MANCHESTER TOWNSHIP
YORK COUNTY, PENNSYLVANIA
ORDINANCE NO. 2026-04

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF MANCHESTER TOWNSHIP, PENNSYLVANIA, TO AMEND THE MANCHESTER TOWNSHIP CODE OF ORDINANCES TO DEFINE AND ADD SPECIFIC REQUIREMENTS FOR DATA CENTERS, ENERGY STORAGE SYSTEMS AND THEIR ACCESSORY USES.

WHEREAS, Article VI of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10601, *et seq.*, authorizes the Township of Manchester to enact, amend and repeal Zoning Ordinances within the Township of Manchester; and

WHEREAS, the Township of Manchester deems it to be in the best interest and general welfare of the residents of the Township of Manchester to update and amend provisions of the Manchester Township Zoning Ordinance to provide for Data Centers and Data Center Accessory Uses along with Energy Storage Systems and their Accessory Uses; and

WHEREAS, the Board of Supervisors of the Township of Manchester desires to add provisions to the Zoning Ordinance relating to Data Centers, Energy Storage Systems, and their Accessory Uses; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Supervisors of the Township of Manchester as follows:

Section 1. Section 27-105 of the Township of Manchester Code of Ordinances, entitled Definitions, is amended to add the following definitions:

Data Center: A building or buildings which are occupied substantially 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 and Energy Storage System 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. The use shall not include energy generation systems used or intended to be used to supply power to the Data Center during normal operations.

Energy Storage Systems: Any technology that is capable of absorbing electricity, storing the electricity for a period of time, and redelivering the electricity. This ordinance applies to energy storage systems with a rated nameplate capacity of equal to or greater than 1,000 kilowatts (1 megawatt).

Sensitive Receptors: Residential uses, schools, preschools, daycare centers, in-home daycares, long term care facilities, retirement and nursing homes, community centers, places of worship, parks (excluding trails), campgrounds, prisons, and dormitories.

Section 2. Section 27-903 shall be amended to add:

3. Only the following uses shall be allowed as Conditional Uses within the I District:

   A. Data Center
   B. Energy Storage System

Section 3. Section 27-9A01, Attachment 8 shall be amended to add

42. Data Center
43. Energy Storage System

Section 4. Section 27, Part 13 through Part 16 shall be renumbered.

Section 5. Section 27, Part 13 shall be amended to add:

Conditional Uses

27-1301 Data Center and Data Center Accessory Uses

A. Data Centers may be permitted by conditional use in the Industrial and Heavy Industrial Zoning Districts when approved in compliance with the procedures, standards, and criteria contained in this section.

B. Dimensional standards:
   1. The maximum building height for a Data Center and Energy Storage System shall be 50 feet, inclusive of roof-mounted equipment such as cooling and ventilation systems, HVAC units and cooling towers.
   2. The maximum height of the Accessory Uses shall be no greater than the height of the principal building.
   3. Guard houses only may be permitted in the front yard.
   4. Data Centers, Energy Storage Systems, and Accessory Uses shall be set back 400 feet from the boundary of Agricultural, Residential-Low, Residential-Medium, Residential-High and Office Zoning Districts or the lot line of any property developed with a sensitive receptor.

a. All other dimensional standards can be found in the respective zoning district regulations except for the Industrial District. The side, front, and rear setbacks in the Industrial District shall be 35 feet when abutting a property in the Industrial and Heavy Industrial Districts.

C. **Landscape Buffer** - A landscape buffer is required between Data Centers, Energy Storage Systems, and Data Center Accessory uses and any adjoining Agricultural, Residential-Low, Residential-Medium, Residential-High, and Office Zoning District, sensitive receptor, existing residential uses, or public roadway. The landscape buffer shall comply with the following requirements:

1. The landscape buffer shall be at least 100 feet in width and may be part of the minimum setback distance.

2. Buffer plantings shall consist of Pennsylvania native species planted as follows:

   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 canopy (shade) 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 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 at a 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.

3. In the event that existing vegetation is adequate to meet the intent of the required buffer yard to screen the Data Center, Energy Storage System, and their Accessory Uses from adjoining Agricultural, Residential-Low, Residential-Medium, Residential-High, and Office Zoning District, sensitive receptors, and public roadways, the Zoning Officer, upon recommendation by the Township Engineer and Planning Commission, may determine that existing topography and/or vegetation constitutes all or part of the required buffer yard.

