

POCONO TOWNSHIP
MONROE COUNTY, PENNSYLVANIA

ORDINANCE NO. 2026 -07

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF
POCONO, MONROE COUNTY, PENNSYLVANIA AMENDING ORDINANCE NO. 110
THE POCONO TOWNSHIP ZONING ORDINANCE, CHAPTER 470
"ZONING", OF THE TOWNSHIP OF POCONO'S CODE OF ORDINANCES,
AS AMENDED, BY ADDING THE POCONO DATA CENTER OVERLAY ZONING
DISTRICT AND CORRESPONDING POCONO TOWNSHIP DATA CENTER OVERLAY
DISTRICT ZONING REGULATIONS AND REPEALING ALL ORDINANCES
INCONSISTENT HEREWITH**

WHEREAS, Pocono Township's Code of Ordinances; Chapter 470 *Zoning* (the "Ordinance"), § 470-125 *Amendments* provides "The provisions of this chapter and boundaries of zoning districts as set forth on the Official Zoning Map may from time to time be amended or changed by the governing body of the municipality."; and

WHEREAS, Ordinance § 470-11 *Amendments* provides "If, in accordance with the provisions of this chapter and the Pennsylvania Municipalities Planning Code, as amended, changes are made in district boundaries or other matters portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the Township Commissioners."

WHEREAS, the governing body, the Board of Commissioners of the Township of Pocono, Monroe County Pennsylvania (the "BOC") seeks to enact amendments to the Ordinance by adding the Pocono Township Data Center Overlay Zoning District to its Zoning Map and Zoning Districts with corresponding district regulations; and

WHEREAS, the BOC finds that the proposed amendments will promote, protect and facilitate the public health, safety and welfare; and

WHEREAS, pursuant to § 609 of the Pennsylvania Municipalities Planning Code , 53 P.S. § 10609, the Township of Pocono Monroe, County, Pennsylvania (the "Township") is authorized and empowered to enact amendments to the Ordinance after public hearing thereon pursuant to public notice and posting of the subject properties by the Township; and

WHEREAS, the BOC has conducted a public hearing pursuant to the public notice concerning the following amendments to the Ordinance; and

WHEREAS, after public hearing pursuant to public notice, the BOC desires to ordain and enact the amendments to the Ordinance set forth hereinafter.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Commissioners of the Township of Pocono, Monroe County, Pennsylvania, as follows:

SECTION I. Chapter 470 *Zoning*; Article II *Terminology*; § 470-8 *Definitions* is amended by adding the following:

“ARTIST’S RENDERING: A visual depiction, such as a drawing or digital image, created to represent the proposed design, appearance, and spatial arrangement of a building, structure, or development project. This rendering is utilized for planning and communication purposes to convey the envisioned outcome prior to actual construction or implementation.

BUFFER YARD: A designated area situated along the perimeter of a property, composed of natural vegetation, planted landscaping, or a combination thereof, designed to physically and visually obscure, separate, or screen differing uses, features, or zoning districts. Also termed a landscape buffer.

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. The use shall not include energy generation systems used or intended to be used to supply power to the Data Center during normal operations.

ELECTRICAL SUBSTATION: A facility that converts high-voltage electrical power from the utility grid to lower voltages appropriate for use operations. It includes transformers, circuit breakers, busbars, protective devices, switchgear, and related equipment designed to ensure a stable and efficient power supply, meeting the specific energy requirements of the use.

FAÇADE: The exterior walls of a building exposed to public view or that will be viewed by persons not within the building.

FENESTRATION: The design, arrangement, and proportion of openings in a building's exterior, including, but not limited to windows, doors, skylights, and curtain walls. These elements

contribute to the building's aesthetics, natural light, ventilation, and energy performance, and are subject to specific standards and criteria within the ordinance.

MAIN ENTRANCE FEATURE: A prominent architectural element or combination of elements that visually and functionally designates the primary point of access to a building or structure. This feature may include, but is not limited to, doorways, landscaping, signage, vestibules, porticos, canopies, and decorative lighting.

