

**TOWNSHIP OF LIGONIER
ORDINANCE NO. 2026-OR-01**

**AN ORDINANCE OF THE TOWNSHIP OF LIGONIER AMENDING THE
TOWNSHIP ZONING CODE AT CHAPTER 120-43: SOLAR ENERGY
SYSTEMS AND § 120-50A: DATA CENTERS**

WHEREAS, at the regularly scheduled Board of Supervisors meeting of October 14, 2025, the Board of Supervisors of Ligonier Township requested suggestions from the Planning Commissioner regarding wording for a change to the Zoning Ordinance with regard to solar farms; and,

WHEREAS, at the regularly scheduled Planning Commission of November 20, 2025, the Planning Commission recommended the following changes by a vote of 4-0-1

NOW THEREFORE, the Board of Supervisors of Ligonier Township hereby enacts as follows:

Section 1. The Code of Ordinances of the Township of Ligonier is hereby amended at Part III: Zoning and Land Use, Chapter 120: Zoning Code, Section 120-43: Solar Energy Systems, as follows:

§ 120-43. Solar Energy Systems¹

A. **PURPOSE:** The purpose of this Section is to provide for the construction, operation, and decommissioning of Solar Energy Systems in Ligonier Township., subject to reasonable conditions that will protect public health, safety and welfare.

B. APPLICABILITY

1. This Section applies to only Principal Solar Energy systems proposed to be constructed after the effective date of this Section, except this Section is not intended to apply to Accessory Solar Energy Systems constructed primarily for residential or accessory use.

C. PERMITTED USES

1. Principal Solar Energy systems shall be considered a conditional use for the following Zones (A-1) Agriculture and (I-1) Industry.
2. Accessory Solar Energy systems shall be allowed in all Zones and may be installed with the necessary construction, electrical and/or mechanical permit(s).

¹ Solar Energy Systems added 7-9-2024 by Ord. No. 2024-OR-01

D. PERMIT REQUIREMENTS

1. No Principal Solar Energy system, or addition to an existing Principal Solar Energy system, shall be constructed or located within Ligonier Township, unless a Zoning Permit has been issued to the Facility Owner or Operator approving construction of the facility under this Section.
2. ~~Prior to issuance of a Zoning Permit the Applicant will insure that all government permits required by State and Federal Law have been obtained.~~ **Issuance of any township permits or authorization does not supersede or otherwise relieve the applicant, of the sole responsibility of ensuring that all applicable regulations state and federal are complied with.**
3. Any physical modification to an existing and permitted Principal Solar Energy system that materially alters the size, type and number of Solar Cells or other equipment shall require additional permitting under this Section. Like-kind replacements shall not require a permit modification.
4. Prior to the issuance of a zoning permit, PSES applicants must acknowledge in writing that the issuing of said permit shall not and does not create in the property owner, its, his, her or their successors and assigns in title or, create in the property itself : (a) the right to remain free of shadows and/or obstructions to solar energy caused by development of adjoining or other property or the growth of any trees or vegetation on such property; or (b) the right to prohibit the development on or growth of any trees or vegetation on such property.
5. The applicant shall submit a Stormwater Management Plan that demonstrates compliance with the Ligonier Township stormwater management regulations.
6. PSES owners are encouraged to use low maintenance and low growing vegetative surfaces under the system as a best management practice for storm water management.
7. A building permit is required for construction of any Accessory Solar Energy system within the Township.

E. PERMIT APPLICATION

1. The permit application shall demonstrate that the proposed Principal Solar Energy system will comply with this Section.
2. Among other things, the application shall contain the following:
 - a) A narrative describing the proposed Principal Solar Energy system, including an overview of the project; the project location; the approximate generating capacity of the Principal Solar Energy system; the approximate number, representative types and height or range of heights of Solar components to be constructed, including their generating capacity, dimensions and respective manufacturers, and a description of ancillary facilities.
 - b) An affidavit or similar evidence of agreement between the property owner and the System Owner or Operator demonstrating that the System Owner or Operator has the permission of the property owner to apply for necessary permits for construction and operation of the Principal Solar Energy system.
 - c) Identification of the properties on which the proposed Principal Solar Energy system will be located, and the properties adjacent to where the Principal Solar Energy system will be located.

