

ORDINANCE NO. _____

AN ORDINANCE OF INDIANA TOWNSHIP, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING SECTION 375-11 (DEFINITIONS") OF THE INDIANA TOWNSHIP ZONING ORDINANCE TO INCLUDE DATA CENTER-RELATED DEFINITIONS; AMENDING TABLE III-A ("ZONING DISTRICTS/USES") TO INCLUDE DATA CENTERS AND DATA CENTER ACCESSORY USES AS CONDITIONAL USES IN THE LIGHT INDUSTRIAL ("LI") ZONING DISTRICT; AMENDING SECTION 375-47 ("CONDITIONAL USES") TO ADD A NEW SECTION 375-47(B)(8) ("DATA CENTERS AND DATA CENTER ACCESSORY USES ")

WHEREAS, the Pennsylvania Municipalities Planning Code, as amended, 53 P.S. §§ 10101 *et seq.*, enables Indiana Township ("the Township"), through its zoning ordinance, to regulate the use of property to protect the health, safety, and welfare of people and property in the Township; and

WHEREAS, advancements in data center and data center accessory use technology necessitates updated Township regulations, a modified schedule of district regulations, and new definitions to ensure that these uses are effectively designed, planned, and managed to balance safety, community health, and welfare, and environmental protection; and

WHEREAS, the Township seeks to promote the general health, safety and welfare of the residents of the Township by adopting and implementing this zoning amendment regulating the development of data centers and accessory uses in the Township; and

WHEREAS, the Township's Planning Commission reviewed the proposed ordinance at its meeting August 26, 2026, and voted to recommend approval of the ordinance; and

WHEREAS, the Board of Supervisors held a duly advertised public hearing on the proposed amendment, on [REDACTED] at the Indiana Township Town Hall; and

WHEREAS, the Board of Supervisors has given careful consideration to all public comments and has determined that the adoption of this zoning amendment is in the best interests of the health, safety and welfare of the inhabitants of the Township and the general public.

NOW THEREFORE, it is hereby ORDAINED and ENACTED by the Indiana Township Board of Supervisors, as follows:

SECTION 1 -

Section 375-11 ("Definitions") of the Indiana Township Zoning Ordinance is hereby amended to add the following definitions, to be inserted alphabetically:

CLOSED LOOP COOLING SYSTEM: A cooling system that circulates a single contained coolant or fluid that is not discharged to the environment as a normal part of operation (may include plate-and-frame heat exchangers, rear-door heat exchangers, immersion, or other sealed liquid cooling approaches).

DATA CENTER: A building or buildings which are occupied primarily by computers

and/or telecommunications and related equipment where digital information is processed, transferred and/or stored, primarily to and from offsite locations. This use does not include computers or telecommunications related equipment that is secondary and customarily incidental to an otherwise permitted use on the property, such as servers associated with an office building. This use shall also include cryptocurrency mining, blockchain transaction processing, and server farms. A data center may include data center accessory uses.

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; sources of electrical power such as generators used to provide temporary power when the main source of power is interrupted; 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.

DATA CENTER OPERATOR: The person or entity responsible for the post-construction operation of a data center.

SENSITIVE RECEPTOR: any residential use, school, preschool, child or adult day-care center, hospital, assisted-living facility, long term care facility, nursing home, personal care home, retirement community, treatment center, community center, place of worship, park (excluding trails), campground, or dormitory.

SECTION 2

Table III-A ("Zoning Districts/Uses") of the Indiana Township Zoning Ordinance is hereby amended to include Data Centers and Data Center Accessory Uses as Conditional Uses in the Light Industrial ("LI") Zoning District.

SECTION 3

Section 375-47 ("Conditional Uses"), is amended to add a new Section 375-47(B)(8) ("Data Centers and Data Center Accessory Uses") as follows:

(8) Data centers and data center accessory uses. The following provisions shall apply to data centers and data center accessory uses:

- (a) Zoning Districts. Data centers are permitted as a conditional use in the Light Industrial Zoning District where applicant can establish compliance with the criteria contained in this section.
- (b) Dimensional Standards. The dimensional standards of data centers and data center accessory uses shall be as follows:

[1] The minimum lot area shall be fifteen (15) acres.

