



ZPH2024-00024: Permitted Use Text Amendments Crypto Currency, Data Centers, and Government Protection Services

Presented by

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PURPOSE

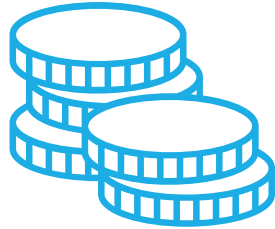


The purpose of the proposed text amendments will be to address the following uses in the Buncombe County Zoning Ordinance:

- **Cryptocurrency Mining Operations**
- **Data Centers**
- **Government Protective Services**



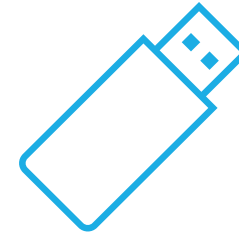
BACKGROUND



Cryptocurrency Mining

May 2023: Commissioners unanimously passed a moratorium on Crypto Mining facilities to allow time for the county establish regulations

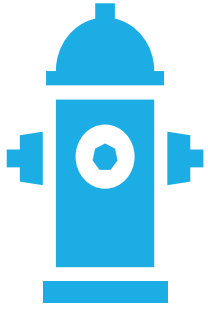
May 2024: Moratorium extended for 1 year



Data Centers

- Defined as: A group of computer servers used for remote storage, processing, or distribution of data.
- Does not include crypto mining facilities.
- Update and modernization of the zoning ordinance





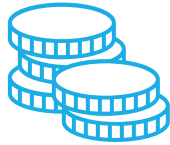
BACKGROUND

Government Protective Services

- New fire station proposed to be built in an area that currently does not permit
- For the safety of county visitors and residents, government protective services need to be permitted in all zoning districts
- Includes fire stations, police stations, e-911 centers, and EMS stations.



EQUITY ANALYSIS



Cryptocurrency mining

- Often sited where land is cheap
- Negative impacts on the environment and surrounding communities
- Potential to cause environmental justice issues
- No jobs created, or products or services offered locally



Data Centers

- Supports commerce, research, government services, and economy
- Permitted in commercial zoning districts will allow for minimal impacts to residential and rural communities



Government Protective Services

- Allowing use in all districts removes one barrier for all communities to have increased level of service



COMPREHENSIVE PLAN



Growth, Equity, Conservation

- **Action 6:** Support the protection of agricultural and forest lands, environmentally sensitive areas, and rural communities.

Farms, Forests, Environment

- **Policy 2:** Preserve Buncombe County's natural heritage.
- **Policy 3:** Promote ecosystem enhancement...

Health & Recreation

- **Policy 5:** Utilize environmental protection and land conservation to... promote health.

Infrastructure & Energy

- **Policy 2:** Plan for the long-term sustainability of public services.
- **Action 2:** Implement policies around new development and re-development that advance decarbonization and sustainability goals



OTHER JURISDICTIONS

Location	Cryptocurrency Regulation Examples
McDowell County, NC	Total ban on cryptocurrency mining
Waynesville, NC	Total ban on cryptocurrency mining
Greenville, NC	3,400 foot setback from residences and schools, limits hours of operation from 9am-5pm, limits allowable noise decibel
Haywood County, NC	750 feet setback from neighboring property lines
Clay County, NC	Total ban on cryptocurrency mining

Location	Data Center Regulation Examples
Prince William County, VA	Data Center Overlay District. There are design standards.
Chandler, AZ	Allowed as part of Planned Area Development and must comply with standards.



SUMMARY OF PROPOSED TEXT AMENDMENTS

- Add the definition of Crypto-currency mining operation to the definitions section.
- Add the definition of Data Center to the definitions section.
- Add Government Protective Services to the Permitted Uses Table to allow it as a Use-By-Right in all zoning districts
- Add Data Center (non-crypto currency) to the Permitted Uses Table, and permit it in the CS, EMP, PS, and AI zoning districts with Special Requirements (SR).
- Add Special Requirement standards for Data Centers, to include: sound study, facility enclosure, certification of noise level, setback requirements from residential properties and structures, generator use hours of operation, screening requirements
- Add Crypto-currency mining to the Permitted Use Table and prohibit it in all zoning districts

Hearing Notification

- ✓ CASE NUMBER: ZPH2024-00015
- ✓ Notice on BC Website: 11/8/2024
- ✓ Notice in Asheville Citizen-Times legal ad: 11/8/2024 and 11/15/2024



Action by the Planning Board

- Public hearing held on 9/16/2024
- Voted unanimously to forward a recommendation of approval and that the amendment is consistent with the Comprehensive Plan to the Board of Commissioners.



Requested Action by the Board of Commissioners

- Hold Public Hearing
- Vote on proposed text amendment with Comprehensive Plan consistency statement



QUESTIONS