- d) A site plan showing the planned location of each Solar Component, property lines, setback lines, access road and turnout locations, substation(s), electrical cabling from the Principal Solar Energy system to the substation(s), ancillary equipment, buildings, and structures, including permanent meteorological towers, associated transmission lines, and layout of all structures within the geographical boundaries of any applicable setback.
 - e) Documents related to decommissioning including a schedule for decommissioning.
 - f) Other relevant studies, reports, certifications and approvals as may be reasonably requested by Ligonier Township to ensure compliance with this Section.
3. Throughout the permit process, the Applicant shall promptly notify Ligonier Township of any changes to the information contained in the permit application.
 4. Changes to the pending application that do not materially alter the initial site plan may be adopted without a renewed public hearing.

F. SETBACKS AND HEIGHT RESTRICTIONS

1. *Lot Size:* A PSES shall require a lot size of not less than thirty-five (35) acres.²
2. *Setbacks:* A PSES shall be setback distance of not less than 100 feet to any property line
3. *Height:*
 - a) Ground mounted PSES shall not exceed 20 feet in height.
 - b) A Solar Energy system mounted on a roof shall conform to the height of the Zone where the Solar Energy system is installed.
4. *Lot Coverage:* The surface area of the arrays of a ground mounted PSES, regardless of the mounted angle of any solar panels, shall be considered impervious and calculated in the lot coverage of the lot on which the system is located. The PSES shall not exceed the maximum lot coverage requirements of the underlying zoning district.

G. DESIGN AND INSTALLATION

1. *Compliance with Industry Standards:* The PSES layout, design and installation shall conform to applicable industry standards, such as those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), , Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electrical Testing Laboratory (ETL), Florida Solar Energy Center (FSEC) or other similar certifying organizations, and shall comply with the PA Uniform Construction Code, regulations adopted by the Pennsylvania Department of Labor and Industry, and with all other applicable fire and life safety requirements. The manufacturer specifications for the key components of the system shall be submitted as part of the permit application.
2. *Maintain in Good Working Order:* Upon completion of installation, the PSES shall be maintained in good working order in accordance with manufacturer's standards of and any other codes under which the PSES was constructed. Failure of the owner to maintain the PSES in good working order is grounds for appropriate enforcement actions by Ligonier Township in accordance with applicable ordinances.
3. *Local Emergency Services:* The owner/operator will ensure that there is proper access to the entire property as necessary for EMS services and utilities services. **An Emergency**

² Amended by Ordinance No. 2025-OR-02, effective July 8, 2025

Management plan approved by the Township shall be submitted and training shall be provided to local first responders in the best practices for responding to emergencies related to the PSES at least every five years or as needed.

