DOYLESTOWN TOWNSHIP

ORDINANCE NO. 2026- 435

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF DOYLESTOWN, BUCKS COUNTY, PENNSYLVANIA, AMENDING THE PROVISIONS OF CHAPTER 175 – "ZONING," AT ARTICLE II –"DEFINITIONS" SECTION 9 - "TERMS DEFINED," ARTICLE IV - "USE REGULATIONS" AT SECTION 16 "USES ENUMERATED; USE REGULATIONS" AT SUBSECTION G – "INDUSTRIAL USES," ARTICLE V – "GENERAL REQUIREMENTS" AT SECTION 22 – "OFF-STREET PARKING" AT SUBSECTION D – "NONRESIDENTIAL PARKING REQUIREMENTS," ARTICLE XVII – "LI LIMITED INDUSTRIAL DISTRICT" AT SECTION 84 – "PERMITTED USES AT SUBSECTION D – "USES PERMITTED BY CONDITIONAL USE" AND AT ATTACHMENT 2 – "SUMMARY OF PERMITTED USES" TO PROVIDE SPECIFIC DEFINITIONS, STANDARDS AND CRITERIA FOR DATA CENTER AS A CURATIVE AMENDMENT

WHEREAS, Doylestown Township ("Township") is a Second-Class Township duly organized and existing pursuant to the applicable laws of Pennsylvania; and

WHEREAS, pursuant to Section 66506 of the Second-Class Township Code of the Commonwealth of Pennsylvania (53 P.S. § 66506), the Board of Supervisors is empowered to adopt resolutions and ordinances prescribing the manner in which powers of the Township shall be carried out; and

WHEREAS, the Board of Supervisors of Doylestown Township has adopted a comprehensive zoning ordinance, as amended, in accordance with the provisions of Article VI of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101, *et seq.*, which is intended to provide for the orderly development and redevelopment of Doylestown Township; and

WHEREAS, the Second Class Township Code and Pennsylvania Municipalities Planning Code, *supra*, authorize the Board of Supervisors to make, amend and adopt amendments to the Doylestown Township Zoning Ordinance, as amended, that are consistent with the Constitution and laws of the Commonwealth that it deems necessary for the proper management and control of the Township and the best interests of its residents; and

WHEREAS, the Board of Supervisors of Doylestown Township, pursuant to Resolution No. 2026-2819, as adopted on June 16, 2026, has declared certain portions of the Zoning Ordinance may be considered substantively invalid and have resolved to avail themselves of the procedures set forth in Section 690.2 of the Municipalities Planning Code (53 P.S. § 10609.2) to pursue a curative amendment; and

WHEREAS, the Board of Supervisors of Doylestown Township have determined that this curative amendment to the Doylestown Township Zoning Ordinance, as amended, is required to provide for and make specific regulations for certain uses within Doylestown Township.

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NOW THEREFORE, be it **ORDAINED AND ENACTED** by the Doylestown Township Board of Supervisors that the Township's Code is amended as follows:

SECTION 1. The Board of Supervisors hereby amends Chapter 175 – "Zoning," Article II – "Definitions" at Section 9 "Terms Defined" all underlined text reflecting new language as follows:

DATA CENTER

A facility primarily used for housing and operating computer systems and associated equipment, including servers, data storage and processing systems, and accessory infrastructure such as cooling systems, backup power generators, electrical substations, and network hardware.

DATA CENTER ACCESSORY USE

Ancillary uses or structures secondary and incidental to a Data Center use, including but not limited to: administrative, logistical, fiber optic, storage, and security buildings or structures; electrical substations; utility lines; 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); security features, provided such data center accessory uses/structures are located on the same tract or assemblage of adjacent parcels developed as a unified development with a Data Center.

SECTION 2. The Board of Supervisors hereby amends Chapter 175 – "Zoning," Article IV – "Use Regulations" Section 16 "Uses Enumerated; Use Regulations" at Subsection G – "Industrial Uses" all underlined text reflecting new language as follows:

(19) G-19. Data center. Such use shall include, but is not limited to, facilities primarily used for housing and operating computer systems and associated equipment, including servers, data storage and processing systems, and accessory infrastructure such as cooling systems, power generators, electrical substations, and network hardware, subject to the following provisions:

(a) Building height. The maximum building height shall be 60 feet, inclusive of associated roof-top equipment and Data Center Accessory Uses.

