

**OFFICIAL**

**BOROUGH OF FORD CITY  
ORDINANCE NO. 766**

**AN ORDINANCE OF FORD CITY BOROUGH, COUNTY OF ARMSTRONG, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE FORD CITY BOROUGH ZONING ORDINANCE TO SET FORTH UPDATED STANDARDS AND CRITERIA FOR DATA CENTERS, DATA CENTER ACCESSORY USE, DATA CENTER AND ENERGY TECHNOLOGY CAMPUS, TO ESTABLISH PROCEDURES FOR SIMILAR USE DETERMINATIONS, TO AMEND CERTAIN SIGN REGULATIONS WITHIN ARTICLE 7, TO AMEND THE ZONING USE TABLE, AND TO REPEAL ALL PARTS OF ORDINANCES INCONSISTENT HEREWITH.**

**WHEREAS**, Ford City Borough (the “Borough”) is a political subdivision of the County of Armstrong, Commonwealth of Pennsylvania; and

**WHEREAS**, on January 13, 2020, the Borough adopted Ordinance No. 746 concerning the approval, adoption, and enactment of the Ford City Borough Zoning Ordinance and Zoning Map; and

**WHEREAS**, Article VI of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10601 et seq., authorizes the Borough to enact, amend, and repeal zoning regulations in order to promote the public health, safety, morals, and general welfare of the community; and

**WHEREAS**, the Borough Council has determined that advancements in technology, changing commercial practices, and evolving land use trends necessitate updates to the Borough Zoning Ordinance; and

**WHEREAS**, the Borough desires to establish clear standards and criteria for Data Centers, Data Center Accessory Uses, and Data Center and Energy Technology Campuses in order to address issues relating to infrastructure demand, environmental impacts, emergency response, utility coordination, buffering, noise, vibration, and long-term site management; and

**WHEREAS**, the Borough further recognizes the need to establish administrative procedures for evaluating land uses not specifically listed within the Zoning Ordinance through a Similar Use determination process; and

**WHEREAS**, the Borough has also determined that certain sign regulations contained within Article 7 of the Zoning Ordinance are unnecessarily restrictive, difficult to administer, or no longer reflective of modern business and commercial practices; and

**WHEREAS**, the Borough desires to amend portions of Article 7 relating to illumination standards, temporary signs, special event signs, sandwich board signs, banner placement, off-premises signs, decorative lighting, unlisted signs, and window sign coverage in order to modernize such regulations while maintaining protections related to public safety and community character; and

**WHEREAS**, the Borough recognizes the need to maintain reasonable zoning regulations that protect adjacent properties while also encouraging economic activity, business visibility, investment, redevelopment, and practical administration of the Zoning Ordinance; and

**WHEREAS**, pursuant to the Pennsylvania Municipalities Planning Code, the Borough Planning Commission and Armstrong County Planning Commission have reviewed the proposed amendments to the Ford City Borough Zoning Ordinance; and

**WHEREAS**, the Ford City Borough Council has conducted a public hearing pursuant to public notice concerning the proposed amendments to the Ford City Borough Zoning Ordinance; and

**THEREFORE**, BE IT ORDAINED AND ENACTED, by the Council of Ford City Borough as follows:

**SECTION 1. AMENDMENT TO ARTICLE 4 OF THE FORD CITY BOROUGH ZONING ORDINANCE**

Article 4, § 4.06 (Office and Employment Uses) is amended to add § 4.06(F) Data Centers, Data Center and Energy Technology Campus and Data Center Accessory Uses (collectively referred to as “project”):

F. Data Centers, Data Center and Energy Technology Campus and Data Center Accessory Uses (collectively referred to as “project”)

1. Definitions. The following definitions shall apply when used within this ordinance:
  - a. **DATA CENTER**: 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 Center Accessory Uses.
  - b. **DATA CENTER ACCESSORY USE**: Ancillary uses 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; 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 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.
  - c. **DATA CENTER AND ENERGY TECHNOLOGY CAMPUS ("DCET")**: A DCET includes all of the real estate owned, controlled, leased or otherwise occupied which comprises the development of Data Center(s); Data Center Accessory Uses; Backup Generators; all other systems, equipment, piping, conduit and other ancillary equipment, structures, and other appurtenances that are incidental to and/or needed for the construction, support, operation, repair, maintenance, and/or protection of a Data Center and its surroundings; and preserved land and undeveloped land comprising the tract upon which the DCET is built
  - d. **SENSITIVE RECEPTORES**: Buildings or structures occupied for any of the following uses: residential uses, schools, preschools, daycare centers (adult or child), long term care facilities, retirement and nursing homes, community centers, places of worship, parks with active recreation improvements (excluding trails), campgrounds and dormitories.

2. The maximum building height for a Data Center or Data Center and Energy Technology Campus shall be sixty [60] feet, inclusive of roof mounted equipment such as cooling and ventilation systems, HVAC units and cooling towers.
3. The maximum height of Data Center Accessory Uses shall be no greater than the height of the principal building.
4. Data Centers, Data Center and Energy Technology Campus and Data Center Accessory Uses shall be set back five hundred (500) feet from the boundary of all other districts or the lot line of any property developed with a sensitive receptor.
5. **Sound Standards, Sound Testing, and Sound Studies.** The applicant shall demonstrate through sound testing and sound studies conducted by a qualified professional acoustical expert that the sound generated by a Data Center, Data Center and Energy Technology Campus, and/or Data Center Accessory Uses during normal operations shall comply with the sound limits and measurement requirements of this section. The intent of this section is to prevent sound pollution, low-frequency hum, vibration-related impacts, and unreasonable disruption to neighboring properties, residences, sensitive receptors, and the surrounding community.
  - a. **Maximum Sound Levels.** Sound generated by the use during normal operations shall not exceed the lesser of the following standards, as measured at the property line of the use or at the property boundary closest to any sensitive receptor, whichever location is more restrictive:
    - i. Daytime, 7:00 a.m. to 8:00 p.m., Monday through Friday:
      - A. Fifty-five (55) dB(A) Leq;
      - B. Sixty (60) dB(C) Leq; or
      - C. Three (3) dB above the pre-development baseline ambient sound level, measured in both dB(A) Leq and dB(C) Leq.
    - ii. Nighttime and weekend, 8:00 p.m. to 7:00 a.m., Monday through Friday, and all day Saturday and Sunday:
      - A. Forty-five (45) dB(A) Leq;
      - B. Fifty (50) dB(C) Leq; or
      - C. Three (3) dB above the pre-development baseline ambient sound level, measured in both dB(A) Leq and dB(C) Leq.
  - b. **Low-Frequency, Tonal, and Mechanical Sound.** No Data Center, Data Center and Energy Technology Campus, Data Center Accessory Use, or related equipment shall create tonal, low-frequency, pulsating, vibrating, droning, humming, or recurring mechanical sound that is plainly audible or perceptible at a neighboring residence, sensitive receptor, or adjoining property line, regardless of whether the sound otherwise complies with the numerical dB(A) or dB(C) limits of this section.
  - c. **Baseline Sound Testing Required.** Prior to conditional use approval, the applicant shall conduct baseline ambient sound testing at the project site and surrounding property boundaries. The baseline testing shall measure existing sound conditions before construction, site development, installation of equipment, or operation of the proposed use. The baseline testing shall be included as part of the preliminary sound study.

