(Please be advised that residents who wish to offer public comment or ask a question which will be entered into the record at the Board of Supervisors meeting scheduled for Monday, November 9, 2026, must submit their comments/questions no later than 4:30 p.m. on the above-referenced date. Comments/questions are to be sent to the Township's email address at southparktwp@southparktwp.com. Thank you.)

AUDIENCE AGENDA – PUBLIC HEARING OF NOVEMBER 9, 2026 – 6:30 P.M.

1... Roll Call.

2... Purpose of Hearing: The purpose of the Public Hearing is to take oral or written testimony on the following Ordinance:

ORDINANCE NO. 725

AN ORDINANCE OF THE TOWNSHIP OF SOUTH PARK, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 137 ("ZONING") OF THE CODE OF THE TOWNSHIP OF SOUTH PARK, TO DEFINE AND ADD SPECIFIC REQUIREMENTS FOR DATA CENTERS AND DATA CENTER ACCESSORY USES AND TO ALLOW FOR THE USES AS A CONDITIONAL USE IN THE I-1 LIGHT INDUSTRIAL DISTRICT AND THE I-2 GENERAL INDUSTRIAL DISTRICT.

3... Testimony: Code Enforcement Officer, Questions/Comments from the Public, Township Solicitor, Board of Supervisors, Township Manager, Police Chief.

4... Action to Close the Public Hearing.

5... Adjournment.

OFFICIAL

TOWNSHIP OF SOUTH PARK
ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWNSHIP OF SOUTH PARK, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 137 ("ZONING") OF THE CODE OF THE TOWNSHIP OF SOUTH PARK, TO DEFINE AND ADD SPECIFIC REQUIREMENTS FOR DATA CENTERS AND DATA CENTER ACCESSORY USES AND TO ALLOW FOR THE USES AS A CONDITIONAL USE IN THE I-1 LIGHT INDUSTRIAL DISTRICT AND THE I-2 GENERAL INDUSTRIAL DISTRICT

WHEREAS, The Pennsylvania Municipalities Planning Code, as amended, 53 P.S. §§ 10101 *et seq.*, enables the Township of South Park ("the Township"), through its zoning ordinance, to regulate the use of property to protect the health, safety, and welfare of people and property in the Township; and

WHEREAS, advancements in data center and data center accessory use technology necessitates updated Township regulations, a modified schedule of district regulations, and updated and new definitions to ensure these uses are effectively designed, planned, and managed to balance safety, community health, and welfare, and environmental protection; and

WHEREAS, the Board of Supervisors of the Township of South Park seeks to promote the general health, safety and welfare of the residents of the Township by adopting and implementing this zoning amendment regulating the development and use of data centers and accessory uses in the Township; and

WHEREAS, the Township's Planning Commission reviewed the proposed Ordinance at its meeting on _____and voted to recommend approval of the ordinance; and

WHEREAS, the Allegheny County Department of Economic Development has been duly informed of the proposed amendment; and

WHEREAS, the Board of Supervisors of the Township of South Park has given careful consideration to all public comments and has determined that the adoption of this zoning amendment is in the best interests of the health, safety and welfare of the inhabitants of the Township and the general public.

NOW THEREFORE, it is hereby ORDAINED and ENACTED by the Board of Supervisors of the Township of South Park, as follows:

SECTION 1

Chapter 137 ("Zoning") Article II ("Terminology") Section 137-9 ("Definitions") of the Code of the Township of South Park is hereby amended to add the following definitions to be inserted alphabetically:

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.

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.

DATA CENTER OPERATOR: The person or entity responsible for the post-construction operation of a data center.

SENSITIVE RECEPTOR: any residential use, school, preschool, child or adult day-care center, hospital, assisted-living facility, long term care facility, nursing home, personal care home, retirement community, treatment center, community center, place of worship, park (excluding trails), campground, or dormitory.