(b) Setbacks. The Data Center and Data Center Accessory Uses and associated equipment and structures shall be setback 100 feet from the property line of all other adjoining properties and road rights-of-way, and if abutting a residential district or residential use, the required setback shall be 200 feet from the property line that abuts such residential district or use.

(c) Buffers and screening. The perimeter buffer shall comply with Zoning § 175-21. Data Center Accessory Uses, including ground level and roof top mechanical equipment used for cooling, ventilating, or otherwise operating the facility, shall be screened from view on all sides with a visually solid screen. Such screen may be provided by a visually solid fence, screen wall, parapet wall, or other visually solid screen. Such screen may incorporate perforated surfaces on it as necessary to permit ventilation of the equipment.

(d) Data centers shall be designed to include a closed-loop water circulation system to cool data center processing equipment. An applicant may propose an alternative cooling system that can be demonstrated to use less water and energy than closed-loop systems to the satisfaction of the municipal engineer.

(e) Noise and vibration.

[1] The applicant shall submit a pre-construction noise and vibration study with the conditional use application prepared and sealed by a qualified professional. Such qualified professional shall be an engineer licensed in the Commonwealth of Pennsylvania or other environmental or technical professional with demonstrated education, training and experience in acoustical noise or vibration analysis applicable to the scope of work being performed (defined herein as "Qualified Professional") to include the predicted noise and vibration levels from the operation of the Data Center.

[2] Simultaneous operation assumption. All noise evaluations, studies, modeling, and compliance determinations shall assume the concurrent operation of all generators, cooling systems, mechanical equipment, and other noise producing devices operating at maximum rated capacity, unless a more restrictive operating condition is required by approval.

[3] Within 180 days following issuance of a use and occupancy certificate and commencement of operations at the Data Center, the applicant shall submit to the Township an as-

built post-construction noise and vibration study. The study shall:

[a] Be conducted by a Qualified Professional using applicable ANSI standards and generally accepted criteria.

[b] Demonstrate compliance with all applicable noise regulations set forth in the Data Center Noise Standards Tables at the end of this section. Compliance shall be demonstrated using objective sound level limits expressed in A-weighted decibels (dBA), measured and evaluated in accordance with standardized methodologies acceptable to the Township.

[c] Include sound measurements taken at all property lines.

[d] Include measurements taken during normal operations, peak cooling load, and during operation of emergency generators under load.

[e] Address low-frequency noise impacts, including compliance with applicable dBC limits set forth in the Data Center Noise Standards Tables.

[f] Vibration Standards to be used in the study. Vibration shall be evaluated using two distinct criteria: (a) Building Damage: Ground vibration shall not exceed 0.2 to 0.5 inches per second peak particle velocity (PPV), measured in accordance with USBM RI 8507 or successor standard; and (b) Human Perception: Vibration levels shall not exceed 65 VdB, measured in accordance with ISO 2631-1 or successor standard.

[g] Identify all measurement locations, instrumentation used, calibration documentation, testing methodology, operational conditions during testing, and meteorological conditions.

[h] The timing of the post construction noise and vibration study shall not preclude enforcement by the Township at any time upon identification of a violation. The applicant shall provide reasonable

access to monitoring data, equipment specifications, and operating conditions to the Township Engineer, designee or other consultant acting on behalf of the Township.

[4] If the post-construction study demonstrates non-compliance with any applicable noise or vibration standard, the applicant shall, within thirty (30) days of written notice from the Township, submit a corrective action plan prepared by a Qualified Professional. All violations shall be fully remediated within a timeframe approved by the Township, but in no event later than sixty (60) days following Township notice of non-compliance, unless extended by the Township for good cause shown.

[5] If the pre-construction noise study establishes a baseline ambient sound level in excess of the maximum sound level permitted under Data Center Noise Standards Tables, the post-construction study shall demonstrate that operations of the proposed use do not increase baseline ambient sound levels. Sound levels with 1 dBA of ambient sound levels will meet this requirement.

[6] Objective Noise Standards. Noise limits shall be established by land use category, measurement location, time-of-day, and averaging period, and shall include provisions for instrumentation and low-frequency noise evaluation.

[7] The Township may require additional noise and vibration testing upon receipt of substantiated complaints or following material modification, replacement, or addition of mechanical equipment, cooling systems, generators, or other vibration-generating equipment.