- [2] The maximum building height for a data center shall be thirty-five (35) feet, plus up to additional ten (10) feet for roof-mounted equipment such as cooling and ventilation systems, HVAC units, and cooling towers.
- [3] The maximum height of data center accessory uses shall be no greater than the height of the principal building, exclusive of roof-mounted equipment.
- [4] The maximum lot coverage (including principal and accessory structures) shall not exceed 60% of the total lot area.

(c) Setbacks.

- [1] Data centers and data center accessory uses shall be set back a minimum of 200 feet from the lot line of any property developed with a Sensitive Receptor.
- [2] Data centers and data center accessory uses shall be set back a minimum of 150 feet from all other adjoining property lines and road rights-of-way.
- [3] Surface vehicle parking and approved informational and traffic control signage shall be permitted to encroach within this setback.

(d) Application. The conditional use application shall include all of the following:

- [1] a site plan showing the proposed location of the data center and any data center accessory uses, property lines, setback lines, access roads, design features that satisfy enumerated aesthetic requirements, and any and all proposed buildings and structures;
- [2] a written narrative which discusses the proposed data center operation to establish that all data center operations and data center accessory uses, including all ancillary equipment for purposes such as cooling, will be designed, constructed, operated and maintained, comply with the regulations of Indiana Township; backup power systems and testing schedules; construction and operational traffic impacts; potential effects on farmland, wells, streams, and wetlands; anticipated number of employees to be hired and general scope of operations;
- [3] a ten (10)-year plan showing any planned future growth or expansion of the data center or any accessory uses to the data center;
- [4] an Electronic Waste Plan outlining procedures 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, which will apply in cases when the equipment within the data center is updated or decommissioned. The Electronic Waste Plan shall be subject to review and comment by the Township. The Township shall have the right to require supplemental or amended Electronic Waste Plans based upon comments by the Township prior to any zoning approval. The Electronic Waste Plan shall be updated every three years, or at the written request of the Township;

[5] documentation of all plans as required in this section, including but not limited to all documentation showing proposed landscaping, fencing, screening, lighting, noise studies, vibration studies, documentation of all proposed water sourcing, water feasibility studies, and wastewater management plans; documentation of emergency management plans and appropriate fire safety measures; documentation of proposed utility use and power supplies, plans relating to cooling systems, decommissioning, and parking plans, with full detailing of all proposed mitigation for each, and including all information as required in this section and more fully explained in this ordinance below.

[6] The burden shall be upon the applicant to demonstrate that approval for the application will not be detrimental to the health, safety, and general welfare of the community. The applicant shall pay any and all permit application fees and inspection fees which shall be set by Resolution of the Board of Supervisors. The applicant shall be responsible for all fees and costs incurred in preparing application materials, and all costs of any additional studies required by the Board to demonstrate compliance with this Ordinance.

[7] The applicant shall comply with all applicable federal, state, local, and Indiana Township laws, rules, ordinances and/or regulations.

[8] The applicant shall provide copies of any and all permits and applications submitted to local, county, state, and federal agencies as they become available, and shall inform the Township of the status of such permits should they change. Permits and plans shall include but not be limited to water withdrawal registration/permits, planned discharge permits, or others submitted to agencies such as the Pennsylvania Department of Environmental Protection (PADEP) and the federal National Pollutant Discharge Elimination System (NDPES).

