ORDINANCE NUMBER _____ OF 2026

WATTS TOWNSHIP
PERRY COUNTY, PENNSYLVANIA

AN ORDINANCE OF WATTS TOWNSHIP, PERRY COUNTY, PENNSYLVANIA, WHICH AMENDS THE WATTS TOWNSHIP ZONING ORDINANCE.

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

WHEREAS, the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101, *et seq.*, authorizes the Board of Supervisors of Watts Township to enact, amend and repeal zoning ordinances;

WHEREAS the Board of Supervisors of Watts Township desires to amend the Watts Township, Perry County Zoning Ordinance;

WHEREAS the Board of Supervisors of Watts Township deems it to be in the best interest and the general welfare of the citizens and residents of the Township to amend the Code of the Township of Watts; and

WHEREAS, the Board of Supervisors of Watts Township has met the 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, ENACTED AND ORDAINED by the Board of Supervisors of Watts Township, Perry County, Pennsylvania, and it is hereby enacted and ordained by the authority of same as follows:

SECTION 1. AMENDMENTS TO THE WATTS TOWNSHIP ZONING ORDINANCE.

Article II. DEFINITIONS is hereby amended as follows:

Section 202 - Specific Words and Phrases, is hereby amended to include the following terms and definitions.

BACKUP GENERATOR: Natural Gas, diesel, hydrogen fuel cells, power storage system, or other non-coal equipment used to generate electricity during a power outage or similar emergency. As an accessory data center use, backup generators are only to be used during periods of outages, natural disasters, or similar “emergency events” for power generation and for regular reliability testing and exercising.

CLOSED LOOP COOLING SYSTEM

A heat reducing system, designed to circulate water within a closed circuit allowing it to absorb heat from equipment and then release the heat through a heat exchanger or cooling tower. The system minimizes water loss and reduces environmental impact by reusing the same water repeatedly.

DATA CENTER

A facility primarily used for housing or intended to be used primarily used for housing, operation, and or co-location of computer systems and associated components, including servers, storage devices, networking equipment, and supporting infrastructure such as power supply, cooling systems, and security systems, for storage, management, processing, and/or transmission of digital information necessary for the operation of one or more businesses, commercial, or governmental entities. Includes but is not limited to co-location facilities, cloud computing centers, enterprise data centers, crypto mining, high-intensity compute-only centers, and similar uses. A Data Center may include limited office space associated with facility operations but does not include general business offices or call centers.

DATA CENTER ACCESSORY USE

Systems, equipment, facilities, and/or components used in air cooling, water or liquid cooling, power generation and supply systems, telecommunication, cloud communication, and mechanical or environmental controls when used in the support or enabling of a Data Center. Data Center Accessory Uses generally include utilities, utility lines, electrical substations, pump stations, water towers, mechanical equipment and environmental controls (air conditioning or cooling towers, fire suppression, etc.), redundant/backup power supplies, redundant data communications connections, and high security when located on the same tract or assemblage of adjacent parcels developed as a unified development for a Data Center.

DATA CENTER EQUIPMENT ("DCE")

Data Center Equipment or DCE includes any Data Center Equipment related to utilities, utility lines, power generation stations, electrical substations, pump stations, water towers, mechanical equipment, cooling systems, and sound control systems. Fire suppression systems, and environmental controls (emission controls, noise pollution controls, environmental impact monitoring), redundant/backup power supplies, redundant data communications connections, and security operations when located on the same parcel or collection of adjacent parcels developed as a unified development for a Data Center. Specific examples of DCE include, but are not limited to, the following: backup generators, power generation plants, power storage systems, and substations (if not owned by the utility service provider).

DATA CENTER PARK

A tract of land, developed as an integrated planned development that is laid out exclusively for a group of three 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 this zoning ordinance, and other applicable provisions of this zoning ordinance; the Watts Township Subdivision and Land Development Ordinance; and other applicable ordinances of the Watts Township Code of Ordinances, where the purpose is to allow sub-lots to be subdivided as independent tax parcels subject to the regulations.