4. *Underground Requirements:* All on-site transmission and plumbing lines shall be placed underground to the extent feasible.
5. *Utility Notification:* The owner of a PSES shall provide Ligonier Township with written confirmation that the public utility company to which the PSES will be connected has been informed of the customer's intent to install a grid connected system and approved of such connection.
6. *Signage:* No portion of the PSES shall contain or be used to display advertising. The manufacturer's name and equipment information or indication of ownership shall be allowed on any equipment of the PSES provided they comply with the prevailing sign regulations.
7. *Glare:*
 - a) All PSES shall be placed such that concentrated solar radiation or glare does not project onto any structures or roadways.
 - b) The applicant has the burden of proving that any glare produced does not have a significant adverse impact on neighboring or adjacent uses either through siting or mitigation.
8. *Noise Study:* A noise study shall be performed and included in the zoning/building permit application. The noise study shall be performed by an independent noise study expert and paid for by the applicant. Noise from a PSES shall not exceed 50dBA, as measured at the property line.
9. **Viewshed Analysis: A viewshed analysis shall be undertaken, a report from the analysis shall be provided to Township, and along with a screening plan to mitigate the visual impact of the PSES will need approved by the Township.**
10. *Tree and Landscaping Removal:* No trees or other landscaping otherwise required by the Township ordinances or attached as a condition of approval of any plan, application, or permit may be removed for the installation or operation of a PSES.
11. *Contact Information:* The PSES owner and/or operator shall provide current contact information to the Township which includes at minimum a phone number and identifies a responsible person for the Township or public to contact regarding emergencies, inquiries and complaints throughout the life of the project. The PSES owner and/or operator shall the Board of Supervisors a written plan outlining procedures on how complaints a will be addressed. For the life of the project, the current contact information shall be conspicuously posted upon locations throughout the property.
12. *Solar Easements:* Where a subdivision or land development proposes a PSES, solar easements may be provided. If a solar easement, intended to guarantee unobstructed solar access, is desired by the applicant and/or property owner for an ASES, such matter shall be carried out as a civil agreement between or among all applicable parties. Ligonier Township shall not be a party to any agreement designed to provide a solar easement, nor shall Ligonier Township be responsible for ensuring the maintenance of any solar easement. Said easements shall be in writing, and shall be subject to the same conveyance and instrument recording requirements as other easements. Any such easements shall be appurtenant; shall run with the land benefited and burdened; and shall be defined and limited by conditions stated in the instrument of conveyance.

13. *Decommissioning:*

- a) The PSES owner is required to notify Ligonier Township immediately upon cessation or abandonment of the operation. The PSES shall be presumed to be discontinued or abandoned if no electricity is generated by such system for a period of twelve (12) continuous months.
- b) The PSES owner shall then have twelve (12) months in which to dismantle and remove the PSES including all solar related equipment or appurtenances related thereto, including but not limited to buildings, cabling, electrical components, roads, foundations and other associated facilities from the property. The owner shall also restore the land to its original condition, including forestry plantings of the same type/variety and density as the original. If the owner fails to dismantle and/or remove the PSES and restore the land within the established time frames, Ligonier Township may complete the decommissioning and land restoration at the owner's expense.
- c) At the time of issuance of the permit for the construction of the PSES, the owner shall provide financial security in the form and amount acceptable to Ligonier Township to secure the expense of dismantling and removing said PSES and restoration of the land to its original condition, including forestry plantings of the same type/variety and density as the original. **The amount of the security shall be reevaluated every five years, with updated decommissioning cost estimates provided in writing with certification by a licensed professional engineer, to ensure that the bond is an adequate amount to cover the cost of decommissioning. If the bond in place is in an inadequate amount the operator of the PSES will provide a surety bond in the increase amount or increase the amount of the bond in place to cover the updated cost.**

Section 2. The Code of Ordinances of the Township of Ligonier is hereby amended at Part III: Zoning and Land Use, Chapter 120: Zoning Code, by adding a new Section, entitled § 120-50A: Data Centers, as follows:

§ 120-50A Data Centers

Definition: DATA CENTER

A commercial use of one or more buildings, designed and intended primarily to house computer, networking and communication systems, equipment and components, such as routers, switches, firewalls, servers, storage systems and application-delivery controllers, for storing, processing, managing, transmitting and backing up electronic data necessary for the operation of a business, enterprise, institution, or other similar organizational entity. A data center also includes accessory and supporting public utilities (e.g., substations, switch stations, etc.), infrastructure systems, mechanical equipment, components and environmental controls (e.g., air conditioning or cooling towers, fire suppression, etc.), redundant/backup power supplies, redundant data communications connections and enhanced security. This use shall also include also include cryptocurrency mining, block chain transaction processing and server farms.

A. PURPOSE: The purpose of this Section is to provide for the construction and operation of Data Centers in Ligonier Township, subject to reasonable conditions that will protect public health, safety and welfare.

