

ORDINANCE NO. 114 OF 2025



DRAFT

**BUFFALO TOWNSHIP
WASHINGTON COUNTY, PENNSYLVANIA**

AN ORDINANCE OF BUFFALO TOWNSHIP, WASHINGTON COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE BUFFALO TOWNSHIP ZONING ORDINANCE, TO PROVIDE DEFINITIONS AND STANDARDS RELATED TO DATA CENTERS, AND ADD REGULATIONS AS TO THE REQUIREMENTS OF DIFFERENT ZONING AREAS.

WHEREAS, the Board of Supervisors of Buffalo Township, Washington County, Pennsylvania, have previously enacted the Buffalo Township Zoning Ordinance; and

WHEREAS, Buffalo Township seeks to promote the general health, safety and welfare of the community by adopting and implementing an amendment to the Zoning Ordinance providing for regulations and definitions relating to Data Centers; and

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

SECTION 1. TITLE.

This Ordinance shall be known as the “Buffalo Township Data Center Ordinance of 2025.”

SECTION 2. DEFINITIONS

Amendment of Article XII, Section 265-75 of the Buffalo Township Zoning Ordinance entitled “Definitions”. Section 265-75 of the Buffalo Township Zoning Ordinance is hereby amended to add or amend the following definitions to the ordinance:

DATA CENTER – A commercial use of one or more buildings, designed and intended primarily to house computer, networking and communication systems, equipment and components, such as routers, switches, firewalls, servers, storage systems and application-delivery controllers, for storing, processing, managing, transmitting and backing up electronic data necessary for the

operation of a business, enterprise, institution, or other similar organizational entity. A data center also includes accessory and supporting public utilities (e.g., substations, switch stations, etc.), infrastructure systems, mechanical equipment, components and environmental controls (e.g., air conditioning or cooling towers, fire suppression, etc.), redundant/backup power supplies, redundant data communications connections and enhanced security.

SECTION 3. Amendment of Article IX of the Buffalo Township Zoning Ordinance entitled “Supplemental Regulations” to add a new Section 265-62 for regulation of Data Centers.

There is hereby added a new Section 265-62, with related subsections, to Article IX of the Buffalo Township Zoning Ordinance, entitled “Supplemental Regulations” to add regulations for the use of Data Centers which shall read as follows:

265-62- Data Centers

265-62(A) Regulations Applicable to All Data Centers

1. Data Centers are a Conditional Use in I-1 Light Industrial District and I-2 General Industrial District.
2. Data Center Uses shall not be closer than 1,000 feet (measured radially from Data Center building and/or any exterior equipment to residential property) from any residential use (whether in a mixed-use development or not).
3. Any proposal for a Data Center Use shall include a letter from the electrical provider that certifies that the power grid has the capacity to meet the demands of the proposed facility while maintaining sufficient levels of service to the existing residents and business in the Township.
4. Any proposal for a Data Center use shall include a letter from the developer providing an analysis of the anticipated raw water needs and proposed sources thereof. Further, the proposal for a Data Center Use shall include a letter from the water provider that certifies

that the water provider has the capacity to meet the demands of the proposed facility while maintaining sufficient levels of service to the existing residents and business in the Township.

5. Data Centers shall be required to use an automatic fire suppression system that is in compliance with National Fire Protection Association (NFPA) 75 and 76 Standards. The design and use of the aforementioned fire suppression system shall be to reasonable satisfaction of the Township and shall be in compliance with NFPA 75 and 76 Standards. An approved hard top surface, installed for use as a fire apparatus access road, shall be installed around any data center structures, extending 30 feet out from the building. The access road shall be maintained year-round, at all times.
6. The Data Center developer shall provide the Township fire companies with annual training on firefighting procedures, methods, and possible hazards specific to the designed and built system. Any special equipment that may be required to fight a fire at a Data Center shall be provided to the fire companies at the expense of the developer and the fire departments shall be trained in their use.
7. All Data Center Uses shall comply with the provisions of the Buffalo Township Fire Code.
8. Data Centers Uses shall not have blank exterior walls on any side of a building. There shall be adequate fenestration as well as horizontal and vertical breaks every 35 lineal feet.
9. Building materials shall be durable, consisting of brick or other context sensitive masonry materials with variation of color. Rooflines shall have variation throughout.
10. Data Center Uses shall be limited to no more than 80,000 gross square feet for any one building, and shall have at least 300 feet between other similar uses.
11. Any proposal for a Data Center Use shall include pre- and post -construction sound studies

which examine all exterior utility functions of the building (rooftop and ground -mounted) that produce sound. The sound study shall identify compliance with the Buffalo Township Zoning Ordinance as applicable. A post-construction sound study shall be submitted prior to an occupancy permit being issued for the building.

- a. All rooftop equipment that produce sound (e.g., HVAC, cooling towers, generators, and the like) shall be fully screened from view and the screening shall be placed to shield the direction of emitted sound.
 - b. All ground -mounted equipment that produce sound (e.g., HVAC, cooling towers, generators, and the like) shall be fully screened from view and the screening shall be placed to shield the direction of emitted sound.
12. Any proposal for a Data Center Use shall include roof-mounted solar panels placed at the maximum allowance as specified in the Zoning Ordinance, in order to offset the power needs of this use.
 13. Any proposal for a Data Center shall include the latest technology in water conservation, including utilizing closed loop systems in order to reduce the demand for public water.
 14. To ensure proper decommissioning of a Data Center upon abandonment, the applicant 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, which cost estimate must be approved by the Township. The operator and the Township will review the amount of the financial security every two (2) years to ensure that the amount remains adequate. This financial security must be posted within fifteen (15) business days after approval of the special use application
 15. 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 and begins decommissioning the Data Center

developer shall:

- a. Conduct an environmental impact assessment to identify potential risks and 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 tampering.
- 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 procedures 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.

16. Host community agreement. The applicant shall enter into a host community agreement with the Township. The host community agreement shall require that, upon commencement of any operation, the Data Center owner must pay the Township an amount agreed upon by the Township and applicant. The payment shall be used as determined by the Township for police, fire, public safety, or other infrastructure, or for other projects as agreed to by the local unit and the applicant.

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

SECTION 7. Ratification. Except as amended by this Ordinance, all other portions, parts and provisions of the Buffalo Township Zoning Ordinance, as heretofore enacted and amended, shall remain in force and effect.

SECTION 8. EFFECTIVE DATE. This Ordinance shall be effective five (5) days after its enactment.

ENACTED AND ORDAINED by the Board of Supervisors of Buffalo Township,
Washington County, Pennsylvania, this 3rd day of December, 2025.

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

ATTEST:

**BUFFALO TOWNSHIP
BOARD OF SUPERVISORS**

Michelle L. Markley, Secretary/Treasurer

By: _____
James W. Arbore, Jr., Chairman



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(SEAL)

By: _____
Jim Mounts, Vice Chairman

By: _____
Randy Mounts, Supervisor