SECTION 2

Chapter 137 ("Zoning") of the Code of the Township of South Park is hereby amended in limited part. Text marked in ***bold italics*** and supporting images are hereby added to the sections:

Chapter 137 ("Zoning") Table B ("Authorized Uses in Nonresidential Zoning Districts") shall be amended in limited part as follows:

Table B
Authorized Uses in Nonresidential Zoning Districts

Uses	RP	C-1	C-2	C-3	C-4	CR	BP	I-1	I-2
Data Centers	***N***	***N***	***N***	***N***	***N***	***N***	***N***	***CU***	***CU***
Data Center Accessory Use	***N***	***N***	***N***	***N***	***N***	***N***	***N***	***CU***	***CU***

\+ + + + +

Chapter 137 ("Zoning") Article XVI ("I-1 Light Industrial, District") shall be amended in limited part as follows:

§ 137-102(B) Conditional uses.
(1) Principal uses.
(a) Adult businesses, subject to § 137-131A(1).
[…]
(m) Data centers, subject to 137-131(A)(63).
(2) Accessory uses.
(a) Data center accessory use, subject to 137-131(A)(63).

\+ + + + +

Chapter 137 ("Zoning") Article XVII ("I-2 General Industrial, District") shall be amended in limited part as follows:

§ 137-109(B) Conditional uses.
(1) Principal uses.
(b) Adult businesses, subject to § 137-131A(1).
[…]
(p) Data centers, subject to 137-131(A)(63).
(2) Accessory uses.
(a) Data center accessory use, subject to 137-131(A)(63.)

\+ + + + +

SECTION 3

Chapter 137 ("Zoning") Article XIX ("Express Standards and Criteria for Granting Conditional Uses by Special Exception") §137-131("Standards for specific uses") is amended to add a new Section 137-131(A)(63) ("Data Centers") to add the following regulations for Data centers and data center accessory uses:

(63) **Data Centers and Data Center Accessory Uses**

A. Data centers and data center accessory uses are permitted as a conditional use in the I-1 Light Industrial District and I-2 General Industrial District where the applicant can establish compliance with the criteria contained in this section and the zoning district in which it is located.

B. Dimensional Standards. The dimensional standards of data centers and data center accessory uses shall be in accordance with the following:

1) The maximum building height for a data center shall be 45 feet, plus up to 20 additional feet for roof-mounted equipment such as cooling and ventilation systems, HVAC units, and cooling towers.

2) The maximum height of data center accessory uses shall be no greater than the height of the principal building, exclusive of roof-mounted equipment.

3) The maximum lot coverage (including principal and accessory structures) shall not exceed 50 % of the total lot area.

4) Data centers and data center accessory uses shall be set back a minimum of 50 feet from all property lines. data centers and data center accessory uses shall be set back a minimum of 100 feet from the property line of any property developed with a sensitive receptor.

C. Application. The conditional use application shall include all of the following:

1) a site plan showing the proposed location of the data center and any data center accessory uses, property lines, setback lines, access roads and any and all proposed buildings and structures;

2) a written narrative which discusses the proposed data center operation to establish that all data center operations and data center accessory uses, including all ancillary equipment for purposes such as cooling, will be designed, constructed, operated and maintained to comply with the regulations of South Park Township; backup power systems, power storage systems, and testing schedules; construction and operational traffic impacts; potential effects on farmland, wells, streams, and wetlands;

3) a ten (10)-year plan showing any planned future growth or expansion of the data center or any accessory uses to the data center;

4) an Electronic Waste Plan outlining procedures for safe removal and recycling and/ or disposal of server infrastructure, hazardous materials, batteries, electronic waste, and related products that meet all state and federal requirements, which will apply in cases when the equipment within the data center is updated or decommissioned. The Electronic Waste Plan shall be subject to review and comment by the Township. The Township shall have the right to require supplemental or amended Electronic Waste Plans based upon comments by the Township prior to any zoning approval. The Electronic Waste Plan shall be updated annually or more frequently if new equipment is installed or when material changes occur;

5) documentation of all plans as required in this section, including but not limited to all documentation showing proposed landscaping, screening, lighting, noise studies and mitigation, vibration studies and mitigation, documentation of all proposed water sourcing, water feasibility studies, and wastewater management plans; documentation of emergency management plans and appropriate fire safety measures;

documentation of proposed utility use and certification from provider, plans relating power supplies, power storage systems, decommissioning, and parking plans as required in this section and more fully explained below.

D. The applicant shall pay any and all permit application fees and inspection fees which shall be set by Resolution of the Board of Supervisors. The applicant shall be responsible for all fees and costs incurred in preparing application materials, and all costs of any additional studies required by the Board to demonstrate compliance with this Ordinance.

E. Landscape Buffer; Fencing. A landscape buffer is required between data centers and data center accessory uses and any adjoining properties, sensitive receptors, or public roadways. The landscape buffer shall comply with the following requirements:

1) The landscape buffer shall be at least 25 feet in width and may be part of the minimum setback distance.

(a) The landscape buffer shall be free of structures, dumpsters, storage or display areas, signs, materials, loading or unloading areas, and vehicle parking.

(b) The landscape buffer shall include plantings to achieve a dense, opaque, four-season screen and shall consist of native species planted as follows:

[1] 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.

[2] 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.

[3] One ornamental/flowering tree per 50 linear feet of buffer. The size of ornamental/flowering trees shall be a minimum of eight

[4] (8) feet in height for multistemmed varieties, or 2½ inch caliper at the time of planting for single-stemmed varieties.

[5] Five (5) shrubs per 25 linear feet of buffer. Size of shrubs shall be fully branched and minimum of three feet in height at the time of planting. Shrubs shall be a combination of evergreen and deciduous species, with a minimum of 50% being evergreen.

(c) All plantings shall conform to the standards of the South Park

Township list of acceptable plant species, or shall be approved by the Board of Supervisors upon recommendation by the Township Engineer, and/or Pennsylvania-registered landscape architect, or certified arborist.

(d) A variety of native, non-invasive species shall be used in order to prevent monocultural plantings. American arborvitae and similar weak-stem plants shall not be used to meet the buffer yard requirements. If more than 20 evergreen plants are proposed, no more than 50% shall be of one species.

(e) All planting species shall be deer resistant to the extent that it is feasible.

(f) A monotonous straight row of the same species shall not be permitted. A more naturalistic form of planting with a mix of species shall be provided.

(g) In the event that existing topography and/or vegetation is adequate to meet the intent of the required buffer yard, such existing topography and/or vegetation may constitute all or part of the required buffer yard.

(h) All buffer yard plantings shall be perpetually maintained by the property owner. Any plant material that dies, is removed, is diseased, or is severely damaged shall be replaced by the current property owner, on a one-to-one basis, as soon as is practical considering growing seasons, within a maximum of 150 days.

(i) All buffer yard screening shall be assured by a performance guarantee posted with the Township in an amount equal to the estimated cost of all such trees, shrubs, plantings, and installation. Such guarantee shall be released only after passage of the second growing season following planting.

2) The data center facility site shall be completely enclosed by a minimum six (6) foot high security fence with one or more locking gates which shall remain secured when facility is not in use.

F. Equipment Screening.

1) To provide visual screening, ground-mounted and roof mounted equipment used for cooling, ventilating, or otherwise operating the facility, including backup power generation equipment must be fully enclosed except where not mechanically feasible based on the manufacturer's specifications. If applicant can demonstrate that it is not mechanically feasible to fully enclose the equipment, it must be fully screened from view by the principal data center building or an

accessory building. If the applicant can demonstrate that this preferred method of screening is not possible, the applicant can utilize the landscape buffer or fence required by subsection (E) above.

G. Noise and Vibration.

1) No data center or data center accessory use, or any combination of data center or data center accessory uses developed as part of a unified development, shall cause or contribute to sound levels in violation of the standards established by this ordinance. Where there is a conflict between this section and any other section of this chapter, the provisions of this section and Exhibit A shall apply. The sound level standards of this section are more fully set forth in Exhibit A of this ordinance.

2) Vibration study. The applicant shall provide a vibration study prepared by a qualified certified professional that demonstrates that no vibration from the data center, associated accessory uses, or associated equipment will be perceptible to the human sense of feeling beyond the property line. The vibration study shall be conducted when the facility is fully operational and when backup generators and emergency power generation equipment are running. Additional as-built vibration studies may also be required thereafter by the Township. If it is determined by the as-built vibration study that there is a violation of the aforesaid noise limits, it shall be considered a violation of this ordinance.