SENSITIVE RECEPTOR: Sensitive receptors shall be defined as 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 II. Chapter 470 *Zoning*; Article III *Zoning Map and Zoning Districts*; § 470-14 *List of Districts* is amended by adding the following:

“DC Data Center Overlay District”

SECTION III. Chapter 470 *Zoning*; Article III *Zoning Map and Zoning Districts* is hereby amended by amending the existing Zoning Map, as revised, by adding the Data Center Overlay District designation upon the following six (6) Monroe County Tax Parcels in the Township of Pocono, Monroe County, Pennsylvania: 12.7.1.27 (83 acres); 12.10.42-1 (39 acres); 12.10.1.41 (41 acres); 12.7.1.23 (42 acres); 12.7.1.25 (35 acres); and, 12.7.1.22 (35 acres) as shown on the map attached hereto as **Exhibit “A”**.

SECTION IV. Chapter 470 *Zoning*; Article IV *Basic District Regulations*; is amended by adding the following:

“§ 470-22.4 DC Data Center Overlay District.

A. Applicability.

1. Data Centers shall be permitted by Conditional Use in the DC Data Center Overlay District as designated on the DC Data Center Overlay District on the official Zoning Map.

2. This § 470-22.4 applies to any Data Center proposed after the effective date of this chapter.

3. Any upgrade, modification, or structural change that materially alters the size or placement of an existing Data Center shall comply with the provisions of this § 470-22.4.

4. In the case of a Data Center use, for any lot or property, or portion thereof, within the DC Overlay District, the regulations of said overlay district shall supersede any regulations of the underlying district which are in conflict with those of this § 470-22.4.

B. Dimensional Standards.

1. Lot, yard, and height requirements. All lot, yard, and height requirements shall be the same as those within the underlying zoning district, except that where a conflict exists, the requirements of this section § 470-22.4 shall apply.

2. The maximum building height for a Data Center shall be 60 feet, inclusive of roof-mounted equipment such as cooling and ventilation systems, HVAC units, and cooling towers.

3. The maximum height of a Data Center Accessory Use shall be no greater than the height of the principal building.

4. Data Centers and Data Center Accessory Uses shall be set back 200 feet from the boundary of any residential zoning district, an existing residential use, or the lot line of any property developed with a sensitive receptor.

C. Aesthetics.

1. Main Entrance Feature. At least one Main Entrance Feature shall be provided. Such Main Entrance Features shall either project or recess from the main building plane, and/or be differentiated from the remainder of the building façade by a change in building material. Landscaping of the main entrance feature is encouraged.

2. Building Facades and Fenestration.

a. Provide evidence of compliance with the standards and criteria for aesthetics which shall also include the submission to the Township of an artist's rendering(s) and must also include elevations. When the use is located adjacent to residential districts or sensitive receptors, the artist's rendering(s) must also depict evidence of compliance with the screening, fencing, and landscape buffer regulations.

b. Principal building façades. Principal building façades shall include all building façades that face adjacent public roads, adjacent residential use, or adjacent residentially zoned land. When a building has more than one principal façade, such principal building façades shall be consistent in terms of design, materials, details, and treatment. Principal building façades shall avoid the use of undifferentiated surfaces by including the following design elements use and incorporating at least two of the following design elements every 150 horizontal feet:

i. Fenestration (windows) on a minimum of 30% of the principal façade surface area located in separated individual placements or clustered bays and distributed horizontally and vertically across the principal facade;

ii. A change in building material, pattern, texture, color, or accent materials;

iii. A change in building height;

iv. Building step-back. The building envelope shall provide a step-back of no less than 15 feet from the building wall at a height point that begins at the top of the second story of the building or 40 feet, whichever of the two is lower.

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, residential zoning district, or the lot line of any sensitive receptor(s) 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 and/or use of existing vegetation that will remain on the property as required by subsection F.

b. By the principal Data Center or accessory building.

c. An earthen berm having 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 native shrubs and a well-maintained all season natural ground cover. Any required screening plantings shall be arranged on the outside and 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 the landscape buffer section.

E. Landscape Buffer.

1. A landscape buffer (also termed a buffer yard) is required between a Data Center or Data Center Accessory Use and any adjoining residential zoning district, an existing residential use, a sensitive receptor, or a public roadway. The landscape buffer shall comply with the following requirements:

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

b. Landscape buffer plantings shall consist of native species planted as follows:

- i. One (1) large evergreen tree per 25 linear feet of buffer.
- ii. One (1) deciduous canopy (shade) tree per 75 linear feet of buffer.
- iii. One ornamental/flowering tree per 50 linear feet of buffer.
- iv. Five (5) shrubs per 25 linear feet of buffer. Shrubs shall be a combination of evergreen and deciduous species, with a minimum of 50% being evergreen.

c. Trees shall comply with the requirements of §390-55G. The use of tree species selected from the List of Acceptable Plants in §390-55H is required.