SENSITIVE RECEPTORS

Schools, preschools, day care centers, in-home daycares, health facilities such as hospitals, long term care facilities, retirement and nursing homes, community centers, places of worship, playgrounds, parks (excluding trails), campgrounds, prisons, dormitories, and any residence where such residence is not located on a lot, tract or parcel with an existing industrial, commercial, or unpermitted use as determined by the zoning officer.

ARTICLE III - DISTRICT REGULATIONS

Section 360 - I - INDUSTRIAL DISTRICT is hereby amended to include the following addition.

Subsection 363.18 - Data Center and Data Center Accessory Uses are permitted uses, subject to criteria in Section 495.

ARTICLE IV - SUPPLEMENTARY REGULATIONS is hereby amended to include section 495 as follows

Section 495 <u>Data Center and Data Center Accessory Uses and Structures</u>

A. Area Regulations.

1. The minimum lot, tract or parcel area shall not be less than twenty (20) contiguous acres.

B. Lot Width.

1. The minimum lot, tract or parcel width at the building line shall be two-hundred fifty feet (250').

C. Yard Regulations.

1. Front Yard: 200 feet from the right-of-way line.

2. Side Yard: 75 feet.

3. Rear Yard: 75 feet.

4. Corner lots shall have two (2) front yards, one (1) side yard, and one (1) rear yard.

5. When abutting a residential or agricultural zone or use, the setback from the common property line shall be increased to two hundred feet (200').

6. Accessory Uses and Structures, including data center accessory uses and structures, shall be setback at least 150 feet from all property lines.

C. Height Regulations.

1. Maximum permitted height of any building is 75 feet, excluding roof-mounted equipment such as cooling and ventilation systems, HVAC units, and cooling towers. An additional ten feet (10') is permitted for accessory equipment and twenty feet (20') for screening including parapets from the top edge of the roofline.

2. Building height shall be calculated from the lowest adjacent ground grade to the top edge of the main roof line and exclude any mechanical or accessory equipment, screening walls, and/or parapets.

3. No other mechanical or accessory equipment mounted on the roof may exceed 10 feet in height beyond the top edge of the roofline.

4. Data Center Accessory Uses shall not exceed the maximum height allowed for the principal building except where the accessory uses are atop the principal building.

D. Coverage Regulations.

1. The overall impervious lot coverage may not exceed 50% of the total lot, tract, or parcel area. The calculation includes all driveways, parking areas, and truck loading areas, and building(s) footprint(s).
2. The maximum gross building coverage shall not exceed forty percent (40%) of the overall lot, tract or parcel area.
3. A minimum of at least 20% of the total lot area, excluding stormwater management facilities, must be designated green or open space. Areas used for vegetative screening may be used in this calculation.

E. Building Design.

1. Facades facing public rights-of-way, and structures visible from nearby mega greenways like the Appalachian Trail, the Susquehanna River Trail, the 9-11 Trail shall include architectural treatments to reduce visual massing.

2. A natural palette of colors approved by the Watts Township Planning Commission shall be used on the building's exterior to reduce visual impacts from monotone or reflective exterior materials. The underlying purpose of this requirement is to reduce contrasting colors to have the building's exterior bend in harmoniously with its surroundings.

3. External building materials shall be of colors that are low-reflective, subtle, or earth tone. Fluorescent and metallic colors shall be prohibited as exterior wall colors.

F. Landscape Buffer and Screening Requirements.

1. Screening of Equipment

   a. Applicability. All Data Center Accessory Uses and equipment, including but not limited to cooling system components (fans, blowers, pumps), power supply systems (substations, transformers, fuel cells, generators), and similar equipment, whether ground- or roof-mounted, shall be visually and audibly screened.

   b. Visual Screening.

      1) Ground-mounted equipment shall be screened to a minimum height of twelve (12) feet.
      2) Roof-mounted equipment shall be screened to a maximum height of ten (10) feet.

3) Screening shall be provided on all sides of the equipment, except where a side directly faces and is fully enclosed by the primary Data Center building.

c. Audible Screening. Equipment shall be screened and/or designed to prevent objectionable or nuisance sound levels at adjoining property lines in accordance with SECTION 409 – Landscaping and Screening. Screening shall be provided on all sides unless fully enclosed by the primary Data Center building.

d. Placement Adjacent to Residential or Agricultural Uses.