3) Sound study. The applicant shall demonstrate through a sound study conducted by a professional acoustical expert that the sound generated by a data center and/or data center accessory uses comply with the requirements of this section and the incorporated Exhibit A. The sound study shall be conducted using generally accepted methodology in the following phases:

4) A sound modeling study shall be conducted to demonstrate that the proposed use will comply with applicable noise requirements set forth full in Exhibit A, which is attached to this ordinance. The sound modeling shall be performed according to ISO 9613-2 series methods or other generally accepted engineering methods for outdoor sound propagation. All significant noise sources associated with the proposed data center and data center accessory uses(s) shall be included. The sound modeling study shall be submitted with the conditional use application.

(a) 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. Additional as-built sound studies may also be required thereafter by the

Township. 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.

5) Applicants shall conduct an as-built sound study and vibration study every twelve (12) month period in accordance with the above standards. Studies shall be conducted at the applicants expense and timely submitted to the Township upon completion.

H. Lighting.

1) Lighting shall be shielded and aimed so as not to project output into the windows of neighboring residences, adjacent uses, past the object being illuminated, skyward or onto a public roadway.

2) The illumination projected beyond the property line shall at no time exceed 0.5 foot-candles when measured from six (6) feet above the ground from any point on the receiving property.

3) Glare control shall be achieved using such means as cutoff luminaires, shields and baffles, and appropriate application of luminaire mounting height, wattage, aiming angle, and luminaire placement.

4) LED light sources shall have a correlated color temperature that does not exceed 3000K.

5) Luminaires shall not be mounted more than 20 feet above the finished grade of the surface being illuminated. No pole-mounted lighting on the roof shall be permitted.

I. Water and Sewer.

1) Water Supply –Water Feasibility Study. No data center shall be approved unless the applicant demonstrates that there is an adequate supply of water for the proposed use and that proposed water withdrawals and discharges will not endanger or adversely affect the quantity or quality of groundwater supplies or surface waters in the vicinity.

(a) If the use will be served by a public water supply, the applicant shall submit documentation it shall not negatively impact the existing water supply or any residents within the Township for regular or fire suppression purposes.

(b) 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 center 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:

[1] The projected water demands of the data center;

[2] The source of water to be used;

[3] 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);

[4] The long-term safe yield of the water source;

[5] A description of the amount or portion of water withdrawn that will be recycled or discharged and by what means and at what temperature;

[6] A geologic map of the area with a radius of at least one mile from the site;

[7] 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;

[8] 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;

[9] 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;

[10] A statement of the qualifications and the signature(s) of the person(s) preparing the study.

(c) 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.

(d) The applicant shall not discharge wastewater on site through any pump and injection systems or otherwise.

2) Groundwater withdrawals. For groundwater sources, the water feasibility study shall include a hydrogeologic report prepared by a registered professional geologist licensed by the Commonwealth of Pennsylvania analyzing the long-term sustainable yield of the water source. The hydrogeologic report shall include:

(a) A hydrological setting analysis which includes a hydrogeologic cross section, delineation of the portion of the aquifer through which water is diverted to the well (area of diversion), delineation of the area providing groundwater recharge to the diversion area (recharge area), and identification of water resources located within the diversion and recharge areas;

(b) The results of an aquifer test conducted in accordance with Pennsylvania Department of Environmental Protection, Bureau of Safe Drinking Water, Document No. 394-2125-001, Aquifer Testing Guidance for Public Water Systems, or other generally accepted methodology. Data shall include, at a minimum, precipitation data, static water levels immediately prior to yield testing, linear hydrographs of water levels and test responses of all monitoring points through background, testing, and recovery monitoring periods, residual drawdown graphs and logarithmic hydrographs of the production well and any monitoring points that had observable drawdown as a result of operating the production well. Field notes showing original observations, water levels and flow readings and the time readings were taken shall be included;

(c) Analysis and interpretation of the aquifer test data, including a determination of the aquifer's hydraulic conductivity and specific capacity; aquifer transmissivity and storage coefficient; estimation of the horizontal extent of the cone of depression; and determination of a safe yield for the well, including analysis of the effects of 180 days of pumping with no recharge; and a groundwater availability analysis providing potential availability in a one-in-ten year drought;

(d) Test results from any wells tested;

(e) A determination of the effects of the proposed withdrawal on the quantity and quality of water in wells, surface waters, and the groundwater table within the horizontal extent of the cone of depression and how those impacts will be mitigated or

remediated.