2. In the event that existing vegetation is partially or fully adequate to meet the intent of the required landscape buffer yard to screen the Data Center and/or Data Center Accessory Use from adjoining residential zoning districts, existing residential uses, sensitive receptors, and public roadways, the Board of Commissioners, upon recommendation by the Township Engineer and Planning Commission, may determine that existing topography and/or vegetation constitutes all or part of the required landscape buffer yard. That area of vegetation shall be clearly specified and shown on all the submitted plats. If the final plat is approved, the Township Engineer and the applicant shall meet on site prior to the commencement of construction and/or clearing to identify exactly which existing trees meet the criteria, to be credited toward the requirements.

F. Water and Sewer.

1. Water and sewerage facilities shall comply with all other applicable provisions of this Chapter 470, Zoning, Chapter 333, Sewers and Sewage Disposal, Chapter 439, Water, Chapter 390 Subdivision and Land Development, and all other applicable provisions of the Code of Pocono Township and other local, state, and federal regulations.

2. The use of recycled wastewater or other source of non-potable water for cooling and/or other mechanical operations is strongly encouraged.

3. No Data Center shall be approved unless the applicant demonstrates that the anticipated water supply yield is sufficient for the Data Center and that the proposed water withdrawals and discharges will not adversely impact the quantity or quality of surface or groundwater waters in the watershed including, but not limited to, neighboring wells.

4. 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.

5. If the use is to rely upon nonpublic sources of water, the applicant shall provide a water feasibility study prepared by a qualified professional. 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;
- 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.

6. The applicant shall provide proof of review and approval from the Delaware River Basin Commission 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 the Delaware River Basin; or
- b. Any consumptive water use of 20,000 gpd or more over a 30-day average from any water source.

7. 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.

G. Power.

1. If the applicant proposes connecting a Data Center or Data Center Accessory Use to the electric grid, the applicant shall provide documentation from the applicable electric service provider certifying that the necessary capacity is available, and that electric service provider will serve the Use(s). Known impacts on electric rates or availability for other uses directly attributable to the Use(s) shall be noted and evaluated.

2. Any energy generation system designed or used to supply power directly to a Data Center, or Data Center Accessory Use during normal operations, including solar, wind, fossil fuel, or nuclear energy generating systems, shall not be considered part of the Data Center or Data Center Accessory Use. Such systems shall be considered a separate use and shall be approved according to the zoning regulations applicable to such use.

3. No electrical disturbances which adversely impact the operation of any equipment beyond the property line shall be permitted.

H. 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 conditional use and/or 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 or Data Center Accessory Use.

2. Any Data Center or Data Center Accessory 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, or similar standards and must include fire suppression systems designed specifically for battery storage.

3. No Data Center or Data Center Accessory Use 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. There shall be a 24-hour emergency contact signage located conspicuously at the access entrance(s) to the facility. The signage shall include the facility company name, owner/representative name, telephone number, and the local power company's name and telephone number.

I. Noise.

1. The applicant shall demonstrate through a sound study conducted by a professional acoustical expert that the sound generated by a Data Center and/or Data Center Accessory Uses during normal operations shall be limited to a maximum daytime (7:00 a.m. to 8:00 p.m. Monday-Friday) decibel level of 67 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 57 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. A preliminary sound mitigation report shall be prepared as part of the Conditional Use process. The report shall include recommended sound reducing materials or systems as needed to meet the aforesaid sound limits.

b. An interim report shall be submitted during the building permit approval process based upon the proposed user or users of the Data Center and Data Center Accessory Uses depicted on the building plans. Any sound reducing materials or systems recommended by the interim report shall be incorporated into the construction plans for the use prior to the issuance of the building permit.

c. An as-built sound study shall be conducted prior to issuance of the permanent certificate of occupancy. An as-built sound study may also be required thereafter by the Township. 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.

2. Maximum decibel levels specified herein shall not apply during times of power outage, however the sound studies shall also evaluate and report anticipated decibel levels when all emergency power generation equipment is running, including backup generators.