(e) Landscape Buffer; Fencing. A landscape buffer is required between data centers and data center accessory uses and any adjoining residential zoning district, Sensitive Receptors, or public roadway. The landscape buffer shall comply with the following requirements:

- [1] The landscape buffer shall be at least 50 feet in width.
- [2] The landscape buffer shall be free of structures, dumpsters, storage or display areas, nonpermitted signs, materials, loading or unloading areas and equipment.
- [3] The landscape buffer shall include plantings to achieve a dense, opaque, four-season screen and shall consist of native species planted as follows:
- i. One (1) large tree as listed in § 375-49 D (3) to be planted in a double row at a spacing of 15 feet staggered and centered within the buffer. Of these trees, there shall be at minimum:
 - A. One (1) large evergreen tree per 25 linear feet of buffer. The size of large evergreen trees shall be a minimum of eight (8) feet in height at the time of planting.
 - B. One (1) deciduous tree per 75 linear feet of buffer. Size of canopy (shade) trees shall be a minimum of 2½ inch caliper at the time of planting.
 - C. One (1) ornamental/flowering tree per 50 linear feet of buffer. The size of ornamental/flowering trees shall be a minimum of eight (8) feet in height for multi-stemmed varieties, or 2½ inch caliper at the time of planting for single-stemmed varieties.
 - D. Five (5) shrubs per 25 linear feet of buffer. Size of shrubs shall be fully branched and minimum of three feet in height at the time of planting. Shrubs shall be a combination of evergreen and deciduous species, with a minimum of 50% being evergreen.
 - ii. All plantings shall conform to the list of acceptable plant species identified in § 375-49 D(3) or shall be approved by the Board of Supervisors upon recommendation by the Township Engineer, and/or Pennsylvania-registered landscape architect, or certified arborist. The names of the proposed plantings (both botanical and common) should be noted on the landscaping plan.
 - iii. A variety of species shall be used in order to prevent monocultural plantings. American arborvitae and similar

weak-stem plants shall not be used to meet the buffer yard requirements. If more than 20 evergreen plants are proposed, no more than 50% shall be of one species.

- iv. A monotonous straight row of the same species shall not be permitted. A more naturalistic form of planting with a mix of species shall be provided.
- v. In the event that existing topography and/or vegetation is adequate to meet the intent of the required buffer yard, such existing topography and/or vegetation may constitute all or part of the required buffer yard.
- vi. All buffer yard plantings shall be perpetually maintained by the property owner. Any plant material that dies, is removed, is diseased, or is severely damaged shall be replaced by the current property owner, on a one-to-one basis, as soon as is practical considering growing seasons, within a maximum of 150 days.
- vii. All buffer yard screening shall be assured by a performance guarantee posted with the Township in an amount equal to the estimated cost of all such trees, shrubs, plantings, and installation. Such guarantee shall be released only after passage of the second growing season following planting.
- viii. All Data Center Operations shall occur in a building(s) which is (are) permanent. The data center facility site shall be completely enclosed by a minimum eight (8) foot high security fence with one or more locking gates which shall remain secure when facility is not in use. The Township shall be provided with means of 24/7 emergency access through all security gates.

(f) Equipment Screening.

[1] To provide visual screening, ground-mounted and roof mounted equipment used for cooling, ventilating, or otherwise operating the facility, including backup power generation equipment, that is located within 250 feet of a public roadway 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:

- i. The landscape buffer required by subsection (e) above.
- ii. By existing vegetation that will remain on the property.
- iii. By the principal data center building or an accessory building.

- iv. By 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.
- v. Fences, decorative walls, or hedges must be in keeping with the surrounding area, and not hinder the appropriate development or use of adjacent buildings or impair their value for land uses that are of an adjacent zoning district that may conflict with one another in intensity.
- vi. 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.

(g) Noise and Vibration.

[1] The applicant shall demonstrate through a sound study conducted by a certified professional acoustical expert, as approved by the Township, that the sound generated by a data center during normal operations which shall be limited to a maximum daytime (7:00 a.m. to 8:00 p.m. Monday- Friday) decibel level of [60] dB(A) and a maximum nighttime and weekend (8:00 p.m. to 7:00 a.m. Monday-Friday and all day Saturday and Sunday) decibel level of [50] dB(A) as measured from the property line of the use. Such sound study shall be conducted using Sound Level Meters described in ANSI S1.4- 2104 and generally accepted methodology. A sound study shall be conducted at the following phase:

- i. A preliminary study shall be conducted as part of the land development review process. The preliminary sound study shall include recommended sound reducing materials or systems as needed to meet the aforesaid sound limits.
- ii. An interim sound study shall be conducted during the building permit approval process based upon the proposed user or users of the data center or accessory uses depicted on the building plans. Any sound reducing materials or systems recommended by interim sound study shall be incorporated into the construction plans for the use.
- iii. A post-construction sound study shall be conducted six months after issuance of the certificate of occupancy and prior to the final escrow/bond/security release associated with the land development approval of the data center and shall be conducted at applicant's

expense. Additional post- construction sound studies may also be reasonably required thereafter by Council at applicant's expense. If it is determined by the post-construction sound study that there is a violation of the aforesaid noise limits, it shall be considered a violation of this Ordinance.