[8] If initial monitoring or complaints indicate a probable violation, the Township may require interim mitigation measures, which may include operational modifications, equipment limitations, or temporary curtailment of specific noise producing activities until compliance is demonstrated.

[9] Data Center Noise Standards Tables.

Table 1: Data Center Noise Limits, Measurement, and Compliance Requirements

Category	Requirement

Applicable Uses	Data Centers, including all accessory mechanical equipment, generators, cooling systems, and substations
Measurement Basis	A-weighted sound levels (dBA), unless noted otherwise for low-frequency noise
Receptor Locations	Measurements and modeling shall be conducted at the nearest property line to receptors
Operating Condition Assumption	All compliance evaluations shall assume simultaneous operation of all generators, cooling equipment, and other noise-producing devices at maximum rated capacity

Table 2: Numeric Noise Limits by Zoning Use

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

Short term tonal or impulsive noise exceeding the above limits by 5 dBA or more shall constitute a violation.

Table 3: Low Frequency Noise Criteria

Parameter	Requirement
Frequency Sensitivity	C-weighted sound levels (dBC), capturing enhanced sensitivity to low-frequency noise
Measurement Metric	Equivalent continuous sound level (Leq, 1-hour) in dBC
Measurement Locations	At the nearest property line
Daytime Limit (7:00 AM – 10:00 PM)	70 dBC Leq (1-hour)
Nighttime Limit (10:00 PM – 7:00 AM)	60 dBC Leq (1-hour)
Tonal / Narrowband Noise	Clearly perceptible low-frequency tonal noise shall require mitigation regardless of overall dBC compliance, as determined by the Qualified Professional or the Township based on clearly perceptible tonal characteristics

Applicability	Limits apply under simultaneous operation of all generators, cooling systems, and mechanical equipment

Table 4: Modeling and Study Requirements

Requirement	Standard
Pre-construction Study	Required with conditional use application
Post-construction Verification	Required within 180 days of commencement of operations
Prepared By	Qualified Professional with demonstrated noise expertise
Modeling Methodology	ISO 9613-2, CadnaA, SoundPLAN, or equivalent accepted industry model
Meteorological Assumptions	Downwind propagation, ISO-conservative conditions
Equipment Data	Manufacturer sound power levels and octave-band spectra
Low-Frequency Evaluation	Required where large generators or cooling systems are used

Table 5: Measurement Procedures

Element	Requirement
Instrumentation	Type 1 or Type 2 ANSI-certified sound level meter
Calibration	Pre- and post-measurement field calibration required
Measurement Duration	Minimum 15 minutes per location unless otherwise specified. Sound level limits expressed as hourly equivalent levels (Leq, 1-hour) may be evaluated using shorter-duration measurements, including the minimum durations identified in this table, where such measurements are conducted under steady-state operating conditions and are representative of normal operations.
Operating Conditions	Measurements shall include peak cooling load and generator operation under load
Background Noise	Baseline ambient levels documented prior to construction

Table 6: Compliance

Item	Requirement

Material Increase Definition	An increase of ≥ **3 dBA** above baseline ambient sound level
Violation Determination	Exceedance of numeric limits or material increase
Retesting Authority	Township may require additional testing following substantiated complaints or equipment changes

(f) Water and sewer.

[1] All data center facilities shall be served by public water systems and public sewer systems.

[2] Applicant shall provide detailed estimates of daily and annual water usage.

[3] Applicant shall provide documentation from the public water provider that there is sufficient water available to serve the Data Center without impacting water pressure or availability of water to other users in Township.

[4] Applicant shall be required to utilize air-cooled or closed-loop water systems or similar high-efficiency systems in order to protect local water resources.

[5] No Data Center shall be approved unless the applicant demonstrates that the anticipated water supply yield is sufficient for the Data Center and will not adversely impact water pressure or availability of water to other users in the Township.

(g) Power supply.

[1] If the applicant proposes to connect the Data Center to the electric grid used by the public, the applicant shall provide documentation from the applicable electric service provider (the "Utility Provider") certifying that that the necessary capacity is available and that the Utility Provider will be able to serve the Data Center. Applicant shall submit detailed plans which describe and depict the manner and design by which power will be provided (including location of substations) by the Utility Provider.

[2] If feasible and can reasonably be obtained, the Applicant shall provide an analysis of potential ratepayer impacts, including projected effects on public electric rates or service

reliability. Known impacts on electric rates or availability for other uses directly attributable to the data center project shall be noted.

