the Township deems necessary for the implementation of a Data Center.

G. The developer and/or operator of any Data Center facility shall ensure ongoing cooperation and coordination with the local fire department and other applicable emergency response agencies to support public safety and operational readiness. These requirements shall be satisfied to the extent such measures are not already in place, provided through existing local emergency response protocols, or otherwise made available by applicable public agencies. Prior to issuance of a certificate of occupancy, and throughout the life of the facility, the developer/operator shall:

(1) Provide Facility Information and Emergency Planning – Submit to the Fire Department and First Responders current site plans, building layouts, fire protection system descriptions, hazardous materials inventories and emergency shutdown procedures.

- (2) Conduct Education Training – Coordinate with the fire department to provide appropriate training and familiarization opportunities for emergency responders, including instruction on facility-specific hazards suppression systems, energy storage systems and critical infrastructure protocols.
- (3) Establish Ongoing Communication Procedures - Maintain an updated emergency contact list and designate a responsible on-site or on-call representative available twenty-four (24) hours per day to assist emergency personnel during incidents or inspections.
- (4) Support Emergency Access and Drills – Allow reasonable access for pre-incident planning, inspections and periodic emergency response drills as requested by the fire department.
- (5) Ensure Compliance with Applicable Codes and Standards – Demonstrate continued compliance with all applicable fire, building, electrical and life safety codes, including any adopted standards related to energy storage systems, backup generators, and fire suppression infrastructure.

SECTION 5. CONSTRUCTION AND SEVERABILITY.

- A. The provisions of this Ordinance shall be construed to the maximum extent possible to further the purposes and policies set forth herein, as consistent with applicable state statutes and regulations. If the provisions of this section and state law are in conflict, then state law shall prevail.
- B. It is the intention of the Township’s Board of Supervisors that the provisions of this Ordinance shall be declared unconstitutional or invalid by the judgement or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining provisions of this Ordinance.

SECTION 6. REMEDIES; VIOLATIONS AND PENALTIES.

A. Penalties. Any person violating any provision of this Ordinance shall be subject, upon conviction thereof, to a fine not exceeding One Thousand and 00/100 (\$1,000.00) Dollars, for each and every offense, together with attorneys' fees and costs, and in default of the payment thereof, imprisonment for not more than ninety (90) days. A separate and distinct violation shall be deemed to be committed each day on which a violation occurs or continues to occur. In addition to an action to enforce any penalty imposed by this Ordinance and any other remedy at law or in equity under this Ordinance, the Township may apply to a Court of Common Pleas for an injunction or other appropriate relief at law or in equity to enforce compliance with or restrain violation of any provision of this Ordinance.

B. Determination of violation. In the event a determination is made that a person has violated any provision of this Ordinance, a right-of-way use permit, such person shall be provided written notice of the determination and the reasons therefor. Except in the case of an emergency, the person shall have thirty (30) days to cure the violation. If the nature of the violation is such that it cannot be fully cured within such time period, the Township may, in its reasonable judgment, extend the time period to cure provided the person has commenced to cure and is diligently pursuing its efforts to cure. If the violation has not been cured within the time allowed, the Township may take any and all actions authorized by this Ordinance and/or Pennsylvania law and regulations.

SECTION 7. REPEALER.

All prior ordinances that are inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 8. RATIFICATION.

Except as amended by this Ordinance, all other portions, parts and provisions of the 2026 Hanover Township Zoning Ordinance, as heretofore enacted, shall remain in force and effect.


SECTION 9. EFFECTIVE DATE.

This Ordinance shall be effective five (5) days after its enactment.


ENACTED AND ORDAINED by the Board of Supervisors of Hanover Township, Washington County, Pennsylvania, this 30th day of March, 2026.

ATTEST:

HANOVER TOWNSHIP



Chelsea Arthurs, Secretary/Treasurer

By: 

Dale Handick, Chairman