- [2] The sound studies shall also evaluate and report anticipated decibel levels when all emergency power generation equipment is running, including backup generators.
 - i. Generators shall be enclosed in a Level 3 Sound-Attenuated Enclosure or similar enclosure and shall not produce sound exceeding 70 dB(A) as measured from the property line of the use.
- [3] Testing of any backup diesel or gas-powered generators may only occur between 8 AM and 6 PM.
- [4] The applicant shall provide a vibration study prepared by a qualified certified professional, as approved by the Township, that demonstrates that no vibration from the data center, associated accessory uses, or associated equipment will be perceptible to the human sense of feeling beyond the property line. The vibration study shall be conducted when the facility is fully operational and when backup generators and emergency power generation equipment are running.
- [5] Complaints received by the Township shall be addressed by the applicant, within 24 hours following receipt of notification by continuously monitoring for a period of 48 hours at the nearest property line to the complainant's residential or public building or 100 feet from the complainant's residential or public building, school medical, emergency or other public facilities, whichever is closer. The applicant shall report the findings to the Township and shall mitigate the problem if the noise level exceeds the allowable rate. If excess noise levels continue for three days after the initial complaint is verified and no corrective action is taken the data center operator shall cease operations until the noise level is at an allowable level.

(h) Lighting.

- [1] Lighting shall be shielded and aimed so as not to project output into the windows of neighboring residences, adjacent uses, past the object being illuminated, skyward or onto a public roadway.
- [2] The illumination projected onto a residential use shall at no time exceed 0.5 foot-candle, measured line-of-sight and from any point on the receiving residential property.

- [3] The illumination projected onto a non-residential use shall at no time exceed 0.5 footcandle, measured line-of-sight from any point on the receiving property.
- [4] Glare control shall be achieved using such means as cutoff luminaires, shields and baffles, and appropriate application of luminaire mounting height, wattage, aiming angle, and luminaire placement.
- [5] LED light sources shall have a correlated color temperature that does not exceed 3000K.
- [6] 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.
- [7] Lighting for parking areas and vehicular traffic ways shall be automatically extinguished nightly within ½ hour of the close of the facility. When after-hours site safety/security lighting is proposed, such lighting shall not exceed 25% of the number of fixtures required or permitted for illumination during regular business hours. Where there is reduced but continued onsite activity throughout the night that requires site-wide even illumination, the use of dimming circuitry to lower illumination levels by at least 50% after 11 PM or after regular business hours, or the use of motion sensor control, shall be permitted.

(i) Water and Sewer.

- [1] Water Supply –Water Feasibility Study. No data center shall be approved unless the applicant demonstrates that there is an adequate supply of water for the proposed use and that proposed water withdrawals and discharges will not endanger or adversely affect the quantity or quality of groundwater supplies or surface waters in the vicinity.
 - i. If the use will be served by a public water supply, the applicant shall submit documentation from the public authority certifying that the public authority will supply the water needed and shall not negatively impact the existing water supply or any resident within the Township for regular or fire suppression purposes.
 - ii. The proposed use in the proposed location shall be adequately served by and shall not impose an undue burden on any existing improvements, facilities, utilities or services. Where any such existing improvements, facilities, utilities or services are not adequate to service the proposed use in the proposed location, the applicant shall, as part of the application and as a condition to approval of the proposed

conditional use permit, be responsible for establishing ability, willingness and binding commitment to provide for, extend or upgrade such improvements, facilities, utilities and services in sufficient time and in a manner consistent with the application materials, this chapter, and other plans, programs, maps and ordinances adopted by the Township to guide its growth and development.

