

**STROUD TOWNSHIP
MONROE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2025-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF STROUD TOWNSHIP, MONROE COUNTY, PENNSYLVANIA, AMENDING THE STROUD TOWNSHIP ZONING ORDINANCE TO ADD DEFINITIONS FOR DATA CENTERS AND DATA CENTER ACCESSORY USES, TO PERMIT DATA CENTERS BY CONDITIONAL USE IN THE M-1 INDUSTRIAL ZONING DISTRICT, AND TO ESTABLISH SUPPLEMENTAL STANDARDS FOR THESE USES.

CERTIFICATION

I hereby certify that the attached Ordinance is a true and correct copy of an Ordinance enacted by the Board of Supervisors of Stroud Township, Monroe County, Pennsylvania, on the _____ day of _____, 2025.

(TOWNSHIP SEAL)

STEPHEN T. FYLSTRA, Township Manager
Stroud Township
1211 North Fifth Street
Stroudsburg, PA 18360

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WHEREAS, the Board of Supervisors (“Board”) of Stroud Township (“Township”) previously adopted a comprehensive compilation of ordinances entitled “The Township of Stroud Code of Ordinances” (“Code”);

WHEREAS, in accordance with § 1-109 of the Code, all ordinances passed subsequent to the adoption of the Code, which amend, repeal or in any way affect the Code, shall be numbered in accordance with the numbering system of the Code and incorporated into the Code;

WHEREAS, The Pennsylvania Second Class Township Code authorizes a board of supervisors to make and adopt ordinances that are necessary for the proper management, care and control of the township, and to maintain the health and welfare of the township and its citizens. See 53 P.S. § 66506 (“General Powers”).

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

WHEREAS, the Board deems it to be in the best interest and general welfare of the residents of the Township to update and amend provisions of the Township’s Zoning Ordinance to provide for Data Centers and Data Center Accessory Uses; and

WHEREAS, the Board desires to add provisions to the Zoning Ordinance relating to Data Centers and Data Center Accessory Uses;

NOW, THEREFORE, BE IT ORDAINED and ENACTED by the Board as follows:

SECTION 1. LEGISLATIVE INTENT AND FINDINGS.

The Board of Supervisors finds and states as follows:

- (1) The Pennsylvania Municipalities Planning Code authorizes the Township to regulate land uses, enact zoning regulations, and amend zoning ordinances to promote public health, safety, and welfare.

- (2) The Township’s zoning ordinance does not currently define Data Centers or Data Center Accessory Uses, nor does it establish clear standards for these technologically intensive uses.
- (3) These uses have the potential for significant impacts related to noise, buffering, water usage, electricity demand, emergency response, and compatibility with adjoining land uses.
- (4) The M-1 Industrial Zoning District is the most suitable district for Data Centers, provided the use is subject to conditional use review and supplemental standards to ensure compatibility with nearby properties and consistency with Township planning goals.
- (5) The Board finds that the amendments adopted through this Ordinance are consistent with good planning practice and necessary to protect the public health, safety, and welfare.

SECTION 2. AMENDMENT TO PART 2 – DEFINITIONS.

Part 2 of the Stroud Township Zoning Ordinance, “Interpretation and Definitions,” is amended to include the following new definitions in alphabetical order:

DATA CENTER: A building or group of buildings used primarily for housing computer servers, data-processing equipment, blockchain validation equipment, or telecommunications equipment for the storage, management, or transmission of digital information to or from off-site locations. The term includes cryptocurrency mining, blockchain processing, and server farms. The term does not include information-technology equipment that is secondary and customarily incidental to another primary use of the property. A Data Center may include Data Center Accessory Uses.

DATA CENTER ACCESSORY USE: A use or structure customarily incidental and subordinate to a Data Center, including administrative offices; security facilities; fiber-optic and utility buildings; switchgear; emergency generators; cooling systems; water-storage and pumping facilities; fire-suppression and environmental-control equipment; or similar mechanical or electrical support facilities located on the same lot or unified development tract. A Data Center Accessory Use does not include any energy-generation system used to provide normal operating power.

SENSITIVE RECEPTOR: For purposes of § 27-509, a Sensitive Receptor includes any residential use; school; preschool; daycare center; in-home daycare; long-term-care facility; retirement home; nursing home;

community center; place of worship; park (other than trails); campground; prison; or dormitory.

SECTION 3. AMENDMENT OF SCHEDULE 27-I (USE TABLE).