[3] Applicant shall provide documentation of working with the Utility Provider to provide site design to enable future technology which aid in the Data Center being more energy self-sufficient such as incorporation of microgrid elements, advance conductors to connect the site, and the possibility of a separate, underground HVDC grid for the Data Center.

[4] Power generation facilities.

[a] Any energy generation system designed or used to supply power directly to a Data Center during normal operations, including solar, wind, or fossil fuel, shall not be considered part of the Data Center use but shall be subject to existing municipal or utility regulations. Such systems shall be considered a separate principal use and shall be approved according to all applicable state and federal regulations along with municipal zoning regulations applicable to such use. The applicant shall select, design and locate the energy generation systems to limit noise, emissions, and visual impacts to adjacent and nearby uses as much as possible.

[b] Electric Utility Substations on the same property as the Data Center they serve must be located on the side or rear of a Data Center principal building so they are screened from public view and shall not be located in a required front yard. On-site substations do not require a buffer or screening between the Data Center Principal Building and the substation.

[c] Data Center electric utility substations visible from an arterial roadway must include a combination of year-round opaque landscaping and screening walls to minimize visual impact.

[d] All power lines serving the property shall be buried. In any instance, on-site power lines of 34.5 kV and below must be buried.

[e] Substations abutting a district boundary other than Limited Industrial and/or a parcel containing a sensitive receptor shall be set back a minimum of 800 feet from

the property line. If abutting another Limited-Industrial zoned parcel and use, substations shall meet the requirements for accessory uses in the underlying zoning district.

[f] The Data Center electric utility substation shall be subject to applicable zoning district setback requirements. Setbacks shall be measured from the edge of the enclosure containing the substation to the property boundary of the lot it occupies.

[g] No nuclear energy generating system shall be permitted as part of the Data Center use.

[h] A portion of any energy generated on-site must be from green energy technologies (e.g. solar, wind, etc.).

[5] Backup power generators are only to be used to provide backup electrical supply during a power outage or similar emergency situations, or for testing purposes. Only Tier IV generators shall be utilized. If the Data Center operator intends to use backup power generators, the operator shall maintain a public website announcing the times when the generators will be in operation. Any operation of the backup generators, for testing purposes, shall be announced on the website at least 24 hours in advance. The operator shall also notify the Township at least 24 hours in advance of a test. Upon request by the Township, the Data Center operator shall provide the address of the website where the notices required by this Section are published.

(h) Thermal impact mitigation plan. A thermal impact mitigation plan shall be provided including the following:

[1] Identification of primary sources of waste heat (air- and water-based).

[2] Evaluation of potential off-site thermal impacts at property boundaries and nearby sensitive receptors, including plume/heat discharge and localized heat islands, under representative seasonal conditions.

[3] Description of design measures to minimize heat impacts (e.g., equipment siting, shielding, landscaping, cool roofs/paving where applicable).

[4] Evaluation of feasible opportunities for waste heat reuse. Where reuse is not feasible, the reason(s) why should be given, in which case alternative mitigation shall be identified (e.g., vegetative or green roof and/or site design modifications).

[5] Inclusion of a monitoring and verification approach, where required by the Township as a condition of approval based on proximity to sensitive receptors or site constraints.

[6] The Thermal Impact Mitigation Plan shall be prepared and certified by a professional engineer licensed in the Commonwealth of Pennsylvania.

[7] The Thermal Impact Mitigation Plan shall be subject to review and comment by the Township. The Township and its consultants shall have the right to require supplemental or amended plans based on comments by the Township prior to issuance of the building permits.

[8] If the final design or operation of the facility materially change from the approved Thermal Impact Mitigation Plan, including but not limited to changes in cooling technology, cooling equipment capacity, equipment location, or heat mitigation measures, an amended Thermal Impact Mitigation Plan shall be submitted for Township review and approval prior to installation or operation of such modifications.

[9] An annual report shall be provided to the Township including summaries, data, and other relevant information regarding:

[a] The facility's annual electrical consumption;

[b] Any waste heat recovery systems installed and operated during the reporting period;

[c] Estimated quantity of waste heat beneficially reused, if any;

[a] Any modifications made to thermal mitigation measures; and

[b] Any thermal-related complaints received, and if so, actions taken to address such complaints.

(i) Emergency management.