3. Equipment Testing Times. Generator Testing Adjacent to Residential Zoning Districts or sensitive receptor(s). For any Data Center and/or Data Center Accessory Use

located on a parcel adjacent to property with existing residential development, a sensitive receptor, or a residential zoning district, the following standard applies to generator testing:

a. Generator testing is limited to between 7:00 a.m. and 5:00 p.m. during all months of the year.

b. Except for generator testing or commissioning activities, generator use shall otherwise be limited to backup/emergency use only.

J. Lighting and Heat.

1. Outdoor Lighting and Glare: This use(s) shall comply with the lighting regulations in Chapter 390-56 Lighting.

2. No direct or reflected glare, or measurable heat, from any source shall be perceptible at or beyond the property line of the property on which the use is located.

K. Emissions and Ground Vibrations.

1. The emission of any smoke, odorous gases, other odorous matter, or steam in quantities perceptible at or beyond the property line of the property on which the use is located shall be prohibited.

2. Every Data Center and/or Data Center Accessory Use shall be operated so that ground vibration inherently and recurrently generated is not perceptible, without instruments, at any point along the property line of the property on which the use is located.

3. An as-built vibration study prepared by a qualified professional that demonstrates that no vibration from the Data Center, Data Center Accessory Use(s), or associated equipment will be perceptible to the human sense of feeling beyond the property line shall be conducted prior to issuance of the permanent certificate of occupancy. An as-built vibration study may also be required thereafter by the Township.

L. Radioactivity. Activities which emit dangerous or harmful radioactivity are prohibited.

M. Outdoor Storage. Outdoor storage spaces must be located behind a visually solid evergreen tree screen, where the size of large evergreen trees shall be a minimum of six (6) feet in height at the time of planting or a six (6) foot-high solid visual screening fence, such as a wooden fence.

N. Parking. Parking shall be provided in accordance with 470-34 for a “manufacturing and industrial use” unless the applicant can demonstrate, to the satisfaction of the Board of Commissioners, that a lesser number is adequate for this use.

O. Decommissioning.

1. For a Data Center or Data Center Accessory Use, it is the facility owner's responsibility that at the end of the project life or active use of the facility as a Data Center or Data Center Accessory Use the site must be restored to a condition that existed prior to the project or the facility altered in a manner that will allow for a beneficial reuse of the property. This would involve the removal of all equipment, structures, containment ponds, etc. that are no longer in use or cannot be reasonably reused.

2. A decommissioning agreement will be required to be executed between the Township and the facility owner to ensure the requirements within this section are met within twelve (12) months of the date at which the facility ceases to operate as a Data Center or Data Center Accessory Use.

3. Following Subdivision and Land Development approval, the facility owner shall be required to post financial security in the event the facility owner fails to abide by Subsections O.1-2 above.

SECTION V. REPEALER Any existing ordinances or parts of ordinances in conflict with this Ordinance, to the extent of such conflict and no further, are hereby repealed.


SECTION VI. SEVERABILITY If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word in this Ordinance is declared invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of the Ordinance.

SECTION VII. ENACTMENT This Ordinance shall be effective within five (5) days and shall remain in force until modified, amended or rescinded by Pocono Township, Monroe County, Pennsylvania.

ENACTED AND ADOPTED by the Board of Commissioners this 22 day of April, 2026.

ATTEST:

