ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 52 - 2026

JUNE 23, 2026

AN ORDINANCE

Amending Part II General Legislation, Chapter 660 Zoning, Article 5 Uses, Table 660-4 Use Table and Section 660-38 Manufacturing & Industry Group, adding public notice requirements and amending the use category Data Center Use.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

Chapter 660 Zoning
[Adopted by the City Council of the City of Allentown 10-15-2025 by Ord. No. 16166 (Part 13, Title 1, of the 1962 Codified Ordinances). Amendments noted where applicable.]

SECTION ONE: That Chapter 660 Zoning, Article 5 Uses, Table 660-4 Use Table, be amended as follows on Exhibit A, Table 660-4 Use Table.

SECTION TWO: That Chapter 660 Zoning, Article 5 Uses, Section 660-38 Manufacturing & Industry Group, be amended as follows:

§ 660-38 Manufacturing & Industry Group
The manufacturing and Industry use group includes establishments involved in manufacturing, processing, fabrication, packaging, or assembly of goods or the servicing of industrial or commercial machinery, equipment, products or by-products. Uses in this group may include offices and ancillary retail sales as accessory uses.

(1) **Public Notice.** Prior to the establishment of any new principal use in any of the following categories: High-Impact Industry, Recycling Use, and Data Center Use (greater than 50,000 sq ft), the following public notice requirements must be met:

(a) The applicant shall hold a public meeting prior to the first Zoning Hearing Board meeting where a special exception and/or variance is discussed or prior to the first Allentown City Planning Commission meeting when the proposed land development is discussed. In cases where only a Zoning Permit is required (and no special exception or variance is required), the meeting must occur two weeks prior to submittal. The purpose of the meeting shall be to inform the public about the nature of the proposed development, including the location, scale, and general characteristics. A representative(s) of the applicant with knowledge of the project and the ability to answer general questions from the public about the project's general locations, scale, and parameters shall participate in the meeting. The

public meeting shall be advertised consistent with "public notice" as defined by the Pennsylvania Municipalities Planning Code (PA Act 247).

(b) The applicant shall create and maintain a project website for viewing by the general public. The site shall explain the project parameters, including maps, elevations/renderings, anticipated electrical use, and noise levels, beginning at least two weeks prior to the meeting(s) discussed above, and until the time of final land development approval. The site shall provide a description of the proposed use, construction timelines and phasing plans, dates of public meetings with municipal bodies, and status of permits.

...

660-38.H DATA CENTER USE

(1) Use Category Description. The data center use category includes a building, buildings, or structures 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. The Data Center Use shall include data center as a principal or accessory use and data center accessory uses (see 660-135).

(2) Supplemental Use Regulations. Data center uses are subject to the following supplemental use regulations:

(a) No new data center use or accessory data center use may be located within:

[1] 75 feet of the right-of-way of a public street;

[2] ~~200~~ 500 feet of the lot line of any:

[i] Use within the Residential use group;

[ii] Use within the Civic & Institutional use group (except Cemetery, Governmental Use, Transportation Facilities or Infrastructure & Utilities);

[iii] Child Care use category; or

[iv] Any MX-N-, GX-N-, or N-zoned lot.

[3] 50 feet of any other lot line.

(b) Data center uses with more than 50,000 square feet of indoor gross floor area require a minimum lot area of ~~5 acres in the IG zone and~~ 8 acres ~~in the IM zone~~.

(c) A landscaped buffer, including shade trees, evergreen trees, and planting beds, with a minimum width of 25 feet must be provided around the perimeter of the use, except for necessary perpendicular crossings. Rows of shade trees and evergreen trees are to be staggered to create a dense buffer with planting beds at the exterior rows. See 660-78.F for distance and size requirements for plantings in each row. Native plants are encouraged to the maximum extent possible. The Allentown Shade Tree Commission (ASTC) may provide comments on specific plantings.

(d) The zoning hearing board is expressly authorized to require berms, landscaping, fencing and additional setbacks as needed to protect the public health and safety and to avoid conflicts with neighboring uses.

(e) The applicant shall submit a narrative description of the nature of the proposed onsite activities and operations, anticipated hours of operation, anticipated frequencies and types of vehicle trips generated, and anticipated types of materials/equipment stored on site. Information obtained from any required Transportation Impact Statements/Analyses may be summarized here.

(f) Environmental Impact.

[1] The applicant shall submit an evaluation of possible environmental impacts, and where necessary, propose mitigation strategies. The assessment must be prepared by a qualified professional, and consider both normal/ typical conditions and adverse conditions (i.e. drought, extended power outages, extreme heat, etc.) relevant to the following:

[i] Air quality;
[ii] Surrounding soil quality;
[iii] Surrounding water quality;
[iv] Groundwater sources;
[v] Wildlife and wildlife habitat; and
[vi] Greenhouse gas emissions.

(g) Noise and Vibration.

[1] A full spectrum (dBA + dBC) pre and post-construction (or pre and post-conversion, as applicable) sound study shall be produced by a ~~licensed~~ qualified third-party acoustical consultant ~~professional engineer specializing in acoustics or an engineer Board Certified by the Institute of Noise Control Engineers~~ to demonstrate that the data center and data center accessory uses, will conform with the requirements of Chapter 400, Noise and other requirements found in this ordinance. ~~Sound study should also assess any persistent tonal sounds (hums) or other consistent low frequency or ambient noise.~~ The sound study must:

[i] Document pre-existing baseline ambient noise level at the time of an initial data center plan submittal, using full spectrum modeling to address low frequency sounds.
[ii] The study must measure daytime and nighttime noise, as well as worst-case scenario operation, which shall include full build-out operation of all mechanical equipment, including but not limited to generators, cooling systems, transformers and electrical infrastructure.
[iii] The sound study must also assess any persistent tonal sounds (hums) or other consistent low-frequency or ambient noise including but not limited to generators, cooling systems, transformers and electrical infrastructure, and vehicular operations.
[iv] The sound study must include a vibration study prepared by a qualified professional shall be provided that demonstrates that no vibration from the data center and data center accessory uses will be perceptible to the human sense of feeling beyond the property line.
[iv] The sound study must indicate sound levels of any generator use during emergency and/or testing periods.

[2] The ~~licensed professional~~ third-party acoustical consultant must state whether noise mitigation measures are recommended by noise study and, if so, identify the applicable mitigation measures.

[3] The third-party acoustical consultant shall meet the following:

[i] The acoustical consultant shall have no financial interest in the project other than payment for the preparation of the sound study.
[ii] The acoustical consultant shall demonstrate:

a. Relevant experience in environmental noise analysis;
b. Appropriate education or professional credentials such as professional licensed engineer specializing in acoustics or an engineer Board Certified by the Institute

of Noise Control Engineers.

c. Prior completion of comparable sound studies.

[iii] The City reserves the right to review and approve the qualifications of the acoustical consultant and may require the selection of an alternative consultant if independence or qualifications are deemed insufficient.

[4] Prior to the issuance of a Certificate of Occupancy, the applicant shall submit an as-built sound study prepared by a qualified third-party acoustical consultant demonstrating compliance with all applicable sound standards, including both A-weighted (dBA) and C-weighted (dBC) limits, where applicable. An as-built sound study shall also be conducted six months after issuance of the Certificate of Occupancy for any data center and data center accessory uses and upon request by the City thereafter to ensure continuous compliance with the requirements of Chapter 400, Noise, and consistent with the representations and/or mitigation strategies described in the sound study.

~~[5] A vibration study prepared by a qualified professional shall be provided that demonstrates that no vibration from the data center and data center accessory uses will be perceptible to the human sense of feeling beyond the property line.~~

[6] If it is determined by the as-built sound study that there is a violation of Chapter 400, Noise, and/or if the conditions are not consistent with the representations and/or mitigation strategies described in the sound study, it shall be considered a violation of this ordinance and the conditions of approval, and the zoning officer is authorized to cancel, revoke, withhold or suspend a permit issued under the provisions of this zoning ordinance, as described in 660-123.C. Revocation of Permits.

(h) Water and Sewer.

[1] A Water Utilization Report shall be submitted detailing, at a minimum the total daily intake volume and source(s) of that water, discharge volumes and destinations, cooling system type and efficiency, and shall demonstrate compliance with the city's stormwater ordinances and regulations. The Report shall be prepared and certified by a professional engineer. The Report shall be subject to review and comment by the City. The City shall have the right to require supplemental or amended reports based upon comments by the City prior to any zoning approval.