1). Where noise-producing equipment abutting a residential or agricultural district or use, such equipment shall be located so the primary Data Center building is positioned between the equipment and the affected property.

2). Where multiple lot lines abut residential or agricultural districts or uses, equipment shall be located on the side of the site that is not abutting such district or use, or on the side with the greatest setback from the affected property line(s), with preference given to maximizing distance from existing residential uses.

2. Required Landscape Buffer Yards

a. General Requirement. Landscape buffer yards and screening along all property boundaries, shall be provided for all data center operations and Data Center Equipment except at approved ingress and egress points. The Buffer Yard is applied in addition to any setback distance.

b. Where required, a landscape buffer yard shall be provided between the use and:

1) Any adjoining non-industrial zoning district.
2) Any sensitive receptor.
3) Any public roadway.

c. Buffer Yard Width.

1) A minimum fifty (50) foot buffer yard shall be provided along:
   a) Any public street frontage.
   b) Any property line abutting a residential or agricultural district or use.
   c) Any property line located within five hundred (500) feet of a sensitive receptor.

d. Buffer Planting Requirements. Buffer plantings shall consist of native species and include, at a minimum:

1) One (1) large evergreen tree per twenty-five (25) linear feet (minimum eight (8) feet in height at planting).
2) One (1) deciduous canopy tree per seventy-five (75) linear feet (minimum 2½-inch caliper at planting).

3) One (1) ornamental or flowering tree per fifty (50) linear feet (minimum eight (8) feet in height for multi-stem varieties or 2½-inch caliper for single-stem varieties);
4) Five (5) shrubs per twenty-five (25) linear feet (minimum three (3) feet in height at planting), consisting of a mix of evergreen and deciduous species, with at least fifty percent (50%) evergreen.

e. Exclusions. Required buffer yards shall not include environmental encumbrances, including but not limited to wetlands, wetland transition areas, riparian buffers, or flood hazard areas regulated by other agencies.

f. Measurement. Buffer yards along roadways shall be measured from the street right-of-way line.

g. Maintenance. Required buffer yards shall be maintained for the duration of the use.

h. Existing Vegetation. Preservation of existing vegetation is encouraged. Where existing topography and/or vegetation satisfies the intent of the required buffer yard, the governing body, upon recommendation of the Township Engineer and Planning Commission, may approve such vegetation as fulfilling all or part of the buffer requirement.

G. Screening and Fencing.

1. All Data Center operations shall provide screening as follows:

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

1) The landscape buffer required by Section 495.F. above.

2) By existing vegetation that will remain on the property.

3) By the principal Data Center building or an accessory building.

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

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

b. Fencing of the property is permitted, provided that fencing is fully screened from view by one or more of the means identified in Section G.1.c. below.

c. All DCE must be screened by one or more of the following.

1) Architectural walls or enclosures matching building materials.

2) Evergreen landscaping, and/or

3). Sound-attenuating barriers.

4) Parapet wall.

5) Visually solid screen on all four sides and is constructed of materials complementary to those used in the exterior construction of the Data Center Principal Building.

6) All rooftop-mounted equipment shall be screened by a parapet wall, equipment penthouse, or visually solid screen on all four sides that is constructed of materials complementary to those used in the exterior construction of the Data Center Principal Building. This shall be accomplished by setting the penthouse or screened area back from the façade of the building such that the tip of the penthouse or screen is below a 45-degree line drawn from the parapet.

H. Lighting.

1. A lighting/photometric plan shall be provided showing all exterior lighting for the data center developments and their accessory uses.

2. Exterior lighting shall not be mounted higher than 20 feet on a standard or other freestanding support or the exterior of a structure from the lowest adjacent grade. The fixture shall be fully shielded or cutoff to direct light at a downward angle and towards the interior of the lot and not equal to or higher than the horizontal plane of the bulb, bulb enclosure, or light shielding.

3. Lighting shall comply with the Watts Township Zoning Ordinance. Section 411 and the following:

a. Full cutoff fixtures required.
b. Maximum illumination at property line:
   1) Non-Sensitive Receptors: 0.5 foot-candles
   2) Sensitive Receptors: 0.1 foot-candles

c. No strobing or colored lighting.

