

**WENATCHEE PLANNING COMMISSION  
SCHEDULED MEETING  
June 19, 2019  
WENATCHEE CITY HALL COUNCIL CHAMBERS  
301 Yakima Street, 2<sup>nd</sup> Floor  
Wenatchee, WA 98801**

<b>AGENDA</b>
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**I. CALL TO ORDER AND WELCOME**

**II. ADMINISTRATIVE AFFAIRS**

A. Approval of the minutes from the last regular meeting on May 15, 2019.

**III. PUBLIC COMMENT PERIOD**

Comments for any matters not included on the agenda.

**IV. OLD BUSINESS**

None

**V. NEW BUSINESS**

- A. Public Hearing: Cryptocurrency mining and data center code amendments
- B. Work session: Housing code update

**VI. OTHER**

A. None

**VII. ADJOURNMENT**

***In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Mayor's office at (509) 888-6204 (TTY 711). Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title 1.)***

MINUTES

**I. CALL TO ORDER**

Vice Chair Ace Bollinger called the meeting to order at 5:27 p.m. with the following members in attendance: Joe Gamboni, Susan Albert, Josh Jorgensen, and Richard Erickson. Commissioner Rani Sampson arrived at 5:33 p.m. Absent was Commissioner Scott Griffith.

City Planning staff was represented by: Glen DeVries, Community Development Director; Stephen Neuenschwander, Planning Manager; Matt Parsons, Senior Planner; and Kim Schooley, Administrative Assistant. Also present was Steve King, Economic Development Director and Matt Shales, Economic Development Project Manager.

**II. ADMINISTRATIVE AFFAIRS**

A. Approval of the minutes from the regular meeting on April 17, 2019.

**Commissioner Albert moved to approve the minutes from the April 17, 2019 regular meeting. Commissioner Gamboni seconded the motion. The motion carried.**

**III. PUBLIC COMMENT PERIOD**

Comments for any matters not included on the agenda.

There was no public comment.

**IV. OLD BUSINESS**

None

**V. NEW BUSINESS**

Vice Chair Ace Bollinger advised that the agenda order would be changed and that item C would be heard first as there were several members of the public present wished to comment.

C. Work session: Interim Control on neighborhood centers, auditoriums, places of public assembly, and places of public worship in the residential zoning districts enacted by Ordinance 2019-13.

Stephen Neuenschwander, Planning Manager, presented the staff report.

Commissioners asked questions of staff.

Vice Chair Bollinger opened the matter for public comment.

Russ Keagle, 2904 Alvista Place, Wenatchee, WA. Keagle advised that he was a member of the Lower Sunnyslope Homeowners' Association (LSHA) which had been created following a 7:45 a.m. church service/event held by Grace City on the property at an Easter service last year. He advised that the noise level of the event and traffic were unbearable. He said that the neighborhood is concerned with future plans as outlined on their website. Keagle said they appreciated the Commissioners review of the matter and the one year moratorium in place to allow for further clarification and code to be established.

Jim Ethier, 311 Hilltop Place, Wenatchee, WA. Ethier said that he too was a member of the LSHA and advised that he lives above the 10 acre parcel owned by Grace City Church. Ethier also experienced the event Keagle referred to and advised that the event/noise went on for a large part of the day and that he had to leave his residence. Ethier said that he also has great concerns about some of the proposed construction plans outlined on their website for what they term as an "event center". In addition, a wedding chapel located on the property was proposed to have large glass doors that could be opened for events which would also contribute to a significant amount of noise directed toward neighboring properties. Ethier asked Commissioners to look at the noise ordinances and to consider that this is noise production far beyond what is allowed for this type of use based on their original CUP application, which was stated it was for a traditional church and to consider what is tolerable to neighboring properties.

Kris Speten, Executive Pastor, Grace City Church. Speten advised the he read the interim ordinance and advised that the church understood the need to look at the impacts of businesses operating in residential zones, and can see that the church would be willing to implement some common sense measures, but that don't prevent them from operating their business as needed. He said that the church would like to work with the City to further define parameters and understand impacts, as well as perhaps consideration for redefining the designation of churches with regard to places of public assembly. Speten advised that some of the confusion regarding their construction plans on their website was a result of artist renderings of a master plan that were initially posted for vision and fundraising purposes. He advised that there will be no roll-up doors on the chapel, no stage on the back of the chapel, no terracing on the sloped hill, and currently there is nothing planned behind the chapel. He said they were asked to take those out and that's what they did.

Commissioners asked questions of Speten regarding the project.

Wendy Lesesne, 217 W. Peters, Wenatchee, WA. Lesesne expressed that it is slightly terrifying to have a church move into your backyard and rolls out plans to put in an amphitheater for a thousand people it's concerning. She said that the noise levels experienced in the past from the church's events actually made the dishes in her cupboards rattle. Lesesne said that they were supposed to be a community church, but that they were really forcing their way into their community. She asked Commissioners to consider how they would like it if the same moved into one of their neighborhoods.

