

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 20 - 2026

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MARCH 4, 2026

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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 the use category Data Center Use; and Article 14 Measurements & Definitions, Section 660-135 Terms Beginning with "D" and Section 660-149 Terms Beginning with "R", adding the definition of Data Center, Data Center Accessory Use, and Renewable Energy.

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.

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**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 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 sound study shall be produced by a licensed 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. Sound study should also assess any persistent tonal sounds (hums) or other consistent low-frequency or ambient noise. The licensed professional must state whether noise mitigation measures are recommended by noise study and, if so, identify the applicable mitigation measures.
  - [2] An as-built sound study shall 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.

[3] 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.

**(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.

[4] The applicant is strongly encouraged to utilize water efficient cooling technology that minimizes the use of water for cooling.

[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.

[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.

(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.

SECTION THREE: That Chapter 660 Zoning, Article 14 Measurements & Definitions, Section 660-135 Terms Beginning with "D," be amended as follows:

#### **§ 660-135 Terms Beginning with "D"**

**DATA CENTER.** 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. Data Centers shall include Data Center Accessory Uses.

**DATA CENTER ACCESSORY USE.** Ancillary uses, equipment, 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; utilities; 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); redundant data communication connections; 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.

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SECTION FOUR: That Chapter 660 Zoning, Article 14 Measurements & Definitions, Section 660-149 Terms Beginning with "R," be amended as follows:

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**RENEWABLE ENERGY.** Renewable Energy is energy generated from natural sources that are replenished faster than they are consumed. Renewable or "Clean" energy sources are generated by

sunlight, wind, water, tidal, geothermal heat, or biomass sources.

SECTION FIVE: That this Ordinance will take effect five (5) days after final passage.

SECTION SIX: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

SECTION SEVEN: The provisions of this Ordinance are separate and severable. If any section, clause or provision or portion of this Ordinance shall be held to be unenforceable or invalid by any Court of competent jurisdiction, the unenforceability or invalidity of any such provision shall not affect the validity and enforceability of the remaining provisions which shall remain valid and continue in effect.