iii. If the use is to rely upon nonpublic sources of water, the applicant shall provide a water feasibility study. The purpose of the study is to determine if there is an adequate supply of water for the proposed use and to estimate the impact of the use on existing wells, groundwater, and surface waters in the vicinity. No data center shall be approved unless the water feasibility study demonstrates that the anticipated water supply yield is adequate for the project and that the proposed water withdrawals and discharges will not endanger or adversely affect the quantity or quality of groundwater supplies or surface waters in the vicinity. The water feasibility study shall include the following information at a minimum:

- A. The projected water demands of the data center;
- B. The source of water to be used;
- C. A description of how water will be used, including the amount or proportion of water to be used for each purpose (e.g. cooling, humidity control, fire suppression, and domestic usage);
- D. The long-term safe yield of the water source;
- E. A description of the amount or portion of water withdrawn that will be recycled or discharged and by what means and at what temperature;
- F. A geologic map of the area with a radius of at least one mile from the site;
- G. The location of all existing and proposed wells within 1,000 feet of the property boundary, with a notation of the capacity of all high-yield wells;
- H. The location of all surface waters, including perennial and intermittent streams, rivers, lakes, reservoirs, ponds, wetlands, springs, natural seeps, and estuaries, within 1,000 feet of the property boundary;

I. A determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, surface waters and the groundwater table;

J. A statement of the qualifications and the signature(s) of the person(s) preparing the study.

iv. The applicant shall provide proof of review and approval from the municipal water authority(ies) providing service to the site for projects proposing:

A. water withdrawals of 100,000 gallons per day (gpd) or more over a 30-day average from any source or combination of sources within Indiana Township, or

B. any consumptive water use of 20,000 gpd or more over a 30-day average from any water source.

v. For all water sources, the applicant shall demonstrate that adequate means of wastewater disposal, including domestic wastewater and wastewater used for cooling or industrial purposes. This shall include the applicant detailing the volume, chemical composition, and temperature of cooling tower blowdown, thermal impacts, and specifying the handling of chemical anti-scaling, anti-corrosive, or biocidal treatments to demonstrate that there is adequate means of wastewater disposal.

[2] Groundwater withdrawals. For groundwater sources, the water feasibility study shall include a hydrogeologic report prepared by a registered professional geologist licensed by the Commonwealth of Pennsylvania, as approved by the Township, analyzing the long-term sustainable yield of the water source. No data center shall be approved unless the water feasibility study demonstrates that the anticipated water supply yield is adequate for the project and that the proposed water withdrawals and discharges will not endanger or adversely affect the quantity or quality of groundwater supplies or surface waters in the vicinity or endanger the health, wellness, or safety of the surrounding community. The hydrogeologic report shall include at minimum:

i. A hydrological setting analysis which includes a hydrogeologic cross section, delineation of the portion of the aquifer through which water is diverted to the well (area of diversion), delineation of the area providing groundwater recharge to the

diversion area (recharge area), and identification of water resources located within the diversion and recharge areas.

- ii. The results of an aquifer test conducted in accordance with Pennsylvania Department of Environmental Protection, Bureau of Safe Drinking Water, Document No. 394-2125-001, Aquifer Testing Guidance for Public Water Systems, or other generally accepted methodology. Data shall include, at a minimum, precipitation data, static water levels immediately prior to yield testing, linear hydrographs of water levels and test responses of all monitoring points through background, testing, and recovery monitoring periods, residual drawdown graphs and logarithmic hydrographs of the production well and any monitoring points that had observable drawdown as a result of operating the production well. Field notes showing original observations, water levels and flow readings and the time readings were taken shall be included.
- iii. Analysis and interpretation of the aquifer test data, including a determination of the aquifer's hydraulic conductivity and specific capacity; aquifer transmissivity and storage coefficient; estimation of the horizontal extent of the cone of depression; and determination of a safe yield for the well, including analysis of the effects of 180 days of pumping with no recharge; and a groundwater availability analysis providing potential availability in a one-in-ten year drought.
- iv. Test results from any wells tested.
- v. A determination of the effects of the proposed withdrawal on the quantity and quality of water in wells, surface waters, and the groundwater table within the horizontal extent of the cone of depression and how those impacts will be mitigated or remediated.
- vi. The following information shall be included within the submitted documentation for groundwater withdrawals:
 - A. The projected water demands of the data center;
 - B. The source of water to be used;
 - C. A description of how water will be used, including the amount or proportion of water to be used for

each purpose (e.g. cooling, humidity control, fire suppression, and domestic usage);