D. **Screening and Fencing**

1. To provide visual screening and reduce noise levels, ground-mounted and roof- mounted equipment used for cooling, ventilating, or otherwise operating the facility, including power generation or other power supply equipment, that is located within 300 feet of a public roadway, Agricultural, Residential-Low, Residential-Medium, Residential-High, and Office Zoning District, 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:

a. The landscape buffer required by subsection (C).

b. By existing vegetation that will remain on the property.

c. 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 with required screening plantings shall be arranged on the outside of the top of the berm.

d. 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.

2. Fencing of the property is permitted, provided that fencing along public and private roadways is not chain-link, with or without slatted inserts, and does not include barbed wire or other similarly visibly intrusive deterrence device. An applicant shall not be required to comply with this requirement if fencing is fully screened from view by one or more of the means identified in subparagraph 1 above. The maximum permitted height for a fence for a Data Center or Energy Storage System is eight feet in any yard provided the fence does not obstruct the clear-sight-triangle and must be installed inside the required landscape buffer plantings.

E. **Noise and Vibration**

1. The applicant shall demonstrate through a sound study conducted by a professional acoustical expert that the sound generated by a Data Center, Energy Storage System, and their Accessory Uses shall be limited to a maximum decibel level of 67 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 phases:

   a. An as-built sound study shall be conducted six months after issuance of the certificate of occupancy and prior to the final escrow release for any land development phase. An as-built sound study may also be required thereafter by the Township of Manchester. If it is determined by the as-built sound study that there is a violation of the aforesaid noise limits, it shall be considered a violation of this Ordinance.

   b. The applicant shall provide a vibration study prepared by a qualified professional that demonstrates that no vibration from the Data Center, Energy Storage System, or associated equipment will be perceptible to the human sense of feeling beyond the property line.

2. All generators shall be kept in a fully enclosed building.

F. **Lighting**

1. The illumination projected onto a residential use shall at no time exceed 0.1 footcandle, measured line-of-sight and from any point on the receiving residential property.
2. The illumination projected onto a non-residential use shall at no time exceed 0.5 initial footcandle, measured line-of-sight from any point on the receiving property.
3. Glare control shall be achieved primarily using such means as cutoff luminaries, shields and baffles, and appropriate application of luminaire mounting height, wattage, aiming angle, and luminaire placement.
4. LED light sources shall have a correlated color temperature that does not exceed 3000K.
5. Luminaries 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.

G. **Water and Sewer**

1. 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.
2. 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 or Energy Storage System 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 or Energy Storage System;
   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;
   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.

k. The applicant shall demonstrate that adequate means of wastewater disposal, including domestic wastewater and wastewater used for cooling or industrial purposes, have been provided and approved by the Sewage Enforcement Officer and/or the Pennsylvania Department of Environmental Protection.

H. **Power Supply**

1. If the applicant proposes to connect the Data Center or the Energy Storage System to the electric grid, the applicant shall provide documentation from the applicable electric service provider certifying that that the necessary capacity is available and that electric service provider will serve the Data Center or Energy Storage System. Known impacts on electric rates or availability for other uses directly attributable to the Data Center or Energy Storage System project shall be noted.

2. 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 approved according to the zoning regulations applicable to such use.

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 local fire department and emergency management services as part of the land development 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;

   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. Any Data Center, or Energy Storage System 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 National Fire Protection Association (NFPA) Standard 855, Installation of Stationary Energy Storage Systems, International Fire Code, 2018, and similar standards and must include fire suppression systems designed specifically for battery storage.

3. No Data Center, or Energy Storage System 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. Each Data Center, or Energy Storage System operation shall provide 24-hour emergency contact signage visible at the access entrance. Signs shall include the company name (if applicable), the owner/representative's name, the telephone number, and the corresponding local power company's name and telephone number.

J. **Parking**

1. Data Centers are to be provided with at least one parking space per 8,000 square feet of floor area designed and intended to be accessible regularly by employees, or one parking space for every one employee, based upon the maximum number of employees on site during the largest shift, whichever is lesser.

K. **Decommissioning.**

1. Applicability

(a) This Section applies to any facility permitted under the Zoning Ordinance that is used primarily as a Data Center.

