

**TOWNSHIP OF CLINTON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

**ORDINANCE
1236-2026**

AN ORDINANCE OF THE TOWNSHIP OF CLINTON IN HUNTERDON COUNTY, NEW JERSEY AMENDING CHAPTER 165, “LAND USE REGULATIONS” OF THE “CODE OF THE TOWNSHIP OF CLINTON” TO ADD A DEFINITION FOR COMPUTER AND DATA PROCESSING CENTERS AND FACILITIES

WHEREAS, the Township’s 2023 and 2026 Reexamination Reports of the Master Plan and Development Ordinance adopted by the Planning Board on March 6, 2026 and August 17, 2026, respectively include the following recommendation pertaining to general ordinance amendments: “The definitions contained in Section 165-4, Land Use Regulations, of the Township Code should be amended to include the permitted uses listed in all zones that are not currently defined”; and

WHEREAS, “computer and data-processing centers and facilities” is listed as a permitted principal use the Township’s nonresidential zones, including the HC Highway Commercial zone, the OB-1 Office Building zone, the ROM-1 Research Office and Manufacturing zone, the ROM-3 Research Office and Manufacturing zone, and the Planning Unit Development Overlay but is not defined in the Township Code; and

WHEREAS, computer and data processing center uses have evolved in function, scale, resource consumption, including substantial energy and water consumption, and impacts, including noise, to the public and general welfare within the last several years with the increased demand and proliferation of high-density data center development throughout the United States;

WHEREAS, the Highlands Protection and Planning Council intends to take action on a Highlands Regional Master Plan (“RMP”) element relating to data center siting and design and Clinton Township is fully conforming with the RMP, the primary goal of which is the protection of water resources; and

WHEREAS, Hunterdon County has an average continuous load of about 117 megawatts (MW) operating across the year according to the energy aggregation datasets compiled from the U.S. Energy Information Administration utility tracking reports and

WHEREAS, the NJDEP’s current noise regulations which supersede municipal noise regulations may have potential limitations to adequately limit and enforce the continuous noise and vibration impacts commonly associated with high-density data center uses to

protect the general welfare and sensitive land uses, including but not limited to, residential uses, schools and daycare facilities, where technical compliance with current NJDEP standards may nevertheless result in negative impacts to surrounding uses and the general health and welfare; and

WHEREAS, the typical accessory components of high-density data centers, including but not limited to, large-scale transformers, various forms of on-site power generation, chillers, generator fields, battery farms and fuel cells, contribute to off-site impacts and resource consumption, which are not customary components of standard computer and data processing centers, except in limited applications; and

WHEREAS, the Mayor and Council recognize that computer processing and data centers are part of the infrastructure of the modern economy and that such uses are, when properly located and regulated, can promote economic development and support the local tax base with minimal impacts to the public and

WHEREAS, the Mayor and Council find it in the best interest of the Township and the health, safety and general welfare of the public to establish “computer and data-processing center and facility” definition within the Code that distinguishes traditional computer and data processing centers from high-density data centers;

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey as follows:

SECTION 1. Preamble. The preamble to this ordinance is hereby incorporated as if fully restated herein.

SECTION 2. “Computer and data processing centers or facilities” defined. Section 165-4, “Definitions” in Chapter 165, “Land Use Regulations” of the “Code of the Township of Clinton” (“Code” or “Township Code”) is hereby amended and supplemented by adding thereto the following new definition:

COMPUTER AND DATA-PROCESSING CENTERS AND FACILITIES

A building, facility, structure and/or room of a building or facility used as a principal or accessory use to process computer data or other data, including use of server(s), information technology, network(s), telecommunications, data processing, and/or data storage intended to support office, business, research, administrative, educational or institutional computing operations or standard repository for enterprise data which: (a) does not exceed a cumulative, aggregate, on-site peak power supply capacity of 10 MW per campus, site, lot or tract, including but not limited to contiguous parcels under common ownership or control; (b) does not exceed a rack power density of 15 kW per individual server rack or area power density of 200 watts per square foot; (c)

must rely exclusively on air-cooled heat rejection methods; and (d) does not involve direct-to-chip or immersion liquid cooling systems. Computer and data-processing centers and facilities do not include large-scale, resource intensive principal uses commonly referred to as cloud, crypto mining, hyperscale and/or or other functionally equivalent high-density computing systems or a building, facility or structure whose product is high-density computing itself, which is sold, leased or provisioned to third parties as hosting, colocation, cloud or computing capacity, server farms or wholesale infrastructure.

Wherever the term “computer and data-processing centers” is used in this Chapter, it shall have the same meaning as “computer and data-processing centers and facilities”

SECTION 3. Repealer. All ordinances and resolutions or parts thereof inconsistent with this ordinance are hereby repealed as to such inconsistencies only.

SECTION 4. Severability. If any paragraph, section, subsection, sentence, sentence clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision of such holding shall not affect the validity of the remaining paragraphs or sections hereof.

SECTION 5. Referral to Planning Board. The Township Clerk shall forthwith cause a copy of this ordinance to be referred to the Clinton Township Planning Board for review pursuant to N.J.S.A. 40:55D-26. This ordinance shall not be adopted until the Planning Board issues its report and recommendations or 35 days have elapsed since the referral, whichever is sooner.

SECTION 6. Filing with the Hunterdon County Planning Board. The Township Clerk shall promptly cause a certified copy of this ordinance to be filed with the Hunterdon County Planning Board upon its adoption.

SECTION 7. Filing with the New Jersey Highlands Council. In accordance with the requirements of section 165-271 of the Township Code, the Township Clerk shall promptly transmit a certified copy of this ordinance to the New Jersey Highlands Council upon its adoption.

SECTION 8. Effective date. This ordinance shall take effect 20 days after its final passage in accordance with N.J.S.A. 40:69A-181 and upon having been (a) filed with the Hunterdon County Planning Board and (b) deemed by the New Jersey Highlands Council to be either consistent with the Highlands Regional Master Plan or not subject to Council review.

Jeffrey J. Jotz, RMC, Township Clerk

Hon. Brian K. Mullaney, Mayor

Introduced: September 9, 2026

Public hearing: September 23, 2026

Adopted: _____, 2026

The foregoing ordinance was introduced on first reading at the September 9, 2026 meeting of the Mayor and Council of the Township of Clinton. It will be further considered for final passage following a public hearing thereon to be held on **September 23, 2026 at 7:00 p.m.**, on the third floor of the Clinton Township Public Safety Building, 1370 Route 31 North, Annandale, NJ 08801, at which time and place anyone from the public wishing to be heard will be permitted to ask questions or offer comments regarding the ordinance. During the week prior to and up to and including the date of such meeting and public hearing, copies of the full ordinance will be available at no cost during regular business hours in the Office of the Township Clerk for members of the public who shall request a copy of same. The ordinance will also be available on the Township's website at <https://clintontwpnj.gov>.

STATEMENT OF PURPOSE: The purpose of this ordinance is to amend Clinton Township's land use regulations by adding thereto a definition for computer and data-processing centers and facilities.