

TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY
ORDINANCE No. 2026-__

AN ORDINANCE AMENDING AND SUPPLEMENTING The TOWNSHIP OF VERONA CHAPTER 150, THE ZONING CODE OF THE TOWNSHIP OF VERONA TO INCLUDE AND DESIGNATE DATA CENTERS AS A PROHIBITED USE IN ALL DISTRICT ZONES WITHIN THE TOWNSHIP OF VERONA.

WHEREAS, the Township of Verona Master Plan emphasizes protection of the Township's residential character and charm, open space lands, environmental resources, water resources, infrastructure, and historic and cultural heritage; and

WHEREAS, data centers, by nature, present an intense and unique form of use of land use and development, posing significant challenges related to electricity consumption, noise, air quality, water use, community character and long-term planning objectives; and

WHEREAS, preliminary data cited by Members of the New Jersey State Legislature has cautioned that large-scale data centers can use as much as 3 to 5 million gallons of water in a single day between liquid cooling and water consumed to generate the energy that powers them; and

WHEREAS, this extreme volume of water usage impacts homes and businesses both within the municipality and the surrounding communities; and

WHEREAS, preliminary studies noted by the State Legislature also indicate that some data centers require 300 MW of electricity, which is roughly equivalent to the output of a small modular nuclear reactor; and

WHEREAS, aside from increases in taxes and governmental services across the board, in only the last year the majority of the State has already seen consumer energy costs increase more than twenty percent (20%), with additional increases expected; and

WHEREAS, the high-tech data centers that are proliferating throughout the state consume a large amount of electrical power at a time when energy costs are increasing for residents and ratepayers; and

WHEREAS, it is well established that overdevelopment, urbanization and overuse of environmental resources impacts subterranean aquifers and the quality of drinking and other water resources and poses a substantial strain on community water resources; and

WHEREAS, the Township Council of the Township of Verona is conscious of the hazards, such as depletion of critical groundwater resources, and the impact on the environmental and natural resources posed by the scope, depth and pervasiveness of small or large-scale commercial data center operations; and

WHEREAS, municipal regulations designed for the preservation of the environment and the protection of ecological values are a well-recognized, legitimate and proper exercise of municipality authority; and

WHEREAS, cutting and removal of trees has been found to cause and create increased soil erosion and dust, instability and deterioration in the value of surrounding property and other adverse environmental and geographical conditions; and

WHEREAS, dramatic increases and changes in population, development and the impact of certain data center operations on residents, businesses, the environment, and private and public property have imposed significant burdens on municipal resources and have created increased need to balance the rights and interests of the residents and general public with that of the legitimate rights of property owners to conduct business without unreasonable regulation; and

WHEREAS, in light of these significant changes in confluence with modern advancement in technology, scientific and environmental research that have allowed for a more accurate and comprehensive understanding of the hazards and dangers posed to surrounding property, environmental and natural resources, the general public, and the proliferation and expansion of governmental regulation of the environment, safety and business in general, that have occurred since the enactment of the municipalities zoning and development regulations, the Township Council of the Township of Verona has determined it necessary and appropriate to amend and update its Zoning Code ordinance, Chapter 150, to adequately address data center uses in a manner that best reflects present needs and realities; and

WHEREAS, the Township Council of the Township of Verona has determined that it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of its residents and members of the public who visit, travel or conduct business in the Township to amend Chapter 150, the Zoning Code of the Township of Verona to include all manner of data centers land use and development as a prohibited use within the geographic boundaries, thus all zone districts of the Township and to otherwise improve and strengthen the nature, scope, manner and effectiveness of such regulations;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of Verona, in the County of Essex, State of New Jersey does hereby amend Chapter 150, The Zoning Code of the Township of Verona as follows:

Section 1. Chapter 150, “Zoning”, Article II, “Definitions and Word Usage”, **§ 150-2.3, “Definitions”** of the Zoning Code of the Township of Verona is hereby amended and supplemented to add a new definition for “Data” Center” as follows:

DATA CENTER: A principal building, structure, or use primarily devoted to the storage, processing, management, transmission, hosting, or exchange of digital information through computer servers, network equipment, telecommunications infrastructure, cloud computing systems, or data storage systems. Accessory facilities may include electrical equipment, substations, transformers, backup power systems, generators, battery storage systems, cooling equipment, fuel storage facilities, fire suppression systems, security infrastructure, and telecommunications equipment necessary for operation of the facility. The term shall not include server rooms, telecommunications rooms, network closets, or similar equipment that are accessory to another principal use on the property.

Section 2. Chapter 150, “Zoning”, Article IV, “Zoning District Regulations”, **§ 150-4.3A, “Prohibited uses in all zone districts in the Township of Verona”** of the Zoning Code of the Township of Verona is hereby amended and supplemented to add “Data Center; All Data Centers as defined in Chapter §150-2.3, and any and all uses related to the same.” as a prohibited use in all zones districts in the Township of Verona.

Section 3. REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

Section 4. SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication as provided by law.

Section 6. PRIOR ACTIONS

All actions of the Township of Verona taken prior to the date of adoption hereof contemplated by this Ordinance are hereby ratified and approved.

Section 7. CODIFICATION

This Ordinance may be renumbered for codification purposes.

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE.... to be a true and correct Ordinance of the Township Council of the Township of Verona

INTRODUCTION:

PUBLIC HEARING:

EFFECTIVE DATE: