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RECEIVED
By Bucks County Planning Commission at 1:22 pm, Apr 17, 2026

April 17, 2026

Bucks County Planning Commission
1260 Almshouse Road
Doylestown, PA 18901
planningcommission@buckscounty.org

RE: West Rockhill Township – Data Center Ordinance
BC# 52-26-1

Dear Sir or Madam:

Enclosed is an attested copy of Ordinance No. 256 amending Chapter 450 of the West Rockhill Township Code by creating a new use for data centers; by creating new definitions for said use and terms relating to said use; by adding regulations for said use; and by amending the tables of uses to provide for the data center use. The ordinance was adopted by the West Rockhill Township Board of Supervisors on April 15, 2026.

Sincerely,

GRIM, BIEHN & THATCHER

David A. Keightly, Jr.

DAK/jem
Enclosure

cc: Gregory J. Lippincott, Township Manager (w/o encl. – via e-mail only)

ORDINANCE NO. 256

AN ORDINANCE OF THE WEST ROCKHILL TOWNSHIP BOARD OF SUPERVISORS AMENDING CHAPTER 450 OF THE WEST ROCKHILL TOWNSHIP CODE BY CREATING A NEW USE FOR DATA CENTERS; BY CREATING NEW DEFINITIONS FOR SAID USE AND TERMS RELATING TO SAID USE; BY ADDING REGULATIONS FOR SAID USE; AND BY AMENDING THE TABLES OF USES TO PROVIDE FOR THE DATA CENTER USE

WHEREAS, Pennsylvania has experienced a surge in data center construction; AND

WHEREAS, data centers, unlike traditional commercial or industrial uses, are utility-intensive, space-consuming facilities which require specific preparations and advanced planning with respect to resource availability to assure that there is no adverse impact to the public health, safety, and welfare; AND

WHEREAS, land use controls are necessary to ensure that data centers do not create an adverse impact to adjacent land uses; AND

WHEREAS, the West Rockhill Township Board of Supervisors has determined at a public meeting that reasonable regulations of the increasingly prevalent data center use would support the general health, safety, and welfare of West Rockhill Township.

NOW, THEREFORE, the West Rockhill Township Code is hereby amended as follows:

ARTICLE I. DEFINITIONS

Chapter 450, Zoning, Section 450-201, Definitions, of the West Rockhill Township Code shall be amended with the inclusion of new definitions for the terms "Data Center," "Data Center Accessory Uses/Structures" and "Data Center Equipment." The terms shall be added alphabetically within Chapter 450, Section 450-201, and shall read as follows:

DATA CENTER

A use, either on-premise or co-location, which is occupied primarily by computers and/or telecommunications and related equipment, including supporting equipment, where information is processed, transferred and/or stored; this shall also include cryptocurrency mining, blockchain transaction processing, and server farms. A data center may include data center equipment.

DATA CENTER ACCESSORY USES/STRUCTURES

Ancillary uses or structures associated with data centers including but not limited to: utilities; utility lines; administrative, logistical, fiber optic, storage, and security buildings

or structures; electrical substations; domestic and non-contact cooling water and wastewater treatment facilities; water holding facilities; pump stations; water towers; environmental controls (air conditioning or cooling towers, fire suppression, and related equipment); redundant data communications connections; and security features, provided such data center accessory uses/structures are located on the same tract.

DATA CENTER EQUIPMENT

Outdoor mechanical equipment adjacent to a data center that provides redundant power capacity to a data center. Data center equipment shall be accessory to the data center and shall be located on the same tract or group of adjacent parcels developed as a unified development for a data center.

ARTICLE II. DATA CENTER USE REGULATIONS

Chapter 450 ("Zoning"), Article XVI ("Use Regulations"), Section 450-1604 ("Use Regulations") of the West Rockhill Township Code is hereby amended with the creation of a new use entitled "G18 Data Center" which shall be added as Subsection 450-1604.G(18) and read as follows:

(18) G18 Data Center

(a) Data Center Development. Data centers shall be permitted by special exception in the PI Planned Industrial Zoning District when approved in compliance with the procedures, standards, and criteria contained herein, the factors listed in Section 450-2405 of the West Rockhill Township Zoning Ordinance, and all other applicable local, state, and federal regulations, laws, codes, and ordinances.

(b) Accessory Uses/Structures. Data center equipment shall be permitted by right in support of a data center. Data center accessory uses/structures shall be permitted by right in support of a data center. Data center equipment and unoccupied data center accessory structures shall be deemed as nonresidential accessory buildings or structures that are subject to the dimensional requirements of Sections 450-1604.H(18) and 450-1909.

(c) Dimensional Standards. The area and dimensional requirements set forth in Section 450-1102 of the West Rockhill Township Zoning Ordinance shall apply to data centers, except for the following requirements, which shall supersede those listed in Section 450-1102:

Minimum Site Area: 25 acres

Minimum lot width at street lines (site): 350 feet

Minimum parking area setbacks:

Abutting a residential use or district: 150 feet

Abutting a nonresidential use or district: 100 feet

(d) Sound. Except as noted otherwise herein, Section 450-1800 ("Noise") of the West Rockhill Township Code shall apply to a data center. Sound shall be measured 1.5 meters above ground at the property line per ANSI S1.13-2020 (American National Standard – Measurement of Sound Pressure Levels in Air). The applicant shall provide a sound assessment with its land development plan application for a data center establishing how it will comply with the above sound standards. The sound assessment shall be performed by a professional acoustic engineer that can demonstrate sufficient qualifications by delivery of a resume or curriculum vitae to the Township. Notwithstanding the foregoing provisions of this Section, all sound produced by required periodic testing of data center equipment or emergency use of data center equipment is exempt from this Section and Chapter.

(e) Off Street Loading. Loading zones shall comply with the provisions of Section 365-49 ("Parking facilities") of the West Rockhill Township Code, provided, however, that each data center shall have at least one (1) off-street loading dock.

(f) Utility Review. The proposed use shall be serviced by public utilities. The applicant shall provide the Township:

[1] A will-serve letter from each public utility provider of electric, water, and sewer, and a written assessment by a certified professional in the field of engineering, hydrogeology, and/or utility design that there is sufficient capacity available to serve the proposed use for electric, water, and sewer consumption as well as the projected service needs for future municipal growth. Any such letters and assessments shall be to the satisfaction of the Township Engineer.

[2] If the above-mentioned assessment identifies a detrimental impact or threshold where utility capacity is not sufficient, the applicant shall provide, at its own expense, the necessary system improvements necessary to eliminate any limits or system constraints to accommodate the proposed use. The necessary system improvements shall conform to all specifications, procedures, and timelines required for the public utility such as the relevant provisions of the West Rockhill Township Code, including but not limited to Chapter 414 ("Wastewater Collection and Treatment; Sewer Use") and Chapter 420 ("Water"). If any necessary electric or sewer system improvements are determined by both the Township Engineer and the respective public utility providers to be infeasible, then on-site utility methods for electric and/or sewer may be considered if developed in compliance with all Township ordinances, to the satisfaction of the Township Engineer.

[3] The applicant shall provide proof of review and approval from the Delaware River Basin Commission for water withdrawals from ground water, impoundments, or running streams of 100,000 gallons per day or more over a 30-day average and for importation of water into or exportation of water out of the Delaware River Basin whenever the design capacity is 100,000 gallons per day or more.

(g) Utility Lines. To the extent practical, utility lines, including but not limited to electronic, fiber optic, cable, and telephone lines, from substations to a data center shall be placed underground. This requirement shall not apply if the utility company requires

above-ground lines, or the placement of under-ground lines is not feasible in the opinion of the Township Engineer. Utility lines to the substations from off-site may be placed above ground.

(h) Emergency Access. It shall be demonstrated that there is an adequate second means of ingress and egress suitable for emergency access to the site. Written approval from the Fire Chief of the fire company that provides primary fire coverage for the data center shall be provided demonstrating there is adequate emergency access, truck turning, fire suppression, and fire hydrant availability on the site.

(i) Height. Data centers shall not exceed thirty-five feet (35') in height. For purposes of determining the height of a data center or a building associated with data center accessory uses, projections through the roof of the building for items such as elevator towers, heating or cool units, parapet walls to screen rooftop equipment and protrusions, and other such items shall be included in the building height calculation.

(j) Outdoor Lighting. Section 450-1808 ("Lighting") of the West Rockhill Township Code shall apply to a data center.

(k) Environmental Impacts. Environmental impacts associated with a data center shall be mitigated by demonstrating compliance with the following standards:

[1] Air pollution controls. All uses shall comply with the standards of the Air Pollution Control Act, 35 P.S. §§ 4001 through 4015, as amended, and the following standards:

[a] Visible emissions. Visible air contaminants shall not be emitted in such a manner that the opacity of the emissions is equal to or greater than 20% for a period or periods aggregating more than three minutes in any one hour, or equal to or greater than 60% at any time, and shall comply with Pennsylvania Code Title 25, Chapter 127A(7), or its most recent update.

[b] Hazardous air emission. All emissions shall comply with National Emissions Standards for Hazardous Air Pollutants promulgated by the United States Environmental Protection Agency under the Federal Clean Air Act (42 U.S.C. § 7412) as promulgated in 40 CFR 61, or its most recent update.

[c] Dust, fumes, smoke, vapors, gases, and odor. All dust, fumes, vapors, and gases shall comply with Section 450-1802 ("Dust, fumes, vapors and gases") of the West Rockhill Township Code. All odor shall comply with Section 450-1804 ("Odor") of the West Rockhill Township Code.

[2] Vibration control. All vibrations or concussions caused by the use of a data center shall comply with Section 450-1806 ("Vibrations") of the West Rockhill Township Code.

[3] Glare control. The provisions of Section 450-1805 ("Glare") of the West Rockhill Township Code shall be complied with by any data center use. In addition, an analysis of potential glare on neighboring properties and public

rights-of-way shall be submitted to the Township and its Zoning Hearing Board as part of its application for a Special Exception.

[4] Heat control. No data center use shall produce heat perceptible beyond its lot lines.

[5] Electrical power. Every use shall be designed and operated so that the service lines, substation, etc., shall conform to the most acceptable safety requirements recognized by the Pennsylvania Bureau of Labor and Industry, shall be so constructed, installed, etc., as to be an integral part of the architectural features of the plant or, if visible from abutting residential properties, shall be concealed in accordance with the landscaping requirements herein.

(l) Construction Hours. Construction and related operation of heavy machinery, operating or permitting the operation of any tools, equipment or heavy machinery used in construction, drilling, or demolition work for a data center may occur only between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, between 9:00 a.m. and 8:00 p.m. on Saturdays, and at no time on Sundays or legal holidays. The Township Manager may permit additional construction hours in his/her discretion upon request by an applicant, and may revoke or modify such additional construction hours in his/her discretion with or without request.

(m) On-Site Solar Power Systems.

[1] To the maximum extent technically feasible, as determined by the Township Engineer, the following surface areas relating to data centers shall be utilized for the generation of solar energy:

[a] Roof surfaces. 100% of the available unshaded roof area of the principal data center structure(s) shall be equipped with a rooftop-mounted solar photovoltaic system.

[b] Parking and loading areas. All off-street parking spaces, loading docks, and internal drive aisles shall be sheltered by carports or canopy structures. All such carports and canopies must be fully covered by solar photovoltaic systems, and shall maintain a minimum vertical clearance of at least fourteen (14) feet for emergency vehicle access where applicable.

[c] Vertical integration (solar walls). Building facades that face an eastern direction (from 45° up to 135°), southern direction (from 135° up to 225°), or western direction (from 225° up to and including 315°) shall incorporate building-integrated photovoltaics (or "BIPVs"). BIPVs may include solar siding, solar glass, or architectural solar louvers. BIPVs must cover no less than forty percent (40%) of such wall surface area.

[d] Data center accessory uses/structures and data center equipment. All data center accessory structures and data center equipment shall be covered on top by solar arrays which are part of the on-site solar photovoltaic system.

(n) On-Site Energy Generation.

[1] Any form of on-site energy generation, including solar power, substations, and fuel cell power stations, shall be approved by the Fire Chief of the fire company that provides primary fire coverage for the data center. The applicant shall submit a safety plan for the on-site energy generation use to the satisfaction and approval of the applicable Fire Chief. The property owner shall annually recertify the safety plan and allow for a site inspection by the applicable Fire Chief or his/her designee to identify any emergency response vulnerabilities and to identify compliance with the safety plan.

[2] On-site electricity generation devices or systems shall be designed for "behind-the-meter" consumption separate from the power grid in order to reduce or offset the data center's consumption of electricity from the power grid. In the event that on-site electricity is generated in an amount that exceeds that required by the data center and its accessories and equipment, all such excess electricity shall be fed back into the power grid in accordance with the public electricity supplier's and Pennsylvania Public Utility Commission's ("PUC") regulations and guidelines.

(o) Phased Development. A data center development may be developed in one or more phases.

(p) Individual Site Plans. An individual site plan for each data center developed as part of a phased development shall be submitted to the Township prior to the issuance of any building permit. Copies of any applicable third-party permits shall be submitted to the Township prior to the issuance of any building permit. Applicable third-party permits may include, but are not limited to, highway occupancy permits ("HOPs"), National Pollutant Discharge Elimination System ("NPDES") permits, and Erosion & Sediment Control General Permits ("ESCGPs" or "E&S Permits")).

(q) Decommissioning. In the event that a data center use is discontinued, the property owner shall submit a decommissioning plan to the satisfaction of the Township Engineer, and shall post financial security with the Township in accordance with the procedures outlined in Section 509 of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10509, to ensure the proper removal of all solar power system equipment.

ARTICLE III. ZONING DISTRICTS & SCHEDULE OF USES

1. Chapter 450 ("Zoning"), Article XI ("Planned Industrial District"), Section 450-1101 ("Permitted Uses"), Subsection C (Uses permitted by special exception) of the West Rockhill Township Code, relating to principal uses permitted in the PI Planned Industrial District shall be amended to add Subsection 450-1101.C(4) which shall read "G18 Data Center" to reflect it as a use permitted by special exception.
2. Chapter 450 ("Zoning"), Table 16-1 ("Schedule of Uses by District"), also attached to Chapter 450 as "Attachment 1," shall be amended to reflect that the G18 Data Center use shall be permitted by special exception in the PI Planned Industrial Zoning District and shall not be permitted in any other zoning district.

ARTICLE IV. REPEALER

All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

ARTICLE V. SEVERABILITY

If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality by a court of competent jurisdiction, such illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of West Rockhill Township, that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part had not been included.

ARTICLE VI. EFFECTIVE DATE

This Ordinance shall become effective immediately upon enactment.

ENACTED AND ORDAINED into an Ordinance this 15th day of April, 2026, by the Board of Supervisors of West Rockhill Township in lawful session duly assembled.

WEST ROCKHILL TOWNSHIP
BOARD OF SUPERVISORS

Jay Keyser, Chairperson

Henry L. Schirmer, Vice-Chairperson

David A. Reiss, Sr., Member

ATTEST:

I do hereby certify that this is a true and correct copy of Ordinance No. 256 amending Chapter 450 of the West Rockhill Township Code by creating a new use for data centers; by creating new definitions for said use and terms relating to said use; by adding regulations for said use; and by amending the tables of uses to provide for the data center use which has been adopted by the West Rockhill Township Board of Supervisors on April 15, 2026.

David A. Keightly, Jr.
Township Solicitor