Vice Chair Bollinger thanked everyone for their comments.

- A. Work session: Potential City Code amendments for structured parking facilities - Steve King, Economic Development Director.

Steve King, Economic Development Director, and Matt Shales, Economic Development Project Manager, presented the staff report.

Commissioners asked questions of staff.

**B. Work session: Cryptocurrency and data center code update**

Stephen Neuenschwander, Planning Manager, and Matt Parsons, Senior Planner, presented the staff report.

Commissioners asked questions of staff.

**VI. OTHER**

Stephen Neuenschwander, Planning Manager, discussed the Planning Commission work outline for the next few months.

**VII. ADJOURNMENT**

With no further business to come before the Planning Commission, Vice Chair Ace Bollinger adjourned the meeting at 6:59 p.m.

Respectfully submitted,

CITY OF WENATCHEE  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
*Kim Schooley, Administrative Assistant*

<b>STAFF REPORT CRYPTOCURRENCY MINING AND DATA CENTER CODE AMENDMENTS</b>
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**TO:** City of Wenatchee Planning Commission  
**FROM:** City of Wenatchee Community Development Staff  
**DATE:** June 11, 2019  
**MEETING:** June 19, 2019  
**RE:** Cryptocurrency Mining and Data Center Code Amendments Staff Report

## **I. REQUESTED ACTIONS**

Conduct a public hearing on proposed amendments to the Wenatchee City Code (WCC).

## **II. ENVIRONMENTAL REVIEW**

The City of Wenatchee has determined the proposed amendments to the Wenatchee City Code (WCC) will not have probable significant adverse impacts on the environment. The City of Wenatchee has issued a determination of non-significance (DNS). Notice of the environmental determination for the proposed amendments to the Wenatchee City Code was made on November 30, 2018.

## **III. PUBLIC PROCESS**

- The City Council enacted an interim control on February 22, 2018 by Ordinance 2018-04 adopting standards and regulations for cryptocurrency mining in the City.
- The City Council held a public hearing on the interim control pursuant to RCW 36.70A.390 and RCW 35A.63.220 on March 22, 2018.
- Planning Staff continued their research on Cryptocurrency Mining in spring and early summer 2018 and they continued to meet and correspond with the Chelan County Public Utility District (CCPUD).
- The Planning Commission conducted a workshop on July 18, 2018 on the topic of Cryptocurrency Mining. After a staff presentation and discussion of the topic, the Planning Commission came up with a list of questions that could be addressed by a representative of the CCPUD at a subsequent meeting.
- The Planning Commission conducted a workshop on the topic of Cryptocurrency Mining on August 15, 2018. Andy Wendell, representing the CCPUD, addressed the Planning Commission and answered their questions. The Planning Commission asked for the opportunity to discuss the topic with local Cryptocurrency Miners.
- The Planning Commission conducted a workshop on the topic of Cryptocurrency Mining on September 19, 2018. Two local cryptocurrency miners, Becky Peters and Nick Martini, discussed the topic with the Planning Commission.
- The Planning Commission conducted a workshop on the proposed revisions on October 17, 2018. Staff presented a draft of proposed regulations for consideration.

- Planning staff held a workshop with the City Council on the topic of Cryptocurrency Mining on November 15, 2018 to update them on work that was being done and get some feedback.
- The Planning Commission conducted a workshop on the proposed revisions on November 27, 2018. Planning staff presented revisions to the draft regulations and discussed them with the commission.
- The amendments and environmental documents were posted on the City of Wenatchee website during the public comment and environmental review periods.
- Notice of the initial version of the proposed amendments to the Wenatchee City Code was published on November 30, 2018 in the Wenatchee World Newspaper.
- Concurrent with the notices provided for the proposed amendments, copies of the environmental documents were sent to the Department of Ecology SEPA Register; and the City of Wenatchee provided formal notice to the Washington State Department of Commerce of the intent to adopt amendments to the Wenatchee Zoning Code and request for expedited review. Additional notice was provided to local and regional agencies.
- On January 6, 2019 notice was provided in the Wenatchee World correcting the location of the scheduled public hearing on January 10, 2019 which had been previously published on November 30, 2018.
- On December 11, 2018, the City of Wenatchee Planning Commission conducted an advertised public hearing on the proposed amendments (initial version). The Planning Commission recommended approval of the proposed code amendments.
- On January 10, 2019 the Wenatchee City Council conducted a public hearing on the initial version of the proposed amendments. At this meeting, the council voted unanimously against adopting the proposed Ordinance.
- A joint public workshop with the council and Planning Commission was held at the regularly scheduled City Council Workshop on January 17, 2019.
- Ordinance 2019-04 was passed after an advertised public hearing on February 14, 2019. This Ordinance extended the interim control another 6 months.
- On May 15, 2019 the Planning Commission discussed a revised set of regulations reflecting the City Council's feedback in a workshop setting.
- On June 19, 2019 the Planning Commission is expected to hold an advertised public hearing on the proposed regulations that they discussed at their May 15 workshop.
- On July 11, 2019 the Wenatchee City Council is expected to hold an advertised public hearing on any proposed code amendments that the Planning Commission recommends for approval.

