**WRIGHT TOWNSHIP, LUZERNE COUNTY, PENNSYLVANIA**

**ORDINANCE NO. \_\_\_\_ OF 2025**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF WRIGHT TOWNSHIP, LUZERNE COUNTY, PENNSYLVANIA, AMENDING THE WRIGHT TOWNSHIP ZONING ORDINANCE TO PERMIT DATA CENTERS AND ASSOCIATED FACILITIES WITHIN THE I-1 GENERAL INDUSTRIAL DISTRICT AND ESTABLISHING SUPPLEMENTAL USE REGULATIONS FOR DATA CENTERS UNDER A NEW SECTION § 145‑XXX.**

**WHEREAS,** the Board of Supervisors of Wright Township, Luzerne County, Pennsylvania (the "Township") is authorized by the Pennsylvania Municipalities Planning Code to regulate zoning and land development; and

**WHEREAS,** the Board of Supervisors seeks to regulate the development of Data Centers in a manner that supports economic development while preserving the rural character, environmental quality, and public health, safety, and welfare of the Township;

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Board of Supervisors of Wright Township, Luzerne County, Pennsylvania, as follows:

**SECTION 1. AMENDMENT TO DEFINITIONS (§ 145-203)**

Section § 145-203 is amended to add the following definitions:

* **Data Center:** Facility housing computer and communications equipment, servers, storage, UPS, and disaster recovery functions on a single tract or unified development.
* **Data Center Accessory Uses:** Utilities, substations, water towers, mechanical equipment, environmental controls, redundant power/data connections, and security devices located with a Data Center.
* **Disaster Recovery Facility:** Building used to continue business operations during disasters, including digital storage of records.
* **Portable Generator:** Engine-driven device for temporary electric power, not permanently installed. Must meet Tier IV diesel standards and noise limits.
* **Portable Turbine:** Mobile wind-powered device capable of generating electricity, not permanently installed.
* **Substation:** Infrastructure converting and distributing electricity to Data Center facilities.
* **Community Incentive Package:** Programs or contributions to public safety, health, education, community amenities, or infrastructure enhancements designed to offset project impacts and promote Township welfare. Must be proportional to project impact and enforceable via Developer’s Agreement.

**SECTION 2. AMENDMENT TO § 145-508 – I-1 INDUSTRIAL DISTRICT**

**A. Permitted Conditional Uses**

The following uses are hereby added to the list of Conditional Uses in the I-1 Industrial District:

* Data Centers
* Data Center Accessory Uses
* Disaster Recovery Facilities

These uses are permitted only by Conditional Use approval in accordance with § 145-816.

**B. Dimensional Requirement Exceptions**

Minimum lot size and maximum building height for these uses shall be governed by § 145-816 rather than general I-1 zoning standards.

**SECTION 3. ADDITION OF § 145‑816 – DATA CENTERS**

The following new section is added to the Zoning Ordinance:

**§ 145‑816. Data Centers**

**A. Applicability**

This section shall apply to all proposed Data Centers, Data Center Accessory Uses, Disaster Recovery Facilities, and Substations proposed in the I-1 District.

**B. Building Restrictions**

1. **Minimum Tract Size**: 50 contiguous acres. (adjacent parcels under common ownership may be counted)
2. **Maximum Floor Area**: 500,000 square feet. (multiple buildings may be permitted but each building may not exceed the max. square footage)
3. **Maximum Height**: 45 feet, including rooftop equipment.
4. **Setbacks**:
   * No structure within 300 feet of a residential zoning district or existing occupied residential property.
   * Loading docks and truck areas must also meet this setback.
5. **Expansion**: Any expansion over 10% of the originally approved footprint or utility load requires amended Conditional Use approval.

**C. Utility and Infrastructure Requirements**

1. General
   1. A utility capacity letter is required from each provider.
   2. Approval will not be granted unless infrastructure can accommodate the proposed use without adverse impact to the surrounding development.
   3. Cumulative impacts of existing or proposed data center projects shall be considered during approval.
2. Utilities/Power – Feasibility letters from providers; underground lines; document regional impacts. Must demonstrate no adverse impact on local grid.
3. Water Supply – Feasibility study required, Township Engineer and PA DEP approval. Must demonstrate no adverse impact on local water supply/quality.
4. Wastewater – Adequate disposal for domestic and cooling/industrial; approval by SEO/Township Engineer/ PA DEP. Incudes public sewer capacity verification.

**D. Portable Generators**

Tier IV diesel; muffler/enclosure ;limited testing hours; noise <= 67 dBA (day)/ <= 67 (night) measured at property line using ANSI standard meters. Testing to be paid for by owner. Exceptions allowed by EMA approval for emergencies which must be temporary in nature.

**E. Portable Turbines**

Max 2 per parcel; setbacks 75 feet from property line; 10 days/year without Temporary Permit; noise compliant. Must be secured, functional braking.

**F. Noise, Sound, and Testing Restrictions**

1. **Noise Levels**:
   * Daytime: 67 dBA
   * Nighttime: 57 dBA
2. **Generator Testing**:
   * Permitted only 7:00 AM–5:00 PM (May–September)
   * 11:00 AM–5:00 PM (October–April)
   * No overnight testing
3. Violations are subject to daily fines and potential revocation of permits.

**G. Vibration, Air Quality, and Water Use**

Compliance with 145-315; studies required. Peer review at Township discretion.

**H. Environmental Standards**

1. **Noise and Vibration**: Must not cross property lines.
2. **Air Quality**: Must comply with all state and local emissions standards.
3. **Water Supply Feasibility Study**: Required.
4. **Wastewater Plan**: Required and reviewed by Township Engineer/SEO.

**I. Screening and Buffers**

1. **Setbacks**: 300-foot minimum from residential districts.
2. **Buffers**:
   * Must provide 75% visual opacity year-round within 3 years.
   * One evergreen and one deciduous tree every 20 feet of frontage.

Buffer areas must not be used for parking, storage or other non-screening purposes.

1. **Fencing**: Solid fencing. No chain link or barbed wire along public roads. Subject to Township inspection.
2. **Rooftop Equipment**: Must be fully screened or hidden.
3. **Refuse Areas**: Must be fully enclosed.

**J. Design Guidelines**

1. **Facade Design**: Must include articulation every 150 feet (e.g., fenestration, materials change, green wall).
2. **Green Wall**: May substitute for up to 50% of fenestration.
3. **Fenestration Coverage**: 30% minimum on primary façades.

**K. Traffic Impact**

A study shall be submitted to demonstrate traffic impacts are within tolerances and emergency access is ensured. Traffic must not adversely affect local roads.

**L. Hours of Operation for Ancillary Activities**

Non-essential activities (deliveries, maintenance) must occur between 7:00 AM and 7:00 PM, Monday through Saturday.

**M. Community Incentive Package**

1. Applicant must submit a binding Community Incentive Package as part of the application.
2. The Township may require the terms be recorded in a Developer’s Agreement.
3. The community development package should be negotiated, proportional, legally tied to public welfare, education, health or infrastructure improvements.

**N. Emergency Response**

1. **Fire Safety Plan**: Required and must meet NFPA standards.
2. **Battery Storage**: Must comply with NFPA 855.
3. **Hydrants**: Storz fittings required.
4. **Knox Box**: Required on all structures.

**SECTION 4. SEVERABILITY**

If any provision of this Ordinance is found to be unconstitutional or invalid, the remaining provisions shall remain in full force and effect.

**SECTION 5. REPEALER**

All ordinances or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 6. ENFORCEMENT**

Violations are subject to fines per the Second Township Code, Township may recover legal fees, appeal is per the MPC guidelines. Continuous monitor is allowed, and corrective measures are enforceable.

**A Noise & Generator Enforcement**

* 1. Noise monitoring required for generators and turbines, Township may require continuous remote monitoring cost to be borne by owner.
  2. Violations of noise limits of equipment testing times may result in fines and corrective orders.
  3. Sound studies must be conducted by qualified professionals pre- and post-off occupants using ANSI standard meters at the property line.

**B. Fencing/Screening/Buffers**

1.) Fences, mechanical equipment, and refuse areas must remain properly maintained; failure may result in fines and Township-mandated corrections

2.) Landscaping buffers must be maintained; replacement of plaints within 6 months is required.

**SECTION 7. EFFECTIVE DATE**

This Ordinance shall become effective upon enactment and after the expiration of the appeal period pursuant to the Pennsylvania Municipalities Planning Code.

**ORDAINED AND ENACTED this 10 day of October, 2025.**