J. Power Supply.

1) The applicant for a data center shall provide an Energy Usage Plan with the Conditional Use application. The Energy Usage Plan shall provide or identify, at a minimum:

(a) Annual electricity demand;

(b) Energy supply sources that will be utilized;

(c) Energy storage capacity (if applicable);

(d) Proposed sources of back-up power.

(e) The applicant shall monitor and report energy efficiency and emissions data to the municipality on a regular basis.

2) Prior to the commencement of construction, the applicant shall provide verification that adequate capacity is available on the applicable supply lines and substation and shall not negatively impact the power available to all customers within the Township to ensure that the capacity available to serve the other needs of the Township is consistent with the normal projected growth of the Township. Verification of adequate capacity shall be as follows: documentation demonstrating that the project has secured an electrical interconnection which may include a will-serve letter, power purchase agreement, and/or authorized Federal Agency Letter of Interconnection, PJM interconnection service agreement, or other documentation acceptable to the Borough demonstrating approval of an interconnection with the electrical grid. Known impacts on electric rates or availability for other uses directly attributable to the data center project shall be documented and available to the Township.

3) There shall be an Emergency Electrical Termination Switch installed outside of any structure which includes a data center.

K. Emergency Management.

1) The applicant shall submit an Emergency Response Plan (ERP) prepared by a qualified, certified professional. The ERP shall:

(a) Be reviewed and accepted by the local fire department and emergency management services as part of the land development 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 certified professional on behalf of the data center.

2) 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.

3) No data center 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.

4) All data center operations shall occur in a permanent building. There must be a conspicuous, durable sign which identifies the responsible person or entity controlling the data center, the physical location and address of such person or entity, and a telephone number to allow representatives of the applicant to be contacted 24 hours a day, seven days a week to address an emergency as well as other issues and complaints. The sign shall be a minimum size of 2 feet by 3 feet with a light background and contrasting letters and numbers of a minimum height of 1 1/2 inch that can be easily seen and read. The sign shall be identified clearly on the site plan.

5) If a reasonable complaint is registered with the applicant or Township, the applicant will respond to said complaint within 24 hours of notification and take whatever reasonable means necessary to alleviate and cure said complaint, should it be found to be with merit.

6) Reasonable complaints involving noise, vibration, or trespass to property shall be addressed by continuously monitoring for a period of 48 hours at the nearest property line to the complainant's residential or public building or 100 feet from the complainant's residential or public building, school medical, emergency or other public facilities, whichever is closer. The applicant shall report the findings to the Township and shall timely mitigate the problem.

L. Decommissioning.

1) The applicant shall submit a decommissioning plan for approval by the Township Engineer. The plan shall detail procedures and requirements for removal of all structures associated with the data center and data center accessory uses including the following:

(a) the anticipated life of the data center;

(b) a detailed scope of work for decommissioning that includes removal of all structures, equipment, wiring, conduit, foundations to a depth of at least four (4) feet below grade along with a plan for restoring the site to pre-development conditions or better, including stabilization and revegetation of the site;

(c) the estimated decommissioning costs in current dollars, including contingency, to be updated every one (1) year;

(d) a timeline for decommissioning activities; and

(e) financial security in an amount equal to one hundred ten percent (110%) of the total estimated decommissioning and restoration costs, in a form to be approved by the Township Solicitor, to ensure that funds will be available for decommissioning and restoration. Financial security shall be updated to reflect any annual changes in the estimated decommissioning costs.

2) Determination of Abandonment. A data center shall be considered abandoned when it has not been in active operation for a period of six (6) consecutive months. The Township shall notify the owner in writing of the preliminary determination of abandonment and allow the owner thirty (30) days to respond. If the owner fails to respond or demonstrate that the facility has not been abandoned, the Township shall issue a final determination of abandonment.

3) Decommissioning Process. Decommissioning shall commence within sixty (60) days of final determination of abandonment. All decommissioning work shall be completed within one hundred eighty (180) days of commencement.

M. Parking.

1) Data centers are to be provided with at least two (2) parking spaces per employee based upon the maximum number of employees on site during the largest shift.

SECTION 4 - EFFECTIVE DATE / REPEALER:

This Ordinance shall become effective immediately upon enactment and shall repeal all prior inconsistent ordinances and resolutions to the extent of such inconsistency.