- d. **Baseline Testing Locations.** Baseline sound testing shall be conducted at representative locations approved by the Borough, including the property boundary closest to any sensitive receptor, nearby residential district, recreation district, business district, public road, or other location where sound impacts may reasonably be experienced.
- e. **Baseline Testing Content.** Baseline testing shall include both daytime and nighttime/weekend measurements and shall identify existing ambient dB(A) Leq and dB(C) Leq sound levels, existing dominant sound sources, measurement locations, measurement dates and times, weather conditions, equipment used, calibration records, and any temporary conditions that may have affected the results.
- f. **A-Weighted and C-Weighted Measurement Required.** All baseline testing, sound studies, and compliance testing shall include both A-weighted and C-weighted sound measurements. A-weighted measurements shall evaluate sound generally audible to the human ear. C-weighted measurements shall evaluate low-frequency sound, bass, rumble, hum, and vibration-related sound impacts associated with industrial, mechanical, HVAC, cooling, ventilation, generator, transformer, battery energy storage, and similar equipment.
- g. **Leq Measurement Standard.** Compliance shall be determined using the equivalent continuous sound level, or Leq, measured over a minimum fifteen-minute period, unless a longer measurement period is required by the Borough or recommended by the qualified acoustical professional due to the nature of the sound source, surrounding land uses, or potential impacts.
- h. **Equipment and Methodology.** All sound testing and sound studies shall be conducted using an ANSI/ASA S1.4 compliant Type 1 or Type 2 sound level meter capable of measuring both dB(A) and dB(C). The meter shall be calibrated before and after each measurement session. Measurements shall be conducted in accordance with generally accepted acoustical engineering practices.
- i. **Measurement Conditions.** Measurements shall not be conducted during rain, sustained winds exceeding ten (10) miles per hour, or periods of unusually heavy traffic, construction, emergency activity, or other temporary noise conditions that would materially affect the accuracy of the measurement, unless such conditions are specifically identified and accounted for in the sound study.
- j. **Required Sound Study Phases.** Sound testing and sound studies shall be conducted at the following phases:
  - i. A preliminary sound study shall be conducted as part of the conditional use process. The preliminary sound study shall include the baseline ambient sound testing required by this section, identify anticipated sound sources, projected dB(A) Leq and dB(C) Leq levels, compare projected sound levels to baseline conditions and the maximum sound limits of this section, identify potential tonal, low-frequency, pulsating, vibrating, droning, humming, or recurring mechanical sound impacts, and recommend sound-reducing materials, equipment, barriers, enclosures, setbacks, operational limits, or other mitigation measures necessary to meet the sound limits of this section.
  - ii. An interim sound study shall be conducted during the building permit approval process based upon the proposed user or users and the building plans. The interim sound study shall incorporate the baseline sound testing, update projected dB(A) Leq and dB(C) Leq levels based on final or updated equipment and site design, evaluate potential tonal, low-frequency, pulsating, vibrating, droning, humming, or recurring mechanical sound impacts, and identify any sound-reducing materials, systems, or mitigation measures that must be incorporated into the construction plans.
  - iii. An as-built sound study may be required by the Borough after construction, installation of equipment, commencement of operations, change in equipment, change in operations, or receipt of credible complaints. The as-built sound study shall include field testing of actual operating sound levels and shall compare measured sound levels to the baseline sound testing

and the maximum sound limits of this section. If the as-built sound study determines that the use exceeds the sound limits of this section, or creates tonal, low-frequency, pulsating, vibrating, droning, humming, or recurring mechanical sound prohibited by this section, the exceedance or prohibited sound condition shall constitute a violation of this Ordinance.

- k. **Mitigation Required.** If any sound testing or sound study identifies that the proposed or existing use will exceed, or is exceeding, the sound limits of this section, or will create sound impacts prohibited by this section, the applicant or operator shall install and maintain sound attenuation, screening, enclosure, equipment modification, operational restriction, relocation of equipment, buffering, or other mitigation measures sufficient to achieve compliance.
  - l. **Continuing Compliance.** Compliance with this section shall be an ongoing obligation of the property owner and operator. Any increase in sound levels caused by new equipment, expanded operations, replacement equipment, emergency power systems, cooling systems, ventilation systems, generators, transformers, battery energy storage systems, or other accessory equipment shall remain subject to the sound limits and sound impact restrictions of this section.
  - m. **Borough Review.** The Borough may require the applicant or operator to provide additional sound testing, revised studies, peer review, or supplemental documentation where the Borough determines that the submitted information is incomplete, inconsistent with generally accepted acoustical practices, or insufficient to demonstrate compliance with this section.
6. The applicant shall provide a vibration study prepared by a qualified professional that demonstrates that no vibration from the Data Centers, Data Center and Energy Technology Campus or Data Center Accessory Uses associated equipment will be perceptible to the human sense of feeling beyond the property line.
7. If the use will be served by a public water supply, the applicant shall submit documentation from the public authority certifying that the public authority will supply the water needed.
8. If the use is to rely upon nonpublic sources of water, the applicant shall provide a water feasibility study. The purpose of the study is to determine if there is an adequate supply of water for the proposed use and to estimate the impact of the use on existing wells, groundwater, and surface waters in the vicinity. No Data Centers, Data Center and Energy Technology Campus or Data Center Accessory Uses shall be approved unless the water feasibility study demonstrates that the anticipated water supply yield is adequate for the project and that the proposed water withdrawals and discharges will not endanger or adversely affect the quantity or quality of groundwater supplies or surface waters in the vicinity. The water feasibility study shall include the following information at a minimum:
- a. The projected water demands of the Data Centers, Data Center and Energy Technology Campus and Data Center Accessory Uses
  - b. The source of water to be used;
  - c. A description of how water will be used, including the amount or proportion of water to be used for each purpose (e.g. cooling, humidity control, fire suppression, and domestic usage);
  - d. The long-term safe yield of the water source;
  - e. A description of the amount or portion of water withdrawn that will be recycled or discharged and by what means;
  - f. A geologic map of the area with a radius of at least one mile from the site;
  - g. The location of all existing and proposed wells within 1,000 feet of the property boundary, with a notation of the capacity of all high-yield wells;
  - h. The location of all surface waters, including perennial and intermittent streams, rivers, lakes, reservoirs, ponds, wetlands, springs, natural seeps, and estuaries, within 1,000 feet of the property boundary;