4. Horizontal Surfaces.

   For the lighting of predominantly horizontal surfaces, such as, but not limited to, parking areas, roadways, vehicular and pedestrian loading 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.

5. 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.

6. Glare.

   Vegetation screens shall not be employed to serve as the primary means for controlling glare. Rather, glare control shall be achieved primarily by using such means as cutoff luminaries, shields, 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 3000kw.

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.

I. Noise/Sound.

1. A noise study shall be provided with the land development plan containing pre-construction levels and post-construction conditions showing sound levels at the time of operation along all property lines.
   a. A preliminary study shall be Provided. The preliminary sound study shall include recommended sound-reducing materials or systems as needed to meet the noise levels provided in the following table.
   b. A post-construction noise study shall be submitted prior to an occupancy permit being issued. The study shall be submitted demonstrating compliance with noise standards.
   c. All costs for both studies will be paid for by the applicant.

2. The applicant shall demonstrate through a sound study conducted by a professional acoustic expert that the sound generated by a Data Center, and DCE during normal operations shall be limited to noise levels provided in the following table:

Maximum Sound Levels for Data Centers, and DCEs at Property Lines				
Abutting Zoning District Boundary/Use	Maximum dBA Daytime (7:00 am – 7:00 pm)	Maximum dBA Nighttime (7:01 pm – 6:59 am)	Maximum dBC Daytime (7:00 am – 7:00 pm)	Maximum dBC Nighttime (7:01 pm – 6:59 am)
Any Sensitive Receptor	55	50	55	55
C-1 Commercial	65	60	70	70
Industrial	70	70	70	70

3. Backup Generators and back-up power systems, which generate noise in excess of the limits set forth above, shall not be tested between (8:00 PM and 7:00 AM EST) Additionally, Backup Generators must comply with local air quality regulations. Testing of auxiliary power systems, including generators, should occur between the hours of 8:00 AM and 7:00 PM EST. Such systems may not exceed 70 dbA or dbC during use at the property line.

4. Additionally, vibration levels may not exceed 0.15 in./sec. at any adjoining property line which is discernible to the human sense of feeling shall be perceptible without instruments at any point beyond the property lines.

5. A noise reduction barrier or device shall be required at the discretion of the Zoning Officer where post-construction monitoring demonstrates noncompliance with sound limits set forth herein or where the applicant's acoustic study identifies mitigation measures necessary to achieve compliance.

6. Activities that exceed the maximum sound levels listed above. do not apply to, but are not limited to, emergency alerts, emergency work to provide electricity, water, or other public utilities when public health or safety is involved, snow removal, or road repair. Auxiliary power systems in use during an emergency or primary power system failure are exempt from sound level requirements.

J. Access, Safety and Security.

1. The applicant shall submit a traffic impact study to document potential impacts and necessary mitigation measures.
2. Primary Access: Must be from an arterial or collector roadway.
3. Access driveway setback shall be at least fifty (50) feet from any lot line for adjoining tracts of residential uses;

4. DCE shall not be located between any principal data center building and any arterial or collector street.
5. Any gated emergency access route or secondary access route shall be fitted with the "knox-box" type device dictated by the fire department.
6. All fencing, including security fencing, must be a minimum of eight feet (8') in height at the highest point of the fencing or any appendages, including but not limited to barb wire.
7. Any non-riverine water source, including but not limited to ponds, lakes, marshes, swamps, and similar areas, whether human-caused or naturally occurring, shall be fully enclosed with a fence at least eight feet (8') in height. This includes all stormwater management facilities installed.

K. Emergency Management.

1. It shall be demonstrated that there is an adequate second means of ingress and egress suitable for emergency access to the site, and such means shall be maintained for the duration of the use.
2. The Applicant shall submit an Emergency Response Plan (ERP) prepared by a qualified professional.
3. Any Data Center proposing battery storage or any other device or group of devices capable of storing energy in order to supply electrical energy at a later time, whether the energy is stored for use on-site or off-site, shall demonstrate compliance with National Fire Protection Association (NFPA) Standard 855, Installation of Stationary Energy Storage Systems, or similar standards and must include environmentally safe fire suppression systems designed specifically for battery storage.
4. No Data Center shall be approved unless the applicant demonstrates that procedures for fire suppression, containment, ventilation, and evacuation are sufficiently protective of public health, safety, and welfare.

