

**Vandling Borough, Lackawanna County  
Pennsylvania**

**Ordinance #1 of 2026**

**WHEREAS**, the Borough of Vandling, Pennsylvania, is authorized pursuant to the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended) to regulate zoning and land use within its jurisdiction; and

**WHEREAS**, the Borough recognizes the increasing demand for digital infrastructure and the need to accommodate and regulate the establishment of data centers in a manner that ensures compatibility with surrounding land uses and protects public health, safety, and welfare; and

**WHEREAS**, the Borough Council finds it in the best interest of the community to provide clear definitions, zoning standards, and performance criteria for the development of data centers within the Borough.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Council of the Borough of Vandling, Pennsylvania:

The following definitions will be added to the Borough Zoning Code:

**Data Center**

A building or buildings occupied primarily by computers and/or telecommunications and related equipment where digital information is processed, transferred, and/or stored, primarily to and from off-site locations. A Data Center is a facility used to house computer systems and associated components such as telecommunications and storage systems.

This use shall include cryptocurrency mining, block chain transaction processing, and server farms, and may include Data Center Accessory Uses as defined herein.

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 office, retail, or residential uses.

**Data Center Accessory Use**

Uses or structures that are secondary and incidental to a Data Center, including but not limited to: administrative, logistical, fiber-optic, storage, and security buildings or structures; electrical substations; utility lines; generators used solely for emergency backup power; domestic and non-contact cooling water facilities; wastewater treatment facilities; pump stations; water towers; environmental controls (air-conditioning, cooling towers, fire suppression); and security features.

All Data Center Accessory Uses shall be located on the same tract or assemblage of adjacent parcels developed as a unified Data Center development. Accessory uses shall not include energy-generation systems intended to supply power to the Data Center during normal operations.

### **Backup Generators**

Natural gas, diesel, hydrogen fuel cell, power storage system, or other non-coal-fired equipment used to generate electricity only during power outages, natural disasters, or similar emergency events, and for required testing and exercising. Backup Generators shall not be used to supply power during normal operations.

### **Data Center Campus**

All real estate under common ownership or control that comprises one or more Data Centers, Data Center Accessory Uses, Backup Generators, preserved land, and undeveloped land, developed as a unified project.

### **Small Modular Reactor (SMR)**

A small nuclear fission reactor designed to be manufactured off-site and installed at a location to provide energy to buildings or commercial operations. SMR designs may include pressurized water, Generation IV, thermal-neutron, fast-neutron, molten-salt, and gas-cooled reactor models. An SMR must be fully licensed and permitted by the Nuclear Regulatory Commission (NRC) and may only be considered by Special Exception approval.

### **Data Center Park**

A development consisting of multiple Data Centers and/or Data Center Accessory Uses located on a parent tract that is subdivided or developed under a unified land development plan with shared infrastructure, access, utilities, storm water facilities, and common areas.

Data Centers shall be permitted by Special Exception Use in the following zoning districts:

1. M-1 Light Industrial District
2. M-2 Heavy Industrial District

## **SUPPLEMENTAL REGULATIONS GOVERNING SPECIAL EXCEPTION AND CERTAIN OTHER USES**

### **Data Centers**

In addition to the general criteria for Special Exceptions applications for Data Centers shall comply with the following:

### **Height**

A. Principal and accessory structures shall comply with applicable height limits set forth in:  
 • Regulations Governing the Size of Lots, Yards, and Buildings for Permitted Nonresidential Zones.

B. Requests to exceed maximum height limits shall require a variance. The applicant shall be responsible for all additional safety equipment required due to increased height.

**C. Setbacks**

Type of Use	Minimum Lot Area (Sq. Ft)	Minimum Lot Width (Ft)	Maximum Structure Height (Ft)	Minimum Front Yard Setback (Ft)	Minimum Side Yard (each) Setback(Ft)	Minimum Rear Yard Setback (Ft)
Data Center				500	500	500

**Water and Sewer Service**

1. The applicant shall provide a service letter from local water utility company providing capacity is available and service can be provided.
2. The applicant shall provide a service letter from local sanitary sewer conveyance utility company providing capacity is available and service can be provided.
3. The applicant shall submit an analysis of raw water needs (groundwater or surface water) from either private or public sources conducted by certified hydrologist indicating quantity of water required. At the request of the Borough, which the Borough can request at any time, the Developer shall fund a water study to be conducted on behalf of the Borough by an entity selected by the Borough.
2. The Applicant shall provide a water feasibility study to determine if there is an adequate supply of water for the proposed Data Center and to estimate the impact of the Data Center on existing wells in the vicinity within one thousand (1000) feet of all external property lines. No Data Center shall be approved without sufficient water supply and no Data Center shall be approved that demonstrates a likelihood of adverse impacts on existing wells in the vicinity. The water feasibility study(s) shall include the following minimum information:
  - a. Calculations of the projected water needs.
  - b. A geologic map of the area with a radius of at least one mile from the site.

