

BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, WASHINGTON

Ordinance Relating To:)
)
Interim Official Control adding Definitions and) Ordinance TLS No. 18-06-17
Enacting a Moratorium on Placement and)
Permitting of Cargo Containers Used for)
Cryptocurrency Mining)

WHEREAS, the demand for using cargo containers for uses other than what the containers were originally design for has increased; and

WHEREAS, the Douglas County Countywide Comprehensive Plan goals and policies "Encourage variety and innovative design in industrial site development and encourage an attractive and high quality environment for industrial activities."; and

WHEREAS, the Douglas County Code does not have standards pertaining to cargo containers used as primary structures for cryptocurrency mining that encourage an attractive and high quality environment for industrial activities; and

WHEREAS, the siting of cargo containers for cryptocurrency mining absent design and aesthetic standards may be deleterious to achieving an attractive environment for industrial uses; and

WHEREAS, the unregulated placement of cargo containers for cryptocurrency mining has created unanticipated and undesired visual impacts within the county's industrial areas; and

WHEREAS, RCW 36.70.795 authorizes counties to establish interim official controls and moratoria, and these may be effective for up to one year if a work plan is developed for related studies providing for an effective period longer than six months; and

WHEREAS, this Board will conduct a public hearing as required by RCW 36.70.795.

NOW, THEREFORE, BE IT RESOLVED as follows by the Board of County Commissioners:

1. The above recitations are hereby adopted as interim Findings of Fact.
2. An interim official control is adopted to add definitions to DCC Chapter 14.98 as follows:

"Cargo Container" means a standardized, reusable vessel, designed without an axle or wheel which:

(1) Was originally, specifically or formally designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities; and

(2) Was designed for or capable of being mounted or moved on a (a) rail car; or (b) chassis or bogie, or similar transportation device, for movement by truck trailer or loaded on a ship.

“Cryptocurrency” means a digital currency in which encryption techniques are used to regulate the generation of units of currency and verify the transfer of funds, operating independently of a central bank. Bitcoin is the most common example of cryptocurrency.

“Cryptocurrency mining” means the operation of specialized computer equipment for the primary purpose of mining one or more blockchain based cryptocurrencies such as Bitcoin. This activity typically involved the solving of algorithms as part of the development and maintenance of a blockchain which is a type of distributed ledger maintained on a peer-to-peer network. Typical physical characteristics of cryptocurrency mining include specialized computer hardware with a non-diverse electrical use for mining operations as well as equipment to cool the hardware and operating space. For the purposes of the associated regulations, cryptocurrency mining does not include the exchange of cryptocurrency or any other type of virtual currency nor does it encompass the use, creation, or maintenance of all types of peer-to-peer distributed ledgers.

3. Douglas County does hereby adopt a moratorium on the siting of a cargo container to be used as a primary or accessory structure for cryptocurrency mining within the unincorporated area of Douglas County, except within a fully enclosed building having solid material walls and roof where the cargo container is not visible from any vantage point outside of the enclosing building.

4. While the moratorium is in effect no application for a building permit, placement permit, occupancy permit, tenant improvement permit, or other permit or approval associated with a cargo container used as a primary or accessory structure for cryptocurrency mining shall be accepted as complete by the Department of Transportation and Land Services, PROVIDED that permits to construct buildings to fully enclose cargo containers that were authorized before the effective date of this ordinance may be accepted and approved, and building construction pursued in a timely manner.

5. It shall be unlawful to place, modify, improve or store a cargo container used as a primary or accessory structure for cryptocurrency mining, except as provided in (3) above, during the period of the moratorium. Any unpermitted placement, modification or

improvement will constitute a violation of the county code. In the event official controls and codes are adopted that allow the placement, modification or improvement, permits to remedy the violation and the payment of all fees, including investigation fees, and compliance with the adopted official controls and codes shall be required.

6. The following work program is established:


Activity	Timeframe
Identify critical issues, applicable policies and codes; literary research on approaches in other jurisdictions	April-June 2018
Identify alternative approaches to address critical issues; draft alternative approach(es); work sessions with Planning Commission and Board of Commissioners, State Environmental Policy Act analysis	July-October 2018
Prepare final draft for public and agency review; initiate sixty-day agency review	November-December 2018
Planning Commission hearing	January 2019
Board of Commissioners meeting(s), adoption	January-February 2019

7. This Moratorium shall be effective immediately and shall expire one year from the date of this Resolution, unless renewed or otherwise extended as provided in RCW 36.70.795, or repealed.

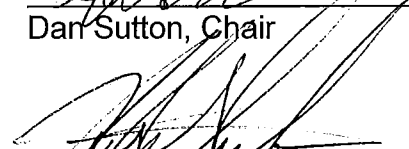
ADOPTED in open session this 17th day of April 2018, at Waterville, Washington.

BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, WASHINGTON





Dan Sutton, Chair




Kyle Steinburg, Vice Chair



Steven D. Jenkins, Commissioner

ATTEST:



Tiana Rowland, Deputy Clerk of the Board