L. Parking.

1. Parking spaces for data centers shall be provided for as follows:
   a. 1 space per on-site employee on the largest shift.
   b. 1 space per 125,000 square feet of gross floor area with a minimum of two spaces.
   c. Parking Lot Tree Requirements: There shall be no less than one [1] tree planted for each six (6) parking spaces therein. The density of trees in the parking lot shall be at least one (1) tree per every [200] square feet of pavement.
   d. Parking Lot Islands: Parking lots shall be designed to accommodate parking lot islands and endcaps with tree(s) at the end of the parking aisles.
   e. Parking lots shall be setback at least fifty (50) feet from any lot line adjoining any residential parcels or tracts of land.

M. Loading Areas

1. Loading/Delivery Areas: Must be screened from public streets and residential uses. Loading and service areas shall be located to the side or rear of the building

    a. A minimum of one loading space is required. All loading spaces/bays are permitted to be located on one façade of the Data Center Principal building.

    b. Loading area setbacks shall be at least fifty (50) feet from any lot line for adjoining residential parcels or tracts of land.

2. Off Street Loading Facilities, including loading docks and parking for vehicles of Class 6 or higher ratings as defined by the Federal Highway Administration of the US Dept of Transportation, shall be designed in accordance Article IV, Section 368 of the Zoning Ordinance, Required Berths for Off-Street Loading, Specifications.
3. All access roads, including emergency access roads, shall have a total lane width of not less than 26 feet, excluding any on street parking areas and shoulder. Cul-de-sacs shall have a diameter of at least 120 feet.
4. A minimum of 1 fire lane intended for aerial apparatus access to roof structures shall be provided. The lane shall be:

    a. A minimum of 26 feet wide restricted to travel and not including any on-street parking areas or shoulder. The fire lane must be paved around the entire building structure.

    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 15 feet or greater than 30 feet from the Data Centers and be on the same side of the structure as the access road.

Q. Water Use.

1. The applicant shall provide proof of review and approval from the Pennsylvania Department of Environmental Protection (DEP) and/or the Susquehanna River Basin Commission (SRBC) for all projects that will have ground and/or surface water consumption and shall supply a raw water needs analysis showing required quantities from any private or public source.
2. On-site Water: Applicant shall provide a water consumption plan for detailing water sources, water usage, water use efficiency, and the plan for water recycling must be provided. Documentation of the water usage impact on the local community shall be provided.
3. Any cooling system where water is taken directly from a riverine water source shall be designed and installed in accordance with all Federal and State regulatory and permitting requirements. The extraction and outflows components must be secured from access by fencing of at least six feet in height.
4. Onsite water and sewers shall be provided for all sanitary facilities.
5. The applicant shall submit an analysis of raw water needs (groundwater or surface water) from either private or public sources conducted by a certified hydrologist, indicating the quantity of water required.

a. If the source is from a municipal system, the applicant shall submit documentation in letter form that the public authority can supply the water needed.

b. If the Data Center is to rely upon nonpublic sources of water, a water feasibility study will be provided to Watts Township. The purpose of the study will be to determine if there is an adequate supply of water for the proposed data center and to estimate the impact of the Data Center on existing wells within the vicinity. The Water Feasibility Study must show adequate water supply, confirmed by the Township Engineer prior to final plan approval

6. At the request of the Watts Township Board of Supervisors, the Developer shall fund a water study to be conducted on behalf of the Watts Township by an entity selected by the Township.

7. No data center shall be approved without a sufficient water supply. No data center shall be approved that demonstrates a likelihood of adverse impacts on existing wells in the vicinity.

8. A water feasibility study shall include:

   a. Calculations of the projected water needs.

   b. A geologic map of the area with a radius of at least one mile from the data center.

   c. The location of all existing and proposed wells within 1,000 feet of the data center property boundary line, with a notation of the capacity of all high-yield wells.

   d. The location of all streams within 1,000 feet of the data center's property boundary line and all known point sources of pollution.

   e. Based on the geologic formation(s) underlying the site, the long-term safe yield shall be determined.