**TOWNSHIP OF POCONO,
MONROE COUNTY,
PENNSYLVANIA**


Krisann MacDougall
Township Asst. Secretary


ELLEN GNANDT
President, Board of Commissioners

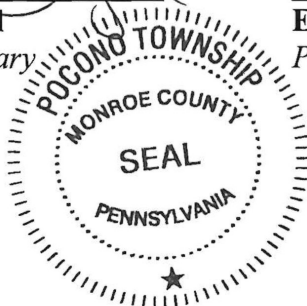
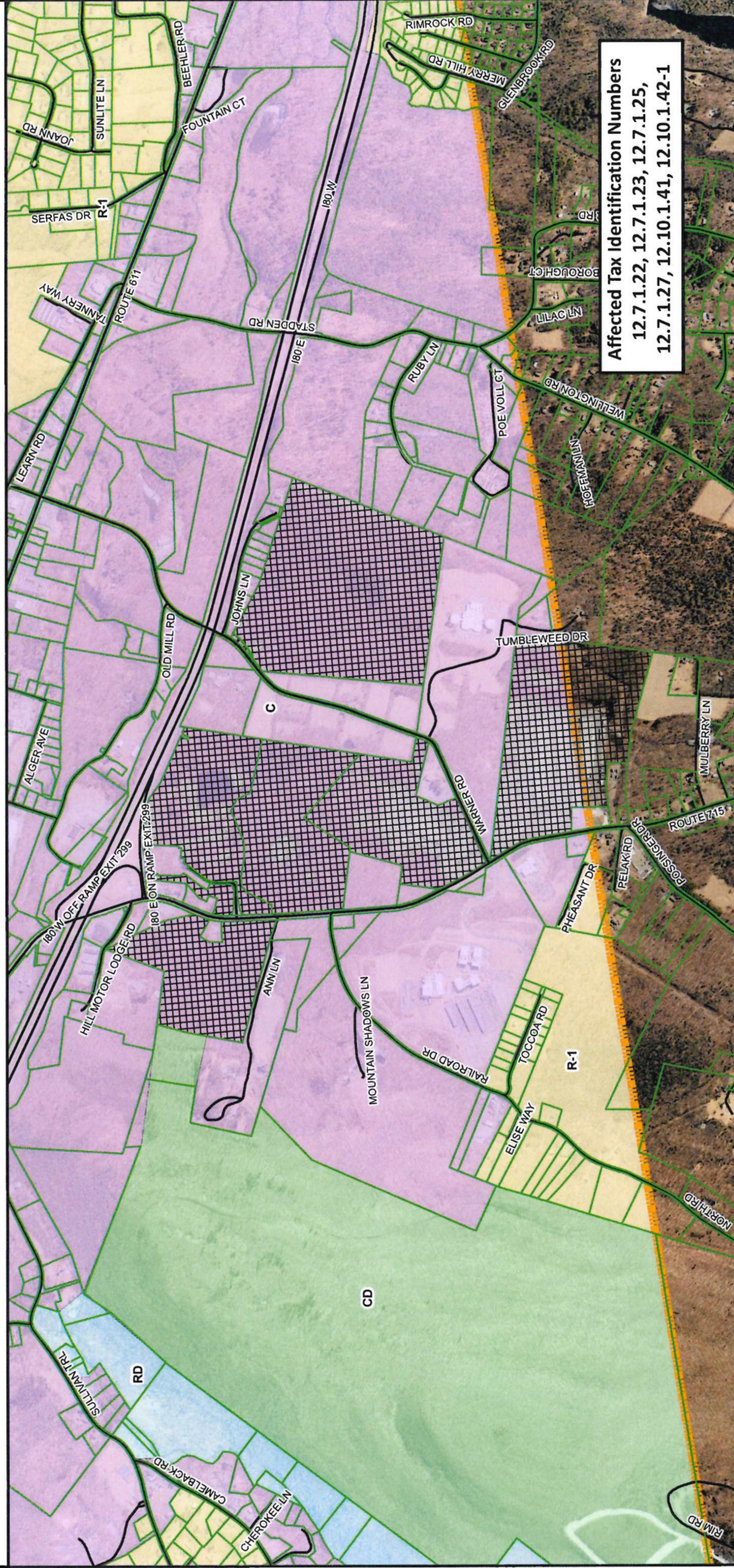


EXHIBIT “A”

POCONO TOWNSHIP DATA CENTER OVERLAY DISTRICT ZONING MAP AMENDMENT - POCONO TOWNSHIP - MONROE COUNTY - PENNSYLVANIA

DRAFT



Affected Tax Identification Numbers
 12.7.1.22, 12.7.1.23, 12.7.1.25,
 12.7.1.27, 12.10.1.41, 12.10.1.42-1

PREPARED BY:
 Monroe County
 Planning Commission
 701 Main Street, Suite 405
 Stroudsburg, PA 18360
 (570) 517-3100
 mcpc@monroecountypa.gov
 March 2026
 26-008

- R-1
- RD
- CD
- Data Center Overlay District
- Parcel Boundaries
- C



The County of Monroe makes no express or implied warranties concerning the release of this information. The County of Monroe is unaware of the use or uses to be made of this data. Consequently, the County of Monroe does not warrant this data as fit for any particular purpose.