SECTION 5 - SEVERABILITY:

If a final decision of a court of competent jurisdiction holds any provision of this Ordinance or the application of any provision of this Ordinance to any circumstance to be illegal or unconstitutional, the other provisions of this Ordinance and the application of such provisions to other circumstances shall remain in full force and effect.

ORDAINED AND ENACTED this _____ day of _____, 2026.

ATTEST: **TOWNSHIP OF SOUTH PARK**

_____ _____

Manager/Secretary

EXHIBIT A

The Noise Study contained in 137-131(A)(63)(G)("Noise and Vibration") shall meet all of the following standards and regulations:

1. **Definitions.** The following definitions shall apply to this section:
   a. **A-weighted fast response maximum sound level (LMAX),** The maximum sound pressure level in decibels (dB) measured over a given period of time, with A-frequency weighting and fast response time-weighting applied.
   b. **Compliance metric:** L_{EQ}, L_{MAX}, L_{PK}, or L_{PTL},
   c. **Business Hours:** the hours between 7:00 am and 7:00 pm, Monday through Saturday.
   d. **Equivalent continuous sound level** (L_{EQ}), The steady sound pressure level in decibels (dB) which, over a given period of time, has the same total energy as the fluctuating noise measured over the same period of time.
   e. £ **Log Average Level (LAL_{xx}):** The logarithmic average of the interval measurements of a compliance metric, computed as follows:

$$LAL_{xx} = 10 \log_{10}\left[\frac{1}{nP_o^2}\sum_{k=1}^{n} P_o^2 \quad 10^{L_{xk}/10}\right]$$

$$= 10 \log_{10}\left[\left\{10^{\frac{L_{x1}}{10}} + 10^{\frac{L_{x2}}{10}} \ldots 10^{\frac{L_{xn}}{10}}\right\}/n\right]$$

Where:

LAL_{xx}.:. = log average level in dBA or dB where L_{xx} represents either L_{EQ}, L_{MAX}, L_{PK}, or L_{PTL}.
L_{x1} = level of the first interval measurement in dBA or dB
L_{x2} = level of the second interval measurement in dBA or dB
L_{xn} = level of the n^{th} interval measurement in dBA or dB
n = the number of measurement intervals
P_0 = standard reference pressure of 20 micro pascals

A minimum of 20 intervals of one minute each measured over a single period of 24 hours shall be used, however, intervals need not be contiguous. Intervals with louder, and preferably the loudest noise, should be used.

   g. **Natural Environmental Sounds:** Environmental sounds that are inherent to the area and due to naturally occurring sounds such as insects, rustling leaves, wind, wild birds, wild animals, frogs, rain, lightning, or weather, but not including the noise of

domesticated animals.

h. **Normal Community Sound:** Sound that is inherent to and consistent with the norms of the community and which the average resident would reasonably expect to occur in their community. Normal Community Sound may include, but is not limited to, children playing, occasional dog barks, domestic power tools, residential HVAC equipment, and reasonable transportation sounds that meet state, federal, and local noise requirements and limits.

i. **Pure tone:** A sound occurring at a discrete frequency as determined by a Fast Fourier Transform measurement (narrowband analysis) of a sound using a dynamic analyzer with at least 1 Hz and preferable 1/8 Hz resolution, a Hanning window, and sufficient averaging to determine the magnitude of the pure tone level that is exceeded *5%* of the time (i.e. an exceedance rate ofL5).

j. **Pure Tone Level** (L_{PIT},), The magnitude in decibels (dB) of a pure tone, with no weighting applied.

I. **Receiving Property:** Real property impacted by noise generated by a data center and/or data center accessory uses. A Receiving Property need not be directly adjacent to the parcel or collection of parcels on which the data center or data center accessory use(s) are located but shall not include any real property incorporated as part of a unified design with the data center whose compliance is being evaluated.

m. **Un-weighted peak sound pressure level (L_{PK}),** The maximum instantaneous sound pressure level in decibels (dB) that occurs during a stated time interval, with no weighting applied.