- D. The long-term safe yield of the water source;
- E. A description of the amount or portion of water withdrawn that will be recycled or discharged and by what means and at what temperature;
- F. A geologic map of the area with a radius of at least one mile from the site;
- G. The location of all existing and proposed wells within 1,000 feet of the property boundary or within the horizontal extent of the any production well's cone of depression, as determined by the hydrogeologic study, whichever is greater, with a notation of the capacity of all high-yield wells.

(j) Cooling System Requirements.

[1] Closed-loop cooling systems are required. All data centers and qualifying expansions must employ closed-loop cooling for server racks and IT equipment. Use of open, evaporative cooling towers for facility heat rejection is prohibited unless an applicant demonstrates by clear and convincing evidence that closed-loop technology is infeasible for the specific project and the applicant obtains a conditional exemption under this subsection and all applicable state permits.

[2] Conditional Exemption. An exemption may be granted by the Township upon a written request made at the time of land development or permit application and must include:

- i. Detailed engineering documentation prepared by a licensed professional engineer, as approved by the Township, demonstrating that closed-loop technology is infeasible for the specific project;
- ii. Proposed alternative technologies such as geothermal, air-cooled, direct-to-chip liquid cooling, or waste-heat recovery systems so long as they meet water-use, noise, and environmental standards set forth herein; and
- iii. The Township may impose reasonable conditions on any exemption.

[3] Prohibition on private well dependency. Data centers may not be designed to draw primary cooling make-up water from private potable

wells.

(k) Power Supply.

- [1] The applicant for a data center shall provide an Energy Usage Plan with the Conditional Use application. The Energy Usage Plan shall provide or identify, at a minimum:
 - i. Annual electricity demand;
 - ii. Energy supply sources that will be utilized;
 - iii. Energy storage capacity (if applicable);
 - iv. Proposed sources of back-up power.
 - v. Applicant shall monitor and report energy efficiency and emissions data to the municipality on a regular basis.
- [2] The applicant shall provide written verification from the electric utility company serving the data center operations that adequate capacity is available on the applicable supply lines and substation and shall not negatively impact the power available to residential customers within the Township to ensure that the capacity available to serve the other needs of the Township is consistent with the normal projected growth of the Township. Known impacts on electric rates or availability for other uses directly attributable to the data center project shall be documented and available to the public.
- [3] The proposed use in the proposed location shall be adequately served by and shall not impose an undue burden on any existing improvements, facilities, utilities or services. Where any such existing improvements, facilities, utilities or services are not adequate to service the proposed use in the proposed location, the applicant shall, as part of the application and as a condition to approval of the proposed conditional use permit, be responsible for establishing ability, willingness and binding commitment to provide for, extend or upgrade such improvements, facilities, utilities and services in sufficient time and in a manner consistent with the application materials, this chapter, and other plans, programs, maps and ordinances adopted by the Township to guide its growth and development.
- [4] There shall be an Emergency Termination Switch installed outside of any structure which includes a data center.

- [5] Any energy generation system designed or used to supply power directly to a data center during normal operations, including solar, wind, fossil fuel, or nuclear energy generating systems, shall not be considered part of the data center use. Such systems shall be considered a separate use and shall be evaluated for approval according to the zoning regulations applicable to such use.

(l) Emergency Management.

- [1] The applicant shall submit an Emergency Response Plan (ERP) prepared by a qualified certified professional. The ERP shall:
- i. Be reviewed and accepted by the local fire department and emergency management services as part of the land development process;
 - ii. Include detailed procedures for fire suppression, containment, ventilation, and evacuation;
 - iii. Include an evaluation of the access roads and hydrant locations within the site to ensure suitable access for emergency equipment within the site;
 - iv. Ensure that all first responders receive adequate training specific to the installed system;
 - v. Include provisions for annual fire safety inspections demonstrating compliance with fire safety standards to be performed by a qualified certified professional, as approved by the Township, on behalf of the data center.
- [2] Any data center use 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 Section 375- 47(B)(7) of the Indiana Township Zoning Ordinance and 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.
- [3] 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.
- [4] All data center operations shall occur in a permanent building. There must be a conspicuous, durable sign which identifies the

responsible person or entity controlling the data center, the physical location and address of such person or entity, and a telephone number to permit contact with such person or entity.

(m) Decommissioning.

- [1] The applicant shall submit a decommissioning plan for approval by the Township Engineer. The plan shall detail procedures and requirements for removal of all structures associated with the data center and data center accessory uses including the following:
- i. the anticipated life of the data center;
 - ii. a detailed scope of work for decommissioning that includes removal of all structures, equipment, wiring, conduit, foundations to a depth of at least four (4) feet below grade along with a plan for restoring the site to pre-development conditions or better, including stabilization and revegetation of the site;
 - iii. the estimated decommissioning costs in current dollars, including contingency, to be updated every three (3) years;
 - iv. a timeline for decommissioning activities; and
 - v. financial security in an amount equal to one hundred ten percent (110%) of the total estimated decommissioning and restoration costs, in a form to be approved by the Township Solicitor, to ensure that funds will be available for decommissioning and restoration. Financial security shall be updated every three (3) years as needed to reflect estimated decommissioning costs.
- [2] Determination of Abandonment. A data center shall be considered abandoned when it has not been in active operation for a period of twelve (12) consecutive months. The Township shall notify the owner in writing of the preliminary determination of abandonment and allow the owner thirty (30) days to respond. If the owner fails to respond or demonstrate that the facility has not been abandoned, the Township shall issue a final determination of abandonment.
- [3] Decommissioning Process. Decommissioning shall commence within sixty (60) days of final determination of abandonment. All decommissioning work shall be completed within one hundred eighty (180) days of commencement.

(o) Aesthetics.

- [1] Principal building facades shall require a horizontal offset of at least ten feet at intervals of no more than 150 linear feet (measured horizontally) of principal building facade.
- [2] No more than 80 percent of a principal building facade may consist of one building material.
- [3] No more than 80 percent of a principal building facade may consist of one color, texture, or pattern.
- [4] Principal building facades shall require fenestration, step-back(s), cantilever(s), projection(s), or architectural elements extending horizontally across at least 60 percent of the facade.
- [5] Each principal building shall include an articulated main entrance. This entrance shall be differentiated from the rest of the building with a change in building material, pattern, texture, color, or architectural accent. It shall also either project or be recessed from the adjoining building plane.
- [6] Elevations/renderings of all principal building facades visible from off-site shall be submitted with the conditional use application.

(n) Parking.

- [1] Data centers shall have at least one parking space for every one employee, based upon the maximum number of employees on site during the largest shift. In cases where shifts are involved where two shifts overlap, the number of employees shall refer to the total number of employees on both shifts combined. Parking spots provided shall not exceed 1.5 parking spaces per data center employee.

SECTION 4 - EFFECTIVE DATE / REPEALER:

This Ordinance shall become effective immediately upon enactment and shall repeal all prior inconsistent ordinances and resolutions to the extent of such inconsistency.

SECTION 5 - SEVERABILITY:

If a final decision of a court of competent jurisdiction holds any provision of this Ordinance or the application of any provision of this Ordinance to any circumstance to be illegal or unconstitutional, the other provisions of this Ordinance and the application of such provisions to other circumstances shall remain in full force and effect.

ORDAINED AND ENACTED this _____ day of _____, 2026.

ATTEST:

TOWNSHIP OF INDIANA

Manager/Secretary

Mayor, Board of Supervisors

DRAFT