B. APPLICABILITY

1. This Section applies to only Data Centers proposed to be constructed after the effective date of this Section.

C. PERMITTED USES

1. Data Center shall be considered a conditional use for the following Zones (C-1) Neighborhood Commercial, (C-2) Highway Commercial and (I-1) Industry.

D. SETBACKS AND HEIGHT RESTRICTIONS

1. *Lot Size:* A Data Center shall require a lot size of not less than fifty (50) acres.
2. *Setbacks:* Any Data Center building including fencing shall be setback distance of not less than 200 feet to any property line and 400 feet to any neighboring residence.
3. *Height:* A Data Center shall conform to the height restriction of the zoning district it resides in.
4. *Lot Coverage:* A Data Center shall conform to the coverage restriction of the zoning district it resides in.

E. PERMIT REQUIREMENTS

8. No new Data Center or addition to an existing Data Center, shall be constructed or located within Ligonier Township, unless a Land Development Plan in compliance with the townships Subdivision and Land Development Ordinance has been approved and a Zoning Permit has been issued to the Facility Owner or Operator approving construction of the facility under this Section.
9. A building permit is required for construction of any Data Center within the Township.
10. This Article shall in no way be a substitute for, nor eliminate the necessity of, complying with any and all federal and state laws, rules and regulations, county and township ordinances which are now, or may be in the future, in effect which pertain to the Data center.
11. Any physical modification to an existing and permitted Data Center that materially alters the size or function shall require additional permitting under this Section. Like-kind replacements shall not require a permit modification.

F. CONDATIONAL USE APPLICATION

1. The application shall demonstrate that the proposed Data Center will comply with this Section.
2. Among other things, the application shall contain the following:
 - a) A narrative describing the proposed Data Center, including an overview of the project; the project location, project layout; and capacity of the Data Center.
 - b) An affidavit or similar evidence of agreement between the property owner and the Data Center Owner or Operator demonstrating that the Data Center Owner or

Operator has the permission of the property owner to apply for necessary permits for construction and operation of the Data Center.

- c) Identification of the properties on which the proposed Data Center will be located, and the properties adjacent to where the Data Center will be located.
 - d) A site plan showing the planned location of all Data Center Structures and Components, property lines, setback lines, floodplains, emergency access locations, access roads, turnout locations, buffers and landscaping
3. Throughout the permit process, the Applicant shall promptly notify Ligonier Township of any changes to the information contained in the permit/use application.
 4. Changes to the pending application that do not materially alter the initial site plan may be adopted without a renewed public hearing.

G. STANDARDS

1. Utilities:

- a. Sewage: *Each Data Center building shall be served by a Township-approved public sewage service.*
 - i. *The applicant shall demonstrate that the adequate means of wastewater disposal, including domestic wastewater and wastewater used for cooling or industrial purposes, have been provided and approved by the Townships Sewage Enforcement Officer and/or the Pennsylvania Department of Environmental Protection.*
- b. Water: *Each Data Center Building shall be served by Township-approved public water service.*
 - i. *The applicant shall submit documentation from a Township-approved public authority certifying that the authority has the capacity to supply the need water, without effecting current services and provide the Township with evidence of a will-serve notice.*
- c. Power Supply: *If the applicant proposes to connect the Data Center to the electric grid, the applicant shall provide documentation from the applicable electric service provider certifying that that the necessary capacity is available and that electric service provider will serve the Data Center. Known impacts on electric rates or availability for other uses directly attributable to the Data Center project shall be noted. This should include any on-site or off-site need for a new electrical substation, expansion of an existing electrical substation, switching station, and/or any other electrical infrastructure..*
 - i. *All new electrical lines (both transmission and distribution) must be underground.*
 - ii. *Any energy generation system designed or used to supply power directly to a Data Center during normal operations, including solar, wind, fossil fuel, or nuclear energy generating systems, shall not be considered part of the Data Center use. Such systems shall be considered a separate use and shall be approved according to the zoning regulations applicable to such use.*

2. *Fencing and Screening: All Data Center buildings shall be fully enclosed by a visually solid fence, screen wall or panel, parapet wall.*
 - a. *A landscape buffer of not less than 50 feet in width shall encircle the Data Center fencing and shall comply with the following requirements:*
 - i. *Buffer plantings shall consist of native species.*
 - ii. *One (1) large evergreen tree per 25 linear feet of buffer. The size of large evergreen trees shall be a minimum of eight (8) feet in height at the time of planting.*
 - iii. *One (1) deciduous canopy (shade) tree per 75 linear feet of buffer. Size of canopy (shade) trees shall be a minimum of 2½ inch caliper at the time of planting.*
 - iv. *One (1) deciduous canopy (shade) tree per 75 linear feet of buffer. Size of canopy (shade) trees shall be a minimum of 2½ inch caliper at the time of planting.*
 - b. *The applicant shall have a Viewshed analysis be undertaken as part of the Land Development process, with primary focus on the aesthetic impact to neighboring residences, a report from the analysis shall be provided to Township, along with a screening plan to mitigate the visual impact of the Data Center and will need approved by the Township.*
3. *Noise and Vibration: All ground-mounted and roof-mounted equipment used for cooling, ventilating, or otherwise operating the facility, including power generation or other power supply equipment, must be full enclosed, except were not ,mechanically feasible based on the manufacturer's specifications.*
 - a. *The applicant shall demonstrate through a sound study conducted by a professional acoustical expert that the sound generated by the Data Center during normal operations shall be limited to a maximum daytime (7:00 a.m. to 8:00 p.m. Monday-Friday) decibel level of 67 dB (A) and a maximum nighttime and weekend (8:00 p.m. to 7:00 a.m. Monday-Friday and all day Saturday and Sunday) decibel level of 57 dB (A) as measured from the property line of the use. Such sound study shall be conducted using Sound Level Meters described in ANSI S1.4-2104 and generally accepted methodology. A sound study shall be conducted at the following phases:*
 - i. *A preliminary study shall be conducted as part of the Land Development process. The preliminary sound study shall include recommended sound reducing materials or systems as needed to meet the aforesaid sound limits.*
 - ii. *An as-built sound study shall be conducted six months after issuance of the certificate of occupancy and prior to the final escrow release for any land development phase. An as-built sound study may also be required thereafter by the [municipality]. If it is determined by the as-built sound study that there is a violation of the aforesaid noise limits, it shall be considered a violation of this Ordinance.*
 - b. *Maximum decibel levels specified herein shall not apply during times of power outage, however the sound studies shall also evaluate and report anticipated decibel levels when all emergency power generation equipment is running, including backup generators.*

or one parking space for every one employee, based upon the maximum number of employees on site during the largest shift, whichever is lesser.

- a. Parking must be provided inside the Data Center fencing and be on an improved surface.*
9. Stormwater Management: *The applicant will submit a Stormwater Management Plan in compliance with Township ordinance to be reviewed during the Land Development process.*
10. Additional Information: *The Township may request other relevant studies, reports, certifications and approvals it deems necessary to ensure compliance with this section and ensure the health and safety of its residences.*
11. Economics: *During the Land Development process the applicant will provide a good faith estimate of the costs to the Township related to infrastructure, emergency services/preparedness, administrative costs, police and fire protection be provided and itemized. Additionally a good faith estimate of the revenues generated by the Data Center shall be provided as well. The revenue estimate shall include revenues generated from real estate sales, real estate taxes and income taxes, submitted to the Township, Ligonier Valley School District and Westmoreland County.*
 - a. The Township will require that the applicant negotiate and enter into a Township approved Community Benefits Agreement with the Township.*

ORDAINED AND ENACTED by the Supervisors of the Township of Ligonier, this ____ day of _____, 2026.

TOWNSHIP OF LIGONIER

By _____
Supervisor, Chair

ATTEST: (SEAL)

Secretary