

ORDINANCE #2025-851

An Ordinance of the Borough of Clarion, County of Clarion, Commonwealth of Pennsylvania amending certain provisions of the Clarion Borough Zoning Ordinance #2013-795 (as codified by Ordinance #2013-798, Chapter 210) to add Data Infrastructure Facility and Data Infrastructure Accessory Uses as permitted uses in the CI Commercial and Industrial Zoning District.

Whereas, in 2013, the Borough adopted a revised Zoning Ordinance, known as #2013-795, in order to regulate the use of land within the Borough; and

Whereas, Ordinance #2013-795 was incorporated into the Code of the Borough of Clarion as Chapter 210 of Ordinance #2013-798; and

Whereas, the Council of the Borough of Clarion has determined that it is necessary, from time-to-time to enact amendments to the Zoning Ordinance (#2013-795) in order to further protect, insure, and enhance the health, safety, welfare and comfort of the residents of the Borough of Clarion; and

Whereas, this amendment to the Zoning Ordinance (#2013-795) was the subject of a duly and legally advertised Public Hearing; and

Whereas, amending this Ordinance shall be known as the Zoning Amendment Ordinance of 2025.

Now, therefore, be it ordained and enacted by the Council of the Borough of Clarion, and is hereby ordained and enacted by authority of the same as follows:

ATTACHMENT 2

Attachment 2, Table of Uses, shall be amended to allow Data Infrastructure Facility and Data Infrastructure Accessory Uses as permitted uses in the CI Commercial and Industrial Zoning District, except as provided and limited in Article IV, Specific Criteria.

ARTICLE I – Background Provisions

Section 210-11, Article I, Definitions of specific words and phrases, shall be amended, except as provided and limited in Article IV, Specific Criteria, to include the following words and definitions:

Data Infrastructure Facility shall be defined as: building or buildings designed to support and/or maintain essential technological, communication, or operational functions, requiring high levels of reliability, security, and environmental control to ensure continuous and uninterrupted service. (Examples include, but are not limited to: Cloud Infrastructure Buildings, Telecommunications Facilities, Network Operation Centers, Data Centers, Data Infrastructure Accessory uses, and Disaster Recovery Sites).

Data Infrastructure Accessory Uses shall be defined as: Ancillary uses or structures secondary and incidental to a Data Infrastructure Facility 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 infrastructure accessory uses/structures are located on the same tract or assemblage of adjacent parcels developed as a unified development with a Data Infrastructure Facility. The use shall include energy generation systems used or intended to be used to supply power to the Data Infrastructure Facility during normal operations.

Data Centers shall be defined as: 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 Infrastructure Accessory Uses.

ARTICLE IV – Specific Criteria

Article IV, Specific Criteria, shall add Section 210-57.4 Data Infrastructure Facility and Data Infrastructure Accessory Uses and include the following words:

Data Infrastructure Facilities and Data Infrastructure Accessory Uses are permitted uses within the CI Commercial and Industrial Zoning District provided the following objective requirements are met:

A. Site and Building

1. Must comply with all CI Zoning District lot, coverage, height and setback/yard requirements.
2. For purposes of parking the facility shall be deemed a manufacturing, warehouse, wholesale, truck terminal pursuant to Article III General Provision Section 210-27 Off-Street Parking of the Clarion Borough Code.
3. Rooftop mechanical/electrical equipment may exceed the height limit by up to ten (10) feet if fully screened and set back in compliance with yard requirements.
4. Ground-mounted equipment (generators, transformers, switchgear, chillers) must be screened from public streets by opaque fencing, walls, or evergreen landscaping.

B. Data Infrastructure Accessory Uses – The following uses are permitted as accessory to Data Infrastructure Facilities:

1. Administrative offices and network operations space.
2. Electrical infrastructure including on-site substation, switchgear, uninterrupted power source (UPS), transformers and generation as defined in subsection C, behind-the-meter generation.
3. Emergency generators and associated fuel storage (above- or below-ground).
4. Battery Energy Storage Systems (BESS).
5. Security features including guardhouse, controlled-access gates, perimeter fencing, and cameras.

C. Behind-the-Meter Generation

1. On-site generation (including but not limited to natural-gas turbines, fuel cells, solar arrays, or battery storage) is permitted to serve the Data Center.
2. Excess power may be exported to the grid subject to utility and regulatory approval.
3. All generation equipment must comply with Clarion Borough noise, setback, and screening standards.

D. Noise and Testing

1. All operations, including routine generator testing, shall comply with Borough noise standards at the property line.

2. Routine generator testing shall be limited to Monday through Friday, between 9:00 a.m. and 5:00 p.m., except in emergencies or as required by utility mandate.

E. Utilities and Stormwater Management

1. Applicants shall provide evidence of adequate utility capacity or a will-serve letter prior to building permit issuance.
2. All development shall comply with the current Clarion County stormwater management ordinance.

F. Decommissioning - If Data Infrastructure Facility operations cease for twelve (12) consecutive months, the owner shall secure the site and either:

1. Remove on-site fuel and battery systems; or
2. Place them into compliant safe-storage status under all applicable codes.

Severability

If any provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole or any part thereof not declared invalid.

Effective Date

This Ordinance shall take effect five (5) days after enactment.

ORDAINED AND ENACTED this _____ day of _____, 2026.

ATTEST: BOROUGH OF CLARION

Linda LaVan-Preston, Borough Secretary

Carol Lapinto, President

EXAMINED AND APPROVED this _____ day of _____, 2026.

Jennifer Fulmer Vinson, Mayor