- i. A determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, surface waters, and the groundwater table;
  - j. A statement of the qualifications and the signature(s) of the person(s) preparing the study.
9. The applicant shall demonstrate that adequate means of wastewater disposal, including domestic wastewater and wastewater used for cooling or industrial purposes, have been provided and approved by the Sewage Enforcement Officer and/or the Pennsylvania Department of Environmental Protection.
10. If the applicant proposes to connect the Data Centers, Data Center and Energy Technology Campus or Data Center Accessory Uses to the electric grid, the applicant shall provide documentation from the applicable electric service provider certifying that the necessary capacity is available and that electric service provider will serve the Data Centers, Data Center and Energy Technology Campus and Data Center Accessory Uses. Any and all known impacts on electric rates or availability for other uses directly attributable to the project shall be noted.
11. The applicant shall provide an interconnection agreement from the applicable electric service provider indicating that the necessary capacity is available, and the project will be served. Known impacts on electric rates or availability for other uses directly attributable to the project shall be set forth in the agreement, and any costs to residential customers within the Borough will be offset (that is, paid for) by the project owner.
12. Every use shall be operated so that ground vibration inherently and recurrently generated is not perceptible, without instruments, at any point along any boundary of the zoning district in which the use is located or at the boundary with an adjacent residential property.
13. The applicant shall provide a vibration study prepared by a qualified professional that demonstrates that no vibration from the Data Center, Data Center Accessory Uses, or associated equipment will be perceptible to the human sense of feeling beyond the property line.
14. 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.
15. The applicant shall submit an Emergency Response Plan (ERP) prepared by a qualified professional. The ERP shall:
  - a. Be reviewed and accepted by the local fire department and emergency management services as part of the conditional use process;
  - b. Include detailed procedures for fire suppression, containment, ventilation, and evacuation;
  - c. Include an evaluation of the access roads and hydrant locations within the site to ensure suitable access for emergency equipment within the site;
  - d. Ensure that all first responders receive adequate training specific to the installed system;
  - e. 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.
16. 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.

