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**FAIRVIEW TOWNSHIP, YORK COUNTY  
PENNSYLVANIA**

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**ORDINANCE NO. 2025- 03**

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**AN ORDINANCE AMENDING THE FAIRVIEW TOWNSHIP CODE OF  
ORDINANCES, CHAPTER 300, ZONING ORDINANCE AS AMENDED**

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**BE IT ENACTED AND ORDAINED**, by the Board of Supervisors of Fairview Township, York County, Pennsylvania, that Chapter 300, Zoning, of the Code of Ordinances of Fairview Township shall be amended as follows:

**SECTION 1: § 300-11 (Definitions; attached as Exhibit B) shall be amended to insert a definition for “DATA CENTER” and “DATA CENTER ACCESSORY USE.”**

DATA CENTER – A building, a dedicated space within a building, or a group of buildings used to house computer systems and associated components, such as telecommunications, digital data, or storage systems.

DATA CENTER ACCESSORY USE – Any use complimentary to a Data Center, said use not connected physically to the Data Center building but on the same property as the Data Center including but not limited to electrical substations, water pump/cooling stations, back-up power supplies, water towers, mechanical equipment.

**SECTION 2: § 300-72 (Additional supplemental standards and requirements for specific principal non-residential industrial uses) shall be amended to insert Paragraph E, detailing specific standards and requirements for Data Centers as a non-residential industrial use.**

E. Data Center shall be permitted by conditional use, subject to the following conditions:

(1) Power and Utility Infrastructure. The Data Center shall be designed to meet applicable local utility and power supply requirements, and where appropriate, incorporate sustainability measures such as renewable energy sources, efficient cooling systems, and backup power provisions. Evidence must be provided from the public utility serving the facility that an application for service is approved. Public water and sewer facilities shall be available to the property where Data Centers are located and shall be sufficient to fulfillment of the Data Center’s intended use.

(2) Emergency Backup Systems. Provisions for emergency backup power and cooling systems shall be integrated into the facility design, and all emergency systems must comply with fire safety and emergency response standards as specified by local building and fire codes.

(3) Minimum Lot Size. Data Centers shall only be permitted to be built or operated on parcels of land with a minimum size of 50 acres.

(4) Security and Lighting. Adequate security measures, including fencing, lighting, and surveillance, shall be implemented to ensure the safety of the facility and surrounding structures. Lighting should be designed to minimize off-site glare and light pollution, in accordance with §300-46.B.(9). All exterior lighting shall be designed and constructed with cutoff and fully shielded fixtures that direct light downward and into the interior of the property and away from adjacent roads and adjacent properties. A photometric plan shall be provided that demonstrates that light levels at the property line do not exceed 0.1 footcandles.

(5) Fencing. A security fence shall be installed and maintained at a minimum of 30 feet from all adjacent residential property lines, and a minimum of 15 feet from property lines adjacent to nonresidential properties. The fence shall be constructed of commercial-grade, anti-climb chain link, ornamental steel, or similar material designed to provide security while minimizing visual obtrusiveness.

(a) The fence shall be a minimum of 6 feet in height, unless a different height is required by state or federal regulation applicable to the use.

(b) The fence shall include features such as closed vertical pickets or mesh with openings no larger than 2 inches to deter climbing, and may include additional security enhancements (e.g., angled tops, tamper-resistant fasteners).

(c) The design and placement of the fence shall not create a nuisance or safety hazard to adjacent residential uses.

(6) Buffer yard requirement: A buffer yard is required in order to screen the Data Center and any Data Center Accessory Use from adjacent residentially zoned or planned properties. A buffer yard shall be provided adjacent to residential properties, residentially zoned properties, or properties with an approved residential development, as required by the Township. This buffer yard shall consist of a minimum of two rows of dense screen of evergreen and deciduous trees having a minimum height of six feet, and a berm or other sound attenuation facilities.