9. A determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, streams, and the groundwater table.

10. Identification of how water will be recycled or released into surrounding water bodies.

11. A statement of the qualifications and signature(s) of the person(s) preparing the water feasibility study.

12. A two and a half million $2.5 bond shall be provided by the developer of the data center to protect landowners from the chance of private well-compromising issues particularly, well-water supply depletion and/or well-water contamination.

13. To the extent required by state and federal law, the applicant shall provide proof of review and approval from the Pennsylvania Department of Environmental Protection

(DEP) and/or the Susquehanna River Basin Commission (SRBC) for all projects that will have ground and/or surface water consumption exceeding agency established for limits and shall supply a raw water needs analysis showing required quantities from any private or public source.

R. Power Supply.

1. Prior to approval of the certificate of completion or occupancy, the applicant shall provide written verification from the applicable power provider stating the following:

    a. Adequate capacity is available on the applicable supply lines and substation to ensure that the capacity is available to service the data center.
    b. Utility supply equipment and related electrical infrastructure are sufficiently sized and can safely accommodate the proposed use.
    c. Any system designed for cooling and operation of the facility (electricity, water, or other means) will be adequate and will not negatively impact the surrounding region.
    d. The use will not cause electrical interference or fluctuations in line voltage on and off the operating premises, and
    e. Prior to approval of the certification of completion or occupancy, the applicant shall provide the municipality with written verification that the electrical work has passed inspection.

2. The applicant will be responsible for documenting how they intend to offset any of their electric consumption. An electric consumption offset target of at least 25% is encouraged.

S. Green Building Techniques. Data Centers are encouraged to implement low-impact development practices in site design and energy efficiency, such as, but not limited to, the following:

1. Site Design.
    a. Select sites that avoid sensitive lands such as wetlands, floodplains, and steep slopes.
    b. Minimize land disturbance.
    c. Maximize tree preservation.
    d. Minimize impervious surfaces.
    e. Minimize potential nuisance impacts (noise, glare, vibration, etc.) on adjacent properties, public roadways, and the vicinity.
2. Energy/Resource Efficiency.

    a. Orient buildings to take advantage of passive cooling and daylight opportunities.

    b. Utilize alternative energy sources (solar, wind, hydro, etc.) as much as possible.

    c. Provide an energy storage system to monitor and regulate usage of alternative energy for usage during off-peak hours.

d. Utilize reclaimed water for cooling, if available.

e. Encourage systems that limit the use of finite natural resources and their disposal.

f. Encourage fuel storage that limits impacts on the environment from potential spills.

g. Install water-efficient landscape materials.

h. Utilize LED exterior/interior lighting.

3. BREEAM (Building Research Establishment Environmental Assessment Method) Certification.

a. Certification is strongly encouraged, as well as the installation of roof-mounted accessory solar energy systems.

T. Woodland Disturbance.

Woodland disturbance, including alteration or removal of any hedgerows, 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 acres or more or consisting of more than 50 individual trees six (6) inches or greater DBH, shall be considered a woodland.

U. Air quality.

1. Any backup generator exhaust, gases, noxious odor or similar emissions shall adhere to applicable State and Federal air quality/emission standards.

V. Threatened and Endangered Species.

1. PNDI. A Pennsylvania Natural Heritage Program study (PNDI Receipt) dated within two (2) years of the submission of an application for subdivision and/or land development, whichever is first, as well as any state agency clearance letters required thereby, shall be provided to Watts Township.

2. Compliance. The applicant shall comply with all measures directed by the clearance letters to avoid, minimize, or mitigate impacts to endangered, threatened, and special concern species and their habitat.