17. No project 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.
18. The applicant must demonstrate that the project or projects are to be provided with parking compliant with all other sections of this zoning ordinance.
19. An applicant shall submit an environmental impact study which shall be performed by an environmental engineer suitable to the Borough. The environmental impact study shall meet the following criteria:
  - a. Assess potential impacts of operation, maintenance, and/or repair or trouble-shooting of the Data Center, DCET and the Data Center Accessory Use (including, but not limited to, during periods of emergency power, fire, and fire suppression and control) on groundwater, nearby creeks and streams, the Allegheny River, the air and the grounds of the Data Center, DCET and the Data Center Accessory Use and those adjacent to the Data Center, DCET and the Data Center Accessory Use; storage of oil-based or other combustible materials; and release of gasses and/or other contaminants into the air, ground, surface water or groundwater. Environmental impacts that are identified in the study shall be prevented or, as the case may be, mitigated in accordance with a plan that is approved in writing by the Council upon recommendation of the Borough Engineer and the Borough Stormwater Engineer.
  - b. Identify all stationary and mobile sources of fine particulate matter, volatile organic compounds, and nitrogen oxides at on the DCET.
  - c. Identify environmental impacts that are likely to be generated (e.g., odor, noise, smoke, dust, litter, glare, heat islands, vibration, electrical disturbance, etc.) and specific measures employed to mitigate or eliminate any negative impacts.
  - d. Along with the environmental impact study, the applicant shall conduct and submit a Phase 1 Environmental Site Assessment (ESA). The ESA shall be conducted by an organization or company that is licensed and specializes in the ESA evaluation process.
  - e. An applicant shall submit, as part of an application, a sketch plan identifying all parcels intended to be developed as part of the project. If conditional use is granted, parcels may only be added or removed from the Data Center, DCET and/or the Data Center Accessory Use by conditional use.
20. The sketch plan for the Data Center, DCET and/or the Data Center Accessory Use shall meet the following criteria:
  - a. The location of all proposed uses, accessory uses, preserved land, data center(s), data center accessory uses, backup generator power storage, energy generation stations, substations, cooling and heating equipment, water supply, storage and management systems, fuel supply, storage and management systems, wastewater treatment system(s), waste disposal systems, infrastructure of any kind, and the location of any building or structure. shall be shown;
  - b. The proposed public and private roadways, conservation areas, floodplains, steep slopes, relationships to other properties, proposed setbacks, proposed buffers and landscaping proposed sidewalks, proposed emergency access locations shall be shown. An adequate second means of ingress and egress for emergency access to the site, acceptable to the Borough Engineer, must be depicted and provided;
  - c. A boundary and topographic survey plan signed and sealed by a Pennsylvania-licensed surveyor shall be included; (4) soils, wetland and waterway delineation maps and plans shall be included.

21. A landscape buffer (buffer yard) is required between Data Centers, DCET, Data Center Accessory uses and any adjoining district or the lot line of any property developed with a sensitive receptor an existing residential use or sensitive receptors, or a public roadway.
22. The landscape buffer shall comply with the following requirements:
  - a. The landscape buffer shall be at least 100 feet in width and may be part of the minimum setback distance.
  - b. Between 40% and 70% of buffer plantings shall be evergreen trees, with a minimum height of eight feet at the time of planting.
  - c. Utilities, equipment, and stormwater management facilities shall not be located in the buffer yards. If a utility must cross the buffer, it shall be the minimum traversal distance and then only if every precaution is taken to make up for the lost visual screen by utilizing a screen wall of earthen colors.
  - d. In the event that existing vegetation is adequate to meet the intent of the required buffer yard to screen the Data Center and Data Center Accessory Uses from adjoining residential zoning districts, existing residential uses, sensitive receptors, and public roadways, the Council, upon recommendation by the Borough Engineer and Planning Commission, may determine that existing topography and/or vegetation constitutes all or part of the required buffer yard.
23. As a condition of approval of a conditional use for a proposed Data Center, DCET and/or the Data Center Accessory Use, an applicant shall, to the satisfaction of the Council, enter into one or more written community benefit agreements (hereinafter, individually and collectively, “CBAs”). CBAs are intended to offset the impacts of DCET developments on local resources and infrastructure including, but not limited to, environmental resources, historical resources, emergency responders (fire, emergency medical services and police), roads, sanitary sewer and local government administration.
24. To the end, the terms of a CBA may include, but are not limited to, preservation of one or more historic structures within the Borough; creation of or improvements to public park and recreation facilities; first responder equipment and training; LEED certification for Data Centers or other DCET buildings; protection or preservation of natural resources (including, but not limited to, farmland, woodlands and waterways); monitoring of environmental conditions on and around the DCET tract; stream bank restoration; first responder training and equipment; public infrastructure improvements; mitigating impacts to the community identified in the traffic analysis, sound study(ies), environmental impact study, water feasibility study; and/or fees in lieu thereof.
25. For Data Centers, Data Center Accessory Use, or DCET, it is the facility owner's responsibility that at the end of the project life or active use of the facility as a Data Center, Data Center Accessory use, or Disaster Recovery Facility the site must be restored to a condition that existed prior to the project or the facility altered in a manner that will allow for a beneficial reuse of the property. This would involve the removal of all equipment, structures, containment ponds, etc. that are no longer in use or cannot be reasonably reused.
26. A decommissioning agreement will be required to be executed between the Borough and the facility owner to ensure the requirements within this section are met within twelve (12) months of the date which the facility ceases to operate as a Data Center, data center accessory use, or the disaster recovery facility.