(7) Noise. Any proposal for a Data Center Use and any Data Center Accessory Use shall include pre- and post-construction sound studies which examine all exterior utility functions of the building (rooftop and ground-mounted) that produce sound. The sound study shall identify compliance with Township Ordinance, as applicable.

A post-construction sound study shall be submitted six months after the Data Center is fully operational.

(a) All rooftop equipment that produces sound (e.g., HVAC, cooling towers, generators, and the like) shall be fully screened from view and the screening shall be placed to shield the direction of emitted sound.

(b) All ground-mounted equipment that produces sound (e.g., HVAC, cooling towers, generators, and the like) shall not be placed or operated on any side of a building that directly abuts or faces a residential property line. Placement of such equipment shall be limited to non-residential-facing sides of the structure to mitigate noise and visual impacts.

(8) Height Restrictions. Maximum building height for any Data Center or Data Center Accessory Use shall be 55 feet in the Commercial Business Zoning District and shall be 65 feet in the Industrial Business Zoning District.

(9) Setback Restriction. Any Data Center or Data Center Accessory Use shall be setback 150 feet from any property line that directly abuts any residential use or residentially zoned property.

**SECTION 3: Table 5-2.B.2. (Permitted Uses — Growth Area Zoning Districts, Industrial Uses) shall be amended to insert “Data Centers” as a Conditional Use.**

The following row shall be inserted between “Automobile wrecking, junk and scrap storage and sales” and “Heavy equipment, boat, mobile/manufactured home, recreational vehicle, truck, and other similar large or heavy-duty motor vehicle rental/sales, repair/service, washing, and/or fuel/gas sales” to Table 5-2.B.2:

Types of Uses	RS Single-Family Residential Zoning District	RMU Residential Mixed-Use Zoning District	VR Village Residential Zoning District	VMU Village Mixed-Use Zoning District	VB Village Business Zoning District	CB Commercial Business Zoning District	IB Industrial Business Zoning District	AB Airport Business Zoning District	Criteria and Regulations Section
Data Center	N	N	N	N	N	CU	CU	N	§300-72

**SECTION 4: Table 8-3 (Parking Schedule – Nonresidential – Industrial) shall be amended to insert “Data Centers” as an Industrial Use with Minimum Required Spaces.**

The following row shall be inserted between “Automobile wrecking, junk and scrap storage and sales” and “Heavy equipment, boat, mobile/manufactured home, recreational vehicle, truck,

and other similar large or heavy-duty motor vehicle rental/sales, repair/service, washing, and/or fuel/gas sales” to Table 8-3:

<b>Industrial Use</b>	<b>Minimum Required Spaces</b>
Data Center	1 per employee on the peak shift

**SECTION 5: Repealer.** The passage of this Ordinance amending in part the Fairview Township Zoning Ordinance, as amended, shall in no way be deemed to invalidate or repeal any provisions of said Ordinance, except as specifically provided for herein.

**SECTION 6: Severability.** Should any section of provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decisions shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**SECTION 7: Effective Date.** This Ordinance shall be effective five (5) days after its enactment by the Board of Supervisors of Fairview Township, York County, Pennsylvania.

[See following page for signatures]

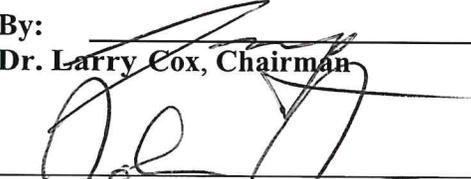
ORDAINED AND ENACTED, this 25<sup>th</sup> day of July, 2025.

Attest:

  
\_\_\_\_\_  
Secretary

**TOWNSHIP OF FAIRVIEW  
YORK COUNTY, PENNSYLVANIA**

By: \_\_\_\_\_  
Dr. Larry Cox, Chairman

  
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John W. Jones, Vice Chairman

  
\_\_\_\_\_  
Christopher L. Allen, Supervisor

(SEAL)

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Matthew J. Cox, Supervisor

  
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Mario D. Pirritano, Supervisor