#### **IV. AGENCY AND PUBLIC COMMENTS:**

At the writing of the staff report, no comments were received in response to this proposal.

#### **V. PROJECT ANALYSIS**

## Comprehensive Plan Goals and Policies:

Goal 1 in the Utilities Element of the Wenatchee Urban Area Comprehensive Plan, states: “Ensure that the utilities necessary to support development are adequate at the time they are needed without decreasing service levels below those locally acceptable”, Policy 2 of Goal 1 further states: “No development will be approved that reduces the level of service of any utility below the adopted level of service”

Goal ED 6 in the Economic Development Element of the Wenatchee Urban Area Comprehensive Plan, states: “Work with regional partners to ensure that regional and local infrastructure needs are addressed.”

Key strategy number 10 (adopted as a policy by Goal ED 1, Policy 1) in the Economic Development Element of the Wenatchee Urban Area Comprehensive Plan begins with “Pursue data farm development” and goes on to described the benefits this type of development may bring to the community including the following passage: “Selling reliable hydropower at market prices provides an amazing economic impact in terms of tax revenues to the schools and other governmental services.”

## **VI. STAFF ANALYSIS**

### Background

The Wenatchee valley’s extremely low electricity rates have long been known to attract certain land uses that rely on large amounts of electricity. The information age brought unique challenges and rewards for our community and some of our neighbors as our economies diversified to include server farms and other power hungry high tech industries. More recently cryptocurrency mining has made its way into our region utilizing the low electricity rates. The unique thing about this new high tech endeavor is that it is sometimes pursued at a very small scale including in people’s homes. This creates unique challenges which will be addressed below.

Cryptocurrency is a type of digital currency which is created when a particular algorithm is solved by a computer which then adds to a blockchain. Blockchains are a type of peer to peer distributed ledger that utilize the aforementioned algorithms to regulate their development. As certain cryptocurrencies have gained popularity, and in turn gained value, the incentive to “mine” for these “coins” (such as Bitcoin) has increased. The act of solving the algorithms has become increasingly complex and in turn requires ever more powerful and specialized computer hardware.

Cryptocurrency mining operations almost exclusively utilize a type of computer, typically an ASIC server, which is not used for any other task. These devices are not very big but draw an incredible amount of electricity. The emergence of cryptocurrency mining at an increased level poses two distinct challenges to the Chelan PUD and the city.

First, cryptocurrency mining is often operated in a location where the electrical infrastructure serving it is not rated for the high energy use and constant demand. This is particularly true in residential areas where, unfortunately, these cryptocurrency operations have been found in some cases only after the electrical infrastructure has been damaged or destroyed and fires started.

Second, if the current trends continue where cryptocurrency mining becomes increasingly prevalent, the Chelan County PUD may not be able to meet the community's electricity consumption needs in a timely manner and therefore the community would not be able to accommodate its projected growth without the siting and construction of additional significant electrical infrastructure including power substations and lines.

### Process

In Fall 2018, the Planning Commission and City staff worked together to draft standards that would allow cryptocurrency mining in commercial and industrial districts as permitted uses and as accessory uses in residential districts. Data centers would be permitted in commercial, industrial, and some mixed use districts. At a public hearing on December 11, 2018, the Planning Commission made a recommendation to the City Council to approve the regulations as proposed.

At the January 10, 2019 City Council hearing on cryptocurrency, the Council voted unanimously not to accept the Planning Commission recommendation citing concerns over allowing the use in residential zoning districts, public safety, and noise and directed city staff to prepare an ordinance extending the interim control. The interim control was extended effective February 23, 2019 for a period of six (6) months.

The Planning Commission and Council met jointly on January 17, 2019 in a workshop to further discuss these issues. The council and planning commission discussed the possibility of touring a cryptocurrency mining facility. A memorandum was sent May 7, 2019 identifying the location of a currently operating facility and an invitation to visit the site to experience the ambient noise.

At the May 15, 2019 Planning Commission Meeting, staff presented a revised version of the proposed code addressing the concerns of the City Council. The Planning Commission discussed the proposed code and expressed that they found it acceptable for the purposes of bringing it to a public hearing.



## Analysis

The proposed standards provide a process for the Chelan PUD to verify that the infrastructure is adequate to serve the proposed use and therefore will not present a safety risk as well as ensuring that the electrical capacity of the PUD system is not diminished in such a way as to preclude future residential, commercial and industrial development. In the situations where the infrastructure is not adequate for the proposed use, the standards provide a framework for the applicant to work with the Chelan PUD to ensure the necessary improvements are in place before beginning any cryptocurrency mining.

Noise produced by cryptocurrency mining operations and any ancillary equipment for purposes such as cooling could be an issue of concern for neighboring uses. Research on how other jurisdictions treat noise issues, particularly as they pertