

# **Pennsylvania Counties' Role in Data Center Oversight and Regulation**



**COUNTY COMMISSIONERS**  
Association of Pennsylvania

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## Overview

Pennsylvania is seeing rapid growth in data center development, bringing significant economic opportunity alongside complex land use, infrastructure, and environmental considerations.

While municipalities retain primary zoning authority, counties play a critical coordinating, planning, and environmental management role that directly shapes how and where data centers can develop.

## 1. Land Use Planning & County Review Authority

### County Responsibility:

Under the Pennsylvania Municipalities Planning Code (MPC), counties are required to:

- Prepare and update comprehensive land use plans every 10 years
- Review and comment on municipal zoning, subdivision, and planning actions
- Promote consistency across municipal boundaries
- Adopt zoning in areas where municipalities have not enacted their own

County planning agencies—established in all 67 counties—support:

- Land use and growth management
- Transportation and infrastructure planning
- Environmental planning

These plans serve as a regional framework guiding large-scale developments like data centers, which often impact multiple jurisdictions.

### State Mandate / Oversight:

County planning agencies coordinate with:

- Pennsylvania Department of Community and Economic Development
- Pennsylvania Department of Environmental Protection
- Pennsylvania Department of Conservation and Natural Resources
- Pennsylvania Department of Transportation

While some grant funding exists, most planning activities are supported by county general funds, with staffing and capacity varying significantly by county.

## 2. Municipal Zoning & Development Approval (Primary Local Control)

- Municipalities control zoning and land use under the MPC
- Data centers are typically regulated through:
  - Zoning districts or overlays
  - Conditional use or special exception processes
  - Performance standards (setbacks, height, noise, etc.)

**County Role:**

- Provide technical assistance and advisory review
- Ensure regional consistency and planning alignment
- Evaluate multi-municipal impacts

**3. Stormwater Management & Water Impacts****County Responsibility:**

Counties have primary responsibility for stormwater planning, working with municipalities to:

- Manage runoff from new development and redevelopment
- Ensure proper system design and watershed-level coordination

Stormwater infrastructure is typically:

- Installed by developers
- Maintained by municipalities or property owners/associations

**State Mandate / Oversight:**

Under the Storm Water Management Act:

- Counties must develop watershed-based stormwater management plans
- Plans are created in coordination with municipalities, often by county staff or consultants
- The state is intended to fund 75% of planning and remediation costs, though this has historically been underfunded—shifting costs to counties

Counties also coordinate with:

- Pennsylvania Department of Environmental Protection
- Pennsylvania Department of Transportation

**4. Conservation Districts & Environmental Compliance****County Responsibility:**

Counties are the primary local funders of conservation districts, which play a key role in:

- Natural resource management
- Environmental education and technical assistance
- Regulatory program implementation

District responsibilities often include:

- Stormwater management support
- Dirt and gravel road pollution prevention
- Erosion and sedimentation control (Chapter 102)
- Stream and wetland encroachment permitting (Chapter 105)

These functions are directly relevant to data center site development, particularly large-scale earth disturbance.

#### **State Mandate / Oversight:**

- Conservation districts exist in every county except Philadelphia
- Governed by local boards appointed by county commissioners
- Supported and overseen by the Pennsylvania State Conservation Commission, under:
  - Pennsylvania Department of Agriculture
  - Pennsylvania Department of Environmental Protection

Counties provide core operating funding, while the state supports administration and staffing.

#### **5. Infrastructure Coordination & Regional Impacts**

Data centers require significant:

- Electric grid capacity
- Water and wastewater resources
- Transportation access

#### **County Role:**

- Coordinate with municipalities, utilities, and authorities
- Assess regional infrastructure impacts
- Integrate development into long-range transportation and land use planning
- Support emergency management and public safety coordination

#### **6. Economic Development & Site Readiness**

Counties help position sites for data center investment by:

- Partnering with economic development organizations and authorities
- Identifying infrastructure-ready or redevelopment sites
- Supporting industrial reuse opportunities (e.g., former power plant sites)

#### **Key Takeaways**

- **Municipalities:** Primary zoning and land use authority
- **Counties:**
  - Regional planning and consistency
  - Mandatory plan review and coordination
  - Stormwater and watershed planning leadership
  - Environmental compliance support through conservation districts
  - Infrastructure and economic development coordination
- **State:** Environmental permitting, partial funding, and oversight

#### **Bottom Line:**

Counties serve as the critical bridge between local land use decisions and regional impacts, ensuring that high-intensity uses like data centers are planned, coordinated, and managed in a

way that protects infrastructure, natural resources, and community interests across municipal boundaries.