W. Environmental and Community Impact Analysis

The Environmental and Community Impact Analysis required herein is intended solely to evaluate use-related impacts for zoning approval purposes and shall not substitute for, duplicate, or supersede engineering submissions required under Watts Township's Subdivision and Land Development Ordinance (S&LDO), stormwater ordinance, or other applicable regulations, consistent with MPC §§ 503 and 508. The applicant shall provide an Environmental and Community Impact Analysis. The Environmental and Community Impact Analysis shall be prepared by a professional engineer, ecologist, environmental planner, or other qualified individual. The analysis shall include a description of the proposed use, including location, relationship to other projects or proposals, with adequate data and detail for Watts Township officials to assess the environmental and community impacts. The analysis shall also include a comprehensive description of the existing environment and probable future effects of the proposal. The description shall focus on the elements of the environment most likely to be affected, as well as potential regional effects and ecological interrelationships. At a minimum, the assessment shall include an analysis of the items listed below regarding the impact of the proposed use and the mitigation of any such impacts. The assessment shall also include a detailed examination of public resources most likely impacted by the development plan, and shall include:

1. A narrative description of the nature of the on-site activities and operations, including the market area served by the facility, the hours of operation of the facility, the total number of employees on each shift, the times, frequencies, and types of vehicle trips generated, the types of materials stored, and the duration period of storage of materials

2. A site plan of the property indicating the location of proposed improvements, flood plains, wetlands, waters of the Commonwealth, and cultural and historic resources on the property and within [500] feet of the boundaries of the property.

3. Evidence that the disposal materials will be accomplished in a manner that complies with state and federal regulations.

4. An evaluation of potential impacts of the proposed use, both positive and negative, upon:

    a. Emergency services and fire protection,

    b. Water supply,

    c. Sewage disposal,

    d. Solid waste disposal,

    e. School facilities and school district budget, and

    f. Municipal revenue and expenses

5. Any environmental impacts that are likely to be generated (e.g., odor, noise, smoke, dust, litter, glare, heat islands, vibration, electrical disturbance, wastewater, stormwater, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish evidence that the impacts generated by the proposed use fall within acceptable levels, as regulated by applicable laws and ordinances.

    a. Impacts, including the potential for public nuisance to the residents resulting from operations and truck traffic, including noise, glare, light, and visual obstacles
    b. 'A stormwater management plan will be required.
6. Consistency with the municipal and county comprehensive plans. The applicant shall submit an assessment report of the impact of the proposed use on the goals of the respective plans. Where the proposed use conflicts with the comprehensive plan, the assessment report shall identify mitigation measures that may be undertaken to offset any degradation, diminution, or depletion of public natural resources.
7. Additional Considerations. The following shall be addressed:

    a. Alternative analysis. A description of alternatives to the impacts.

    b. Adverse impacts. A statement of any adverse impacts that cannot be avoided.

    c. Impact minimization. Environmental protection measures, procedures, and schedules to minimize damage to critical impact areas during and after construction, including design considerations.

    d. Mitigation steps. A list of steps/structural controls proposed to minimize damage to the site before and after construction.

    e. Critical impact areas. In addition to the above, plans should include any area, condition, or feature that is environmentally sensitive or that, if disturbed during construction, would have an adverse impact on the environment.

        1). Critical impact areas include, but are not limited to, floodplains, riparian buffers, streams, wetlands, slopes greater than 15%, highly acid or highly erodible soils, hydric soils, hydrologic soil groups, areas of high-water table, and mature stands of native vegetation and aquifer recharge and discharge areas.

        2). A statement of impact upon critical areas and of adverse impacts that cannot be avoided.

        3). Environmental protection measures, procedures, and schedules to minimize damage to the critical impact areas during and after construction.

X. Site Preparation (Use of Explosives)

1. A blasting activity permit from the PADEP is required for most operations.

2. Safety Distances:
    a. Blasting shall not take place within 300 feet of an occupied dwelling without the written consent of the owner.
    b. Public highways and entrances within 800 feet of a blast must be guarded.
    3. Only personnel with a valid PADEP Blaster's License shall be allowed to conduct blasting operations for site preparations in Watts Township.