(b) A Data Center Facility is deemed to have ceased operations when data processing or storage functions (or all server operations) have been discontinued for a continuous period of twenty-four (24) months, and the owner/operator fails to demonstrate to the zoning officer in writing that good faith efforts are underway to resume operations within a reasonable time.

2. Decommissioning Plan

(a) At the time of the land development application the applicant shall submit for review and approval a decommissioning plan. The decommissioning plan shall be updated prior to final land development approval.

(b) The decommissioning plan shall be reviewed by the Township Engineer, recommended by the Planning Commission, if applicable, and approved by the Board of Supervisors as part of the subdivision and land development approval.

(c) Required Contents:

(i) Identification of conditions or events that trigger decommissioning. At a minimum, the conditions that trigger decommissioning shall be twenty-four months of non-operational status with no redevelopment plans submitted for approval within that time period.

(ii) Proposed methods and schedule for removal or beneficial reuse of all structures, equipment, foundations, fencing, impervious surfaces, utility lines, and associated infrastructure.

(iii) Methods for disconnection, capping, or removal of utilities (electric, telecommunications, water, sanitary, storm) and site stabilization.

(iv) Schedule for completing decommissioning and site restoration, including final grading, re-vegetation or landscaping, debris removal, and final inspection.

(v) Site restoration plan showing how disturbed areas will be re-graded, impervious surfaces addressed, and vegetation established.

(vi) Cost estimate prepared, sealed and signed by a professional engineer licensed in Pennsylvania.

(vii) Identification of responsible party(ies), including name, address, contact information, and statement accepting responsibility for decommissioning and restoration.

(viii) Statement describing how financial security will be maintained and updated over time.

3. Financial Security

(a) As a condition of issuance of land development approval, the owner/operator shall post financial security for decommissioning acceptable to the Township Solicitor (e.g., performance bond, irrevocable letter of credit, or escrow account).

(b) The financial security shall equal 110% of the estimated decommissioning cost, without adjustment for salvage value of any equipment, as approved by the Township Engineer.

(c) Security shall remain in effect for the life of the facility and shall be adjusted every five (5) years or sooner if required.

(d) If the owner/operator fails to complete decommissioning and restoration, the Township may draw on the security and undertake the work, recovering any additional costs in accordance with the Pennsylvania Municipalities Planning Code and Township Ordinances.

4. Decommissioning & Restoration Requirements

(a) All above-and below-ground structures, equipment, foundations, fencing, and associated impervious surfaces shall be removed unless the Board of Supervisors approves a reuse plan. Below-ground foundations shall extend to a minimum of three (3) feet below final grade unless approved otherwise.

(b) Utilities. All utilities shall be properly disconnected and capped per applicable codes and standards.

(c) Site Grading/Stabilization. Disturbed areas shall be re0graded to stable slopes and stabilized with sod, groundcover, or native vegetation until fully established.

(d) Vegetation. Disturbed soils shall be revegetated with native species. Buffers and screening shall be restored if required.

(e) Hazardous Materials. All hazardous or regulated materials must be removed and disposed of according to applicable federal, state, and local laws, including PA DEP regulations, with proof of disposal submitted to the Zoning Officer.

(f) Final Inspection/Certification. Upon completion, a Certificate of Restoration shall be submitted to the Zoning Officer. The Township Engineer may inspect and verify completion before releasing financial security.

Section 5: Severability. If any sentence, clause, section, or part of this Ordinance or of the Zoning Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Manchester Township Board of Supervisors that this Ordinance and the Zoning Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 6. Repealer. All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

Section 7. Codification. Pursuant to the Code of Ordinances of Manchester Township and the Pennsylvania Municipalities Planning Code, the Manchester Township Zoning Ordinance shall hereby be codified to incorporate the above-referenced amendments.

Section 8. Effective Date. This Ordinance shall take effect five (5) days after its adoption.

***ADOPTED**, this ___ day of _____ 2026.*

ATTEST:

_____
Timothy R. James, Secretary

MANCHESTER TOWNSHIP
BOARD OF SUPERVISORS

_____
Rodney K. Brandstedter, Supervisor

_____
Craig M. Miller, Supervisor

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Debra K. McCune, Supervisor

_____
Harry Long, Jr., Supervisor

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David J. Chiaverini, Supervisor