[2] The applicant shall submit documentation from the Lehigh County Authority (LCA) certifying that the Authority will supply the water needed for the use. If the LCA or the City identify a detrimental impact or threshold where utility capacity is not sufficient, the applicant shall provide, at their own expense, the infrastructure upgrades and/or system improvements necessary to supply the facility.

[3] If the use uses nonpublic water sources, the applicant shall provide a water feasibility study to determine if there is an adequate supply of water for the use and to estimate the impact on existing wells, groundwater, and surface water in the vicinity. The study shall be reviewed and approved by the Delaware River Basin Commission, LCA and PA Department of Environmental Protection (PA DEP) for water withdrawals from groundwater or streams, where applicable.

[5] The applicant shall demonstrate adequate means of wastewater disposal have been provided and approved by the PA DEP. Discharge of water used as a direct or indirect cooling medium for equipment is not an authorized non-stormwater discharge into the Municipal Separate Storm Sewer System (MS4) per the City's MS4 NPDES permit.

(i) Power Supply.

[1] The applicant shall identify the portion of its energy use that will be met through on-site renewable energy generation. Data centers are encouraged to make good faith efforts to maximize use of renewable and/or clean energy for electrical and cooling needs, either through on-site generation or verifiable power purchase agreements (PPAs).
[2] An Energy Management Plan shall be submitted detailing at a minimum, annual electricity demand, the supply sources to be utilized, energy storage capacity (if applicable) and efforts made to maximize energy efficiency and use of renewable or clean energy. The plan shall be prepared and certified by a professional engineer.
[3] If the applicant proposes to connect the use to the electric grid, the applicant shall provide documentation from the applicable electric service provider certifying the necessary capacity is available and the provider will serve the use. An assessment identifying any impacts on electric rates or availability for other uses directly attributable to the use shall be provided to the City.
[4] If the assessment identifies a detrimental impact or threshold where utility capacity is not sufficient, the applicant shall provide, at their own expense, the system improvements necessary to mitigate any limits or system improvements necessary.
[5] If the necessary system improvements are determined by the City Engineer and the respective public utility provider to be infeasible, then on-site utility methods may be considered in compliance with all City ordinances.

(j) Electronic Waste and Decommissioning:

[1] An Electronic Waste Plan shall be submitted outlining procedures for safe removal and recycling or disposal of server infrastructure, hazardous materials, batteries, electronic waste, and related products, which will apply in cases when the data center is updated or decommissioned.
[2] A Decommissioning and Site Restoration Plan shall be submitted. Upon cessation of operation of the data center use and/or data center accessory use for a period of at least 12 months, except where the city agrees to allow the owner or operator additional time due to their intent to re-continue such use in the near future, the owner or operator of the use shall ensure the following standards are met:

[i] All generators, tanks, battery systems, electrical infrastructure, accessory structures, and related improvements associated with such use shall be removed from the subject property.
[ii] Hazardous materials, including batteries, fuel or refrigerants shall be disposed of in compliance with state and federal law.
[iii] Disturbed soils shall be stabilized and re-vegetated.
[iv] Any utility connections shall be safely disconnected and capped.
[v] The site shall be restored to a condition compatible with surrounding land uses or consistent with the most restrictive adjacent zoning district.

[3] Said removal activities shall commence within one year of the conclusion of the 12-month period referenced above and shall be completed no later than three years following the commencement of the removal activities.
[4] To ensure removal as described, the applicant shall provide a decommissioning and site restoration bond or letter of credit in the form acceptable to the city and naming the city as a beneficiary sufficient to remove all generators, fuel tanks, battery systems, electrical infrastructures, and related improvements and to restore the site for future reuse.
[5] If the owner or operator fails to comply with this section, the city may utilize

such financial security to perform or cause the performance of the removal of all generators, fuel tanks, battery systems, electrical infrastructure and related improvements associated with the abandoned use. Such financial security shall be maintained until the completion of the removal activities described herein, and may be reviewed periodically by the city to ensure that the amount of security remains adequate to secure removal. The financial security must be in the amount equal to 100% of the total estimated cost of decommission and restoration. The financial security must be posted prior to commencement of any land development activities, earth disturbance, and/or issuance of building permits.

(k) Heat Mitigation.

[1] A Thermal Impact Mitigation Plan shall be submitted, including, at a minimum, strategies for waste heat reuse or dissipation. Passive cooling strategies such as cool roofs, natural vegetation (green roofs/ shade trees) and light-colored exterior walls are encouraged to mitigate urban heat islands and reduce energy consumption. The Plan will be prepared and certified by a professional engineer.

(l) Emergency Management.

[1] The applicant shall submit an Emergency Response Plan (ERP) prepared by a qualified professional. The ERP shall:

[i] Be reviewed and accepted by the City Fire Department and Lehigh County Office of Emergency Management as part of the special exception and/or land development process.

[ii] Include detailed procedures for fire suppression, containment, ventilation, and evacuation;

[iii] Include an evaluation of the access roads and hydrant locations within the site to ensure suitable access for emergency equipment within the site;

[iv] Ensure that all first responders receive adequate training specific to the installed system;

[v] 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 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 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.

(m) Aesthetics.

[1] Any data center use building façade that faces a public street, MX-N-, GX-N-, or N-zoned lot, existing residential use, or other frontages per 660-18.J(9) must incorporate at least two of the following design elements every 150 horizontal feet:

[i] A change in building material, pattern, texture, or color;

[ii] A change in building height;

[iii] Building step-backs or recesses having a minimum depth of five (5) feet.

(n) At least one (1) off-street loading space shall be provided for a data center.

(o) Maximum building height of 50 feet.

[1] On lots 15 acres or larger in area, the building height may be increased to a maximum of 70 feet through a special exception approval and in accordance with the supplemental workshop building regulations of 660-32.H(1)(a).

(p) All required plans, studies, evaluations, assessments, and strategies shall be submitted together with the zoning permit application. If a land development application is submitted prior to the zoning permit application, such documents shall be submitted together with the land development application. Such documents shall be subject to review and comment by the City. The City shall have the right to require supplements and/or amendments to such documents based upon comments by the City prior to any zoning approval.

(q) Applications for approval of data center use projects shall be referred to the Allentown City Planning Commission (ACPC) and Allentown Environmental Advisory Council (AEAC), for review and comment. Feedback from the ACPC, AEAC, and (when requested) Allentown Shade Tree Commission, shall be reviewed by the applicant and incorporated into any necessary mitigation strategies.

(r) All documents required by this section, 660-38.H, must be reviewed and accepted by the City Engineer or third-party consultant. When the city determines that competent and expeditious review of the documents detailed in this section require review by a third-party consultant, the applicant is responsible for reasonable fees associated with such third-party consultants.

Legislative Template

- What department or bureau is this bill originating from? Where did the initiative for the bill originate?

    - City Council/ CED. The bill will amend the Zoning Ordinance to add a public notice requirement for certain industrial uses and amend the regulations for the Data Center Use, which was adopted on June 17, 2026.

- Summary and facts of the bill.

    - The purpose of this amendment is to require additional public notice for certain industrial uses and to amend the regulations for the Data Center Use by removing the use from the IG zone, adjusting setback requirements, and adding details to the Noise and Vibration and Electronic Waste sections of the code to further mitigate any potential negative effects on public health, safety and welfare.

- Purpose – Please include the following in your explanation:
    a. What does the bill do? What are the specific goals or tasks the bill seeks to accomplish?

        - This amendment is proposed to ensure the City has additional regulations in place for the data center use that will mitigate any potential negative effects on public health, safety and welfare.

    b. What are the benefits of doing this?

        - Any potential negative effect on public health, safety and welfare will be mitigated by the regulations proposed by this amendment.

    c. How does this bill relate to the City's vision/mission/priorities?

        - This ordinance aligns with the city's mission of public health, safety and welfare.

- Financial Impact – Please include the following in your explanation:
    a. Cost (initial and ongoing)

        - There will be no changes to the current budget.

    b. Benefits (initial and ongoing)

        - The City and staff will be better equipped and prepared to handle potential issues that may arise due to this use.

- Funding Sources – Please include the following in your explanation:
    a. If transferring funds, please make sure to give specific account names and numbers. If appropriating funds from a grant, please list the agency awarding the grant.

        - There will be no transfer of funds related to this amendment.

- Priority status – Are there any deadlines to be aware of?

    - Data center uses are rapidly expanding throughout the Lehigh Valley.

- Why should Council unanimously support this bill?

    - Council should unanimously support this bill to ensure the City has additional regulations in place to mitigate any potentially negative impacts of this emerging use type.