Y. Decommissioning, Remediation, and Disposal

1. A decommissioning plan shall be submitted as part of any Land Development submission and shall show the handling and removal of any Electronic Waste (also known as "E-Waste") and/or any other hazardous material that may be present on the site.
2. The financial security required herein is imposed pursuant to the Municipality's zoning authority under MPC § 603 to ensure mitigation of land use impacts and shall be limited to costs reasonably related to the removal of data center improvements and restoration of the site.
    a. The applicant shall provide documentation, such as an affidavit or equivalent evidence, executed by the property owner and data center operator, confirming the existence of a lease or ownership agreement that includes decommissioning and successors-and-assigns provisions. The decommissioning provision shall ensure adequate funding for the dismantling and removal of all data center-related structures, equipment, and appurtenances, including but not limited to buildings, electrical infrastructure, cooling systems, access roads, ancillary facilities, and electronic equipment and materials. The successors-and-assigns provision shall bind all future owners and operators to these obligations.
    b. The data center operator shall notify Watts Township in writing within thirty (30) days upon cessation or abandonment of operations. A facility shall be presumed abandoned if it ceases operations for a continuous period of twelve (12) months without demonstrable efforts to resume use. If decommissioning is not completed within eighteen (18) months of cessation or abandonment, the Municipality may complete decommissioning at the property owner's expense.
3. The data center operators shall notify Watts Township within thirty (30) days of the commencement of any partial shutdown. A partial shutdown shall occur when a Data Center or DCET permanently ceases operation of a substantial portion of its facility, equipment, or infrastructure, including but not limited to:
    a. The permanent shutdown, removal, or de-energization of one or more data halls, buildings, or major systems.
    b. A reduction in operational capacity of fifty percent (50%) or more of the approved or constructed data center floor area, power capacity, cooling capacity, or server capacity; or
    c. The permanent cessation of operations of any major DCE, including but not limited to power generation equipment, battery energy storage systems, cooling systems, or substations.

4. Notice Requirement. The owner and/or operator shall provide written notice to the municipality within thirty (30) days of the commencement of any partial shutdown. Such notice shall include: The scope and the extent of the shutdown; equipment, buildings, or systems taken out of service; Whether the shutdown is temporary or permanent: and a proposed schedule for removal, mothballing, reuse, or decommissioning of affected facilities or equipment.
5. Prior to permit issuance, the applicant shall provide financial security in an amount acceptable to the Municipality to guarantee proper decommissioning. The amount shall be based on an engineer's estimate of decommissioning costs and shall not be less than one hundred ten percent (110%) of the approved estimate. The estimate shall include costs associated with the removal, transportation, recycling, or lawful disposal of electronic waste (e-waste), including but not limited to servers, storage devices, networking equipment, backup power systems, batteries, cabling, and related components. Financial security may be provided in the form of: Cash or funds deposited with Watts Township; a performance bond; or an irrevocable letter of credit, each from an entity acceptable to Watts Township.
6. All e-waste generated during decommissioning shall be managed in accordance with applicable federal, state, and local laws and regulations. Electronic equipment shall be recycled, reused, or disposed of at facilities authorized to handle such materials, and no e-waste shall be buried, abandoned, or disposed of on-site.
7. The financial security shall remain in effect until the facility is fully decommissioned, all e-waste is properly managed, and the site is restored in accordance with approved plans. Watts Township may draw upon the financial security to cover costs associated with dismantling, removal, e-waste management, site restoration, and administrative expenses. Any funds utilized shall be promptly replenished by the facility owner.
8. An updated engineer's estimate of decommissioning costs shall be submitted every ten (10) years during facility operation and upon any material modification to the facility. Upon approval, the financial security shall be adjusted to reflect not less than one hundred fifty percent (110%) of the revised estimate.

SECTION 2. REPEALER.

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed and rescinded.

SECTION 3. REVISIONS.

The Board of Supervisors of Watts Township does hereby reserve the right, from time to time, to adopt modifications of supplements to, or amendments of its ordinance, including this provision.

SECTION 4. SEVERABILITY.

It is the intention of the Watts Township Board of Supervisors governing body that the provisions of this Ordinance are severable, and should any such provisions be declared illegal, invalid, or unconstitutional by the judgment or decree of a Court of competent jurisdiction, such unconstitutionality or invalidity shall not prevent, preclude or otherwise foreclose enforcement of shall not affect any of the remaining provisions of this Ordinance.

SECTION 5. EFFECTIVE DATE.

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

DULY ORDAINED AND ENACTED this ____ day of _____, 2026, by the Board of Supervisors of Watts Township, Pennsylvania in lawful session duly assembled.

Attest: _____

_____ By: _____

Secretary Chairman