## **SECTION 2. SIMILAR USES**

Article 4 of the Ford City Borough Zoning Ordinance of 2020, as amended, is hereby amended to add a new Section 4.09 entitled “Similar Uses” to read as follows:

## **§4.09 SIMILAR USES**

### **A. PURPOSE**

1. The purpose of this section is to provide a process for evaluating land uses not specifically listed within this Ordinance while ensuring that such uses are compatible with the intent of the zoning district and similar in character, impact, and intensity to permitted uses.

### **B. AUTHORITY**

1. Where a proposed use is not specifically listed as a permitted use, conditional use, special exception use, or a non-permitted use within a zoning district, the Zoning Officer may determine that the use is substantially similar to a listed use and permit the use in the same manner and subject to the same standards as the listed use.

### **C. DETERMINATION CRITERIA**

1. In determining whether a proposed use is substantially similar to a listed use, the Zoning Officer shall consider the following factors:
  - A. The nature and purpose of the proposed use;
  - B. The scale, intensity, and character of the proposed use;
  - C. Traffic generation and parking demand;
  - D. Noise, lighting, odor, vibration, and other potential impacts;
  - E. Hours of operation;
  - F. Building and site design characteristics;
  - G. Utility and infrastructure demands;
  - H. Whether the proposed use is consistent with the intent of the zoning district;
  - I. The similarity of the proposed use to existing permitted, conditional, or special exception uses within the district; and
  - J. Any other factor reasonably related to the public health, safety, and welfare.

### **D. PROCEDURE**

1. A request for a similar use determination shall be submitted to the Zoning Officer on a form provided by the Borough and shall include a description of the proposed use and sufficient information to evaluate the criteria contained herein. A fee for submission may be set from time to time by Resolution of Borough Council.
2. The Zoning Officer may consult with the Borough Solicitor, Borough Engineer, Planning Commission, or other qualified professionals in making the determination.
3. The Zoning Officer shall issue a written determination approving, approving with conditions, or denying the request.
4. Any determination made under this section may be appealed to the Zoning Hearing Board pursuant to the procedures of this Ordinance and the Pennsylvania Municipalities Planning Code.

### **E. EFFECT OF DETERMINATION**

1. A use determined to be substantially similar to a listed use shall be treated as the same type of use for purposes of zoning approval, dimensional requirements, parking requirements, and all other applicable provisions of this Ordinance.

### **F. LIMITATIONS**

1. Under no circumstance shall a similar use determination permit a use that is specifically prohibited within the zoning district.

2. A similar use determination shall not authorize a use that is more intensive in character or impact than the use to which it is determined to be substantially similar.
3. Similar use determinations shall not constitute an amendment to this Ordinance or establish precedent requiring approval of future applications.

**SECTION 3. AMENDMENT TO ARTICLE 7 (SIGNS)**

Article 7 of the Borough of Ford City Zoning Ordinance of 2020, as amended, is hereby amended as follows:

**A.** Section 7.01(G)(3) is hereby deleted in its entirety and replaced with the following:

3. Illumination Level. The illumination of signs shall be designed, located, shielded, and directed so as to prevent glare or light trespass onto adjacent properties or public rights-of-way. Illumination shall not interfere with the safe movement of traffic or pedestrians. Compliance shall be determined by the zoning officer based on visible impacts.