Schedule 27-I, “Regulations Governing the Use of Land,” is amended by inserting the following use classifications under the Manufacturing category or another comparable category determined by the Zoning Officer:

| Land Use Activity | O-1 | S-1 | R-1 | R-2 | R-3 | C-1 | C-2 | C-3 | C-4 | M-1 | STR |
|---------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Data Center | | | | | | | | | | C | |
| Data Center Accessory Use | | | | | | | | | | A | |

For purposes of this Schedule, “A” means permitted accessory use only when incidental and subordinate to a principal Data Center use located on the same lot or unified development tract.

SECTION 4. AMENDMENT TO PART 5 – SUPPLEMENTAL REGULATIONS.

Part 5 of the Zoning Ordinance is amended to add the following new section:

§ 27-509. Data Centers and Data Center Accessory Uses.

A. **Applicability.** This section applies to all Data Centers and Data Center Accessory Uses. A Data Center is permitted only by Conditional Use in the M-1 Industrial District. A Data Center Accessory Use is permitted only when incidental and subordinate to a principal Data Center use on the same lot or tract.

B. **Dimensional Requirements.**

- (1) All dimensional requirements, including height, setbacks, impervious coverage, and lot area, must comply with the standards of the M-1 Industrial District under Part 4.
- (2) A Data Center and any Data Center Accessory Use must maintain a minimum setback of 200 feet from any lot line adjoining a Residential Zoning District or any lot containing a Sensitive Receptor.
- (3) Accessory structures may not exceed the height of the principal building.
- (4) *Purpose of Setback.* The 200-foot setback is necessary to reduce continuous noise, vibration, and heat-exchange impacts generated by Data Center operations and to protect nearby residences and Sensitive Receptors from round-the-clock mechanical activity.

C. Landscape Buffer.

- (1) A Data Center must comply with all applicable Township landscaping and buffer requirements, including § 27-602 (Buffer Yard Requirements), § 27-603 (Landscaping Requirements), and any applicable requirements in the Subdivision and Land Development Ordinance.
- (2) Relationship to Other Standards. If the requirements of § 27-602 or § 27-603 conflict with the supplemental requirements of this section, the more restrictive standard applies.
- (3) In addition to those requirements, a landscape buffer at least 25 feet wide must be provided along any lot line adjoining a Residential Zoning District, Sensitive Receptor, or public roadway.
- (4) The buffer must include:
 - (a) One large evergreen tree per 25 linear feet;
 - (b) One deciduous canopy tree per 75 linear feet;
 - (c) One ornamental or flowering tree per 50 linear feet;
 - (d) Five shrubs per 25 linear feet, at least 50% evergreen.
- (5) Existing vegetation may satisfy some or all of these requirements when the Township Engineer determines that the existing vegetation provides adequate screening.

D. Screening and Fencing.

- (1) Ground-mounted and roof-mounted mechanical equipment located within 300 feet of a public roadway, Residential Zoning District, or Sensitive Receptor must be fully enclosed or screened from view. Screening may include:
 - (a) Required or existing vegetation;
 - (b) The principal building;
 - (c) An accessory building;
 - (d) A berm at least five feet high;
 - (e) A visually solid fence or wall using materials compatible with the principal building.

- (2) *Feasibility Alternative.* If full enclosure of specific mechanical equipment is not technically feasible based on manufacturer specifications or equipment safety standards, the applicant may propose an alternative screening method. The alternative must provide an equivalent level of visual mitigation and noise reduction and must satisfy the intent of this section.
- (3) Fencing along public or private roadways may not consist of chain-link fencing unless it is fully screened.

E. Noise.

- (1) Noise from a Data Center or Data Center Accessory Use during normal operations must not exceed:
 - (a) 67 dBA during daytime (7:00 a.m.–8:00 p.m. Monday–Friday);
 - (b) 57 dBA during nighttime (8:00 p.m.–7:00 a.m. Monday–Friday) and all day Saturday and Sunday, measured at the property line.
- (2) A sound study prepared by a qualified acoustical professional must be provided at the following stages:
 - (a) Preliminary study during conditional-use or land-development review;
 - (b) Interim study during building-permit review;
 - (c) As-built study approximately six months after issuance of the certificate of occupancy.
- (3) These limits do not apply during power outages, but the study must evaluate expected emergency-generator noise levels.

F. Vibration. A vibration study prepared by a qualified professional must demonstrate that no continuous vibration is perceptible to the human sense of feeling at any property line. For purposes of this section, “perceptible vibration” means ground vibration exceeding 0.01 inches per second peak particle velocity (PPV) measured at the property line.

G. Water Supply and Wastewater.

- (1) If public water is proposed, written confirmation of service availability from the public water provider must be submitted.
- (2) If nonpublic water sources are proposed, a water feasibility study must be submitted containing:

- (a) Projected water demand;
 - (b) Source of water;
 - (c) Description of water use and recycling;
 - (d) Long-term safe yield;
 - (e) Locations of existing wells within 1,000 feet;
 - (f) Nearby surface waters;
 - (g) Evaluation of potential impacts on groundwater and surface water.
- (3) DRBC approval is required when applicable under DRBC regulations.
 - (4) Adequate wastewater disposal must be demonstrated to the satisfaction of the Sewage Enforcement Officer and/or the Pennsylvania Department of Environmental Protection.

H. Power Supply.

- (1) If the facility will connect to the electrical grid, written confirmation of available electrical capacity must be provided by the electric utility.
- (2) Any energy-generation facility intended to provide normal operating power is treated as a separate principal use under Schedule 27-I and must comply with all zoning requirements applicable to that use.

I. Emergency Response Planning.

- (1) The applicant must submit an Emergency Response Plan (ERP) prepared by a qualified professional.
- (2) The plan must be reviewed by the Township Fire Chief or designee and must address:
 - (a) Fire suppression;
 - (b) Containment;
 - (c) Ventilation;
 - (d) Evacuation;
 - (e) Emergency access;

- (f) Hydrant locations;
 - (g) Coordination and training with local emergency responders.
- (3) *ERP Approval Standard.* The Emergency Response Plan must provide sufficient information for emergency responders to understand access, suppression, containment, evacuation, and coordination procedures. The Fire Chief may require revisions only when necessary to ensure safe emergency access, adequate water supply, and effective fire-suppression operations.
- (4) Any battery-storage system must comply with NFPA 855 or an equivalent recognized standard.
- (5) Emergency access and fire-protection features must also comply with the Township Fire Protection regulations in Part 10.
- (6) *Relation to Building Code.* Nothing in this section is intended to supersede or conflict with the Pennsylvania Uniform Construction Code or any adopted building, mechanical, or fire code. Any operational or construction requirements established by this section apply only to land-use impacts and review under this zoning ordinance.
- J. **Building Design.** Any building façade facing a public roadway, Residential Zoning District, or Sensitive Receptor must incorporate at least two of the following every 150 feet:
- (1) A change in material, pattern, texture, or color;
 - (2) A change in height;
 - (3) A recess or step-back of at least five feet.
- K. **Parking.** Parking must comply with § 27-611, except that a Data Center must provide:
- (1) One parking space per 8,000 square feet of floor area intended for regular employee access, or
 - (2) One space per employee on the largest shift,
 - (3) whichever results in fewer required spaces.

SECTION 5. SEVERABILITY. If any part of this Ordinance is held to be invalid or unconstitutional, the remaining portions remain in full force and effect. The Board intends that this Ordinance would have been adopted even if any invalid part had been omitted.

SECTION 6. REPEALER. All ordinances or ordinance provisions inconsistent with this Ordinance are repealed to the extent of the inconsistency.

SECTION 7. CODIFICATION. The Township directs that the amendments set forth in this Ordinance be codified into the Stroud Township Code of Ordinances and Zoning Ordinance.

SECTION 8. EFFECTIVE DATE. This Ordinance takes effect 5 days after enactment.

ORDAINED AND ENACTED into an Ordinance at a regular meeting of the Board of Supervisors of Stroud Township, Monroe County, Pennsylvania this ____ day of _____, 2025.

TOWNSHIP OF STROUD

JENNIFER SHUKAITIS, Chairwoman
and Secretary

EDWARD C. CRAMER, Vice Chairman
and Assistant Treasurer

SUSAN LYONS, Supervisor
and Assistant Secretary

(TOWNSHIP SEAL)

MANAGER'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 2025-____
enacted by a majority vote of the Board of Supervisors of Stroud Township at a properly
advertised meeting of such Supervisors duly held on _____, 2025. Present at the
meeting were, and a record of their vote was, as follows:

| Name | Present | Aye | Nay |
|--------------------|--------------------------|--------------------------|--------------------------|
| Jennifer Shukaitis | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Edward C. Cramer | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Susan Lyons | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Further, be it certified that public notice of said meeting was given in the manner provided
by law; that said Ordinance shall be duly recorded upon the Minutes of Stroud Township, has not
been amended or rescinded, and is in full force and effect this ____ day of _____,
2025.

Dated: _____

Stephen T. Fylstra, Township Manager