- c. The location of all existing and proposed wells within 1,000 feet of the site, with a notation of the capacity of all high-yield wells.
- d. The location of all streams within 1,000 feet of the site and all known point sources of pollution.
- e. Based on the geologic formation(s) underlying the site, the long-term safe yield shall be determined.
- f. A determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, streams, and the groundwater table.
- g. Identification of how water will be recycled or released into surrounding water bodies and the environmental impact of each release.
- h. A statement of the qualifications and the signature(s) of the person(s) preparing the study.

**Sound and Vibration**

**Noise.** No principal commercial or industrial uses or their operations on their lot shall generate a re-occurring sound level exceeding the limits established in the table below, when measured at the specified locations:

LAND USE OR ZONING DISTRICT RECEIVING THE NOISE	HOURS/DAYS	MAXIMUM SOUND LEVELS
At a lot line of a residential use in a residential district	1) 7 a.m. to 10 p.m., other than anytime on: Christmas Day, Thanksgiving Day, New Years Day, Easter Sunday, Labor Day, 4th of July, and Memorial Day 2) 10 p.m. to 7 a.m., plus anytime on any of the following days: Christmas, Thanksgiving, New Years, Easter Sunday, Labor Day, 4th of July and Memorial Da	1) 55 dBA 2) 45 dBA
2. At a Lot Line of a Commercial or M-1 or M-2 District	All times and day	65 dBA

Any Lot Line other than noted above	All times and day	70 dBA
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Note: dBA means "A" weighted decibel

- A. Preliminary sound study submitted as part of the Special Exception process.
- B. Interim sound study submitted with building permit plans.
- C. As-built sound study required six (6) months after certificate of occupancy.
- D. Emergency generator noise shall be evaluated but exempt during outages.
- E. A vibration study shall demonstrate no perceptible vibration beyond property lines.

#### **Power Supply**

- A. Grid-connected facilities shall provide certification of capacity from the electric utility.
- B. On-site energy generation used during normal operations is a separate use and subject to applicable zoning regulations.

#### **Emergency Management**

An Emergency Response Plan (ERP) shall be submitted and reviewed as part of the Special Exception process and shall include fire suppression, evacuation, access, responder training, NFPA 855 compliance, and annual inspections.

#### **Access and Security**

- A. Primary access from an arterial or collector street required.
- B. Emergency access routes shall include approved Knox-Box devices.
- C. Security fencing limited to six (6) feet in height.
- D. Non-riverine water bodies and stormwater facilities shall be fenced (minimum four (4) feet).
- E. 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.
- F. All access roads shall comply with the Borough of Vandling Subdivision and Land Development Ordinance.

G. A minimum of one (1) aerial fire lane meeting fire code standards shall be provided and be able to access roof structures.

### **Environmental Requirements**

Includes public water/sewer, emissions compliance, riverine intake protection, and submission of a decommissioning plan addressing E-waste and hazardous materials.

### **Supplemental Regulations**

1. SMR (small modular reactor) energy generation stations, provided the same can demonstrate the following:

a. Approval from the Nuclear Regulatory Commission (NRC), or similar/successor entity;

b. Demonstration by developer of a federally approved constructor and operator of the proposed facility;

c. The licensed operator and developer must demonstrate that there is an adequate repository of nuclear fuel produced by the SMR with a federally licensed facility and/or agency;

d. There will be no processing or enrichment activity at the SMR site;

e. Any temporary fuel storage, used for refueling, or removed during refueling, will be disposed of in accordance with a plan approved by the NRC and other applicable Federal and State agencies having jurisdiction.

f. Before commencement of construction the operator prepares and submits to the Borough and NRC any required decommissioning plan, and if none is required by the NRC at time of construction, then to the Borough a proposed decommissioning plan which ensures the removal of all radioactive materials when the SMR is no longer in operation.

g. A Safety Plan shall be submitted in a form reasonable acceptable to the Borough for the SMR. If the Safety Plan complies with the federal standards, or is approved by a Federal agency, the Safety Plan shall be deemed approved by the Borough.

### **REPEALER**

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

### **SEVERABILITY**

If any section, subsection, paragraph, sentence, or clause of this Ordinance shall be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining provisions of this Ordinance.

**EFFECTIVE DATE**

This Ordinance shall take effect immediately upon its enactment as provided by law.

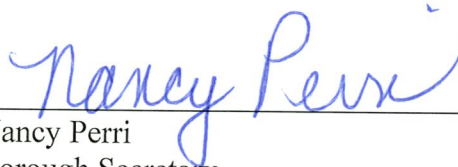
Introduction: May 18, 2026

Adoption: June 15, 2026

**ATTEST:**



Mr. John Carachilo  
Council President



Nancy Perri  
Borough Secretary



Thomas Prince  
Mayor