**B.** Section 7.03(A)(3) is hereby deleted in its entirety and replaced with the following:

3. Sign Permits. Permits are not required for any sign classified as a temporary sign.

**C.** Section 7.03(B)(1) is hereby deleted in its entirety and replaced with the following:

1. Applicable to All Lots.

a. Temporary signs may be displayed for a cumulative total of one hundred twenty (120) days per calendar year, which need not be consecutive.

b. Temporary signs for ongoing business promotion shall be permitted year-round, provided they comply with applicable size, location, and maintenance requirements of this Article.

**D.** Section 7.03(D)(3) is hereby deleted in its entirety and replaced with the following:

3. Quantity and Permitted Display Time. Special event signs may be displayed up to six (6) times per calendar year per lot and may remain in place for a maximum of forty-five (45) consecutive days per event.

**E.** Section 7.03(F) is hereby amended by deleting Subsections (1) and (4) and replacing them, and adding a new Subsection (6), to read as follows:

1. Permitted Display Time. Signs may be displayed during business hours.

4. Quantity. No more than one (1) sandwich board sign shall be permitted per tenant space.

6. Safety. Restrictions related to weather or other conditions shall apply only where the sign creates a safety hazard, as determined by the zoning officer.

**F.** Section 7.03(G) is hereby amended by deleting subsections (2) and (5) and replaced with the following:

2. Location. Banners may be mounted to a building, fence, or free standing posts. When mounted to the face of a building, banners must not cover any window or other building opening. Temporary banners shall not obstruct pedestrian or vehicular traffic or create a safety hazard.

5. Time Limit. The temporary banner may remain in place for no more than 90 days total in any calendar year.

G. Section 7.04(B)(7) is hereby deleted in its entirety and replaced with the following:

7. Off-Site Advertising. Off-premises signs are prohibited except for the following:

a. Directional signs not exceeding six (6) square feet identifying the location of a business within the Borough; and

b. Wayfinding signage approved by the Zoning Officer.

H. Section 7.04(B)(11) is hereby deleted in its entirety and replaced with the following:

11. Other Signs. Signs not specifically listed in this Article may be approved by the zoning officer if determined to be substantially similar in size, function, and impact to permitted sign types and consistent with the intent of this Article. Any such determination may be appealed to the Zoning Hearing Board.

I. Section 7.11(A) is hereby deleted in its entirety and replaced with the following:

(A) A Window Sign is a sign painted, placed, or affixed in or on a window exposed for public view, or a sign hung inside the building facing the window for public view, which advertises or identifies a business, product, service, activity, or use located on the premises. Decorative window painting, artwork, seasonal decoration, murals, or other noncommercial window decoration that does not specifically advertise or identify a business, product, service, activity, or use located on the premises shall not constitute a Window Sign. See Figure 7.11(2) for an example illustration.

J. The "Sign Area" row of Table 7.11(A) is hereby deleted and replaced with the following:

Up to fifty percent (50%) of any individual window may be covered with signs;

no more than fifty percent (50%) of a continuous window area may be covered with signs;

no more than twenty-five percent (25%) of the total square footage of windows on any facade may be covered with signs.

#### **SECTION 4 ZONING USE TABLE**

A. The Zoning Use Table (Table 4.02A) shall be amended as follows:

- i. Data Centers and Data Center and Energy Technology Campus shall be added and listed as a Conditional Use in the Industrial and Office (I2) District.

#### **SECTION 5: SEVERABILITY**

If any section, subsection, or clause of this ordinance is found to be invalid, the remainder of the ordinance shall remain in full force and effect.

**SECTION 6. REPEALER**

If one of the Borough's existing ordinance or regulations conflicts with these provisions herein, the more restrictive provision shall prevail.

**SECTION 7: EFFECTIVE DATE**

This ordinance shall take immediate effect upon adoption.

**ADOPTED AND ORDAINED** by the Council of Ford City Borough, Armstrong County, Pennsylvania, this \_\_\_\_ day of \_\_\_\_\_, 2026.

**ATTEST:**

**BOROUGH OF FORD CITY**

\_\_\_\_\_  
Abby Nimerosky  
Borough Secretary

\_\_\_\_\_  
Vicki Schaub  
President, Borough Council

(SEAL)

**EXAMINED** and **APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Tim Bureau  
Mayor