[1] The applicant shall submit an Emergency Response Plan (ERP) prepared by a qualified professional. The ERP shall:

[a] Be reviewed and accepted by the applicable local fire department and emergency management coordinator and/or fire marshal, as designated by the Township, as part of the conditional use process;

[b] Include detailed procedures for fire suppression, containment, ventilation, and evacuation;

[c] Include an evaluation of the access roads and hydrant locations within the site to ensure suitable access for emergency equipment within the site;

[d] Ensure that all first responders receive adequate training specific to the installed system; and

[e] Include provisions for annual fire safety inspections demonstrating compliance with fire safety standards to be performed by a qualified professional on behalf of the Data Center.

[2] Costs incurred, including specialized training for fire and EMS personnel, shall be reimbursed by the applicant, including future ongoing training specific to the Data Center's ERP.

[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 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.

(j) Remediation. In the event that the Board of Supervisors determines pursuant to the provisions of this Section that a Data Center is responsible for an adverse impact to the water supply of others, the Data Center Operator shall alleviate the adverse impact, at no expense to the affected property owner(s), so as to furnish reasonable quantity and quality of water. Remediation may include deepening the impacted well, drilling a new well, connecting the affected property to a public water supply, or any other measures as the Township may approve as just and equitable under the individual circumstances.

(k) Electronic waste plan. An Electronic Waste Plan shall be reviewed and approved prior to the issuance of building permits for safe removal and recycling and/or disposal of server infrastructure, hazardous materials, batteries, electronic waste, and related products that meet all state and federal requirements, for all equipment within the data center for replacement or decommissioning.

(l) Decommissioning. At the time of application, the operator shall submit a Decommissioning Plan prepared by a qualified professional. The plan shall outline the procedures for safe shutdown, removal of equipment, disposal or recycling of materials, and site restoration. The Township may require financial security (with related agreements) to be posted to cover the full cost of decommissioning and site restoration if not done in a timely fashion by the operator/owner of the Data Center.

(m) The applicant shall hold a public meeting prior to the first planning commission meeting when the proposed land development or conditional use proposal is discussed. The purpose of the meeting shall be to inform the public about the nature of the proposed development, including the location, scale, and general characteristics. A representative(s) of the applicant with knowledge of the project and the ability to answer general questions from the public about the project's general location, scale, and parameters shall participate in the meeting. The public meeting shall be advertised consistent with "public notice" as defined by the Pennsylvania Municipalities Planning Code (PA Act 247). Additionally, the applicant shall mail notice of the public meeting to all property owners and residents of all properties located within 500 feet of the subject property.

SECTION 3. The Board of Supervisors hereby amends Chapter 175 – "Zoning," Article V – "General Requirements," Section 22 - "Off-Street Parking" at Subsection D – "Nonresidential Parking Requirements" all underlined text reflecting new language as follows:

Use	**Number of Off-Street Parking Spaces Required**
G-19 Data Center	One space per 8,000 square feet of floor area designed and intended to be accessible regularly by employees

SECTION 4. The Board of Supervisors hereby amends Chapter 175 – "Zoning," Article XVII – "LI Limited Industrial District," Section 84 - "Permitted Uses" at Subsection D – "Uses Permitted by Conditional Use" all underlined text reflecting new language as follows:

(2) G-19 Data Center

SECTION 5. The Board of Supervisors hereby amends Chapter 175 –"Zoning," Attachment 2 – "Summary of Permitted Uses" all underlined text reflecting new language as follows:

Use		R1a	R1	R2	R2a	R2b	R4	CR	VC	C1	C2	C3	C4	Q	LI	I	I-2
G-19	Data Center														CU		

SECTION 6. 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. Any other terms or provisions of the Township's Code unaffected by this Ordinance are hereby reaffirmed and ratified.

SECTION 7. Should any section, paragraph, sentence, clause or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and affect, and for this reason the provisions of this Ordinance shall be severable.

SECTION 8. This Ordinance shall become effective immediately upon enactment.

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DULY ENACTED on this 27th day of October, 2026.

DOYLESTOWN TOWNSHIP
BOARD OF SUPERVISORS

ATTEST:

Stephanie J. Mason, Manager

BY: _____
Jennifer Herring, Chair

BY: _____
Barbara N. Lyons, Vice Chair

BY: _____
Dan Wood, Member

BY: _____
Judith A. Dixon, Member

BY: _____
Christina Maida, Member