2. **Sound level limits.**

a. For purposes of compliance with this subsection, sound shall be measured at the point, at any elevation, on the Receiving Property where the Log Average Level of the relevant Compliance Metric is highest.

b. data centers and data center accessory uses shall not have an LAL_{EQ} exceeding 65 dB outside of Business Hours. data centers and data center accessory use abutting a sensitive receptor shall not have an LAL_{EQ} exceeding 55 dB outside of Business Hours.

c. LAL_{MAX} shall not exceed the decibel value of the Equivalent Continuous Sound Level (L_{EQ}) as provided in Section 2(b) by more than 10 dB outside of Business Hours.

d. LAL_{PK} shall not exceed the decibel value of the Equivalent Continuous Sound Level (L_{EQ}) by more than 20 dB outside of Business Hours.

e. All LAL_{PTLs} shall be at least 10 dB below the nominal PTLxx curve at the corresponding frequency, as set forth in Table 1 below, where the value represented by "xx" is the L_{EQ} limit (in dB) set forth in Section 2(b). Where the applicable L_{EQ} limit is not a multiple of *5,* the PTL curve corresponding to the next highest *5* dB increment shall be used; interpolation between PTL curves is not permitted.

Each identified pure tone shall be evaluated independently, and where more than one pure tone is present, compliance shall be determined separately for each tone. Logarithmic averaging of tonal levels across frequencies shall not be used.

Table 1: Maximum allowable LAL_{PTL} dB by Tone Frequency and L_{EQ} limit

	Octave Band Frequency (Hz) of Pure Tone									
PTLxxcurve	**16**	**32**	**63**	**125**	**250**	**500**	**1000**	**2000**	**4000**	**8000**
PTL70	101	96	91	86	81	76	72	68	64	60
PTL65	96	91	86	81	76	71	67	63	*59*	*55*
PTL60	91	86	81	76	71	66	62	58	54	50
PTL55	86	81	76	71	66	61	57	53	49	45
PTL50	81	76	71	66	61	56	53	48	44	40

3. Exceptions. The above sound level limits do not apply to sound originating from:

a. Motor vehicles operated legally and in compliance with the noise regulations of the Pennsylvania Department of Transportation;

b. Safety and protective devices where noise suppression would defeat the safety intent of the device when being used for its intended purpose;

c. Any device intended to provide public warning of potentially hazardous, emergency, or illegal activities such as commercial, residential, or vehicle burglar alarms; back-up signals on regulated and licensed motor vehicles; fire alarms; law enforcement and fire vehicles, and similar devices;

d. Emergency equipment and emergency work necessary in the interest of public health, safety, or welfare or law enforcement;

e. Emergency standby generators during emergency use. Routine testing of generators shall comply with the sound level limits unless such testing occurs outside of Business Hours during which time generators may exceed the sound level limits by no more than 20 dBA (20 dB for L_{PK}) for up to one (1) cumulative hour per seven (7) calendar day period.;

f. Construction noise, including site preparation, assembly, erection, demolition, substantial repair, maintenance, alteration or similar action for structures or other site improvements, provided that such construction occurs during Business Hours and that reasonable noise controls such as proper muffling of all engines, motors, or turbine-driven equipment, and pneumatic devices; noise enclosed air compressors and generators; sound barriers; and lagging are employed.

4. **Measurement**

a. Terminology and measurement practices shall follow applicable ANSI Sl & S12 standards. Compliance measurements shall be made using a calibrated ANSI Type 1 or Type 2 integrating sound level meter with a dynamic range of at least 60 dB. For each measurement, the signal-to-noise ratio shall be at leastl0 dB.

b. The contribution of wind noise to each compliance measurement shall not exceed *5* dBA (or dB). Measurements shall be made with properly installed windscreens, and any measurement influenced by wind noise exceeding this limit shall be discarded or repeated under acceptable conditions.

c. Measurements shall exclude significant effects of Natural Environmental Sounds and Normal Community Sounds. The signal-to-noise ratio of the combined effect of Natural Environmental Sounds and Normal Community Sounds shall be at least *5* dBA (or dB) and preferably at least 10 dBA (or dB).

d. Impact or impulse-type sounds shall be measured with the un-weighted Peak Sound Pressure Level (LPK) using a meter specifically designed for peak measurements and conforming to the applicable ANSI Sl standards. RMS (root mean square) measurements using the "fast" response setting or any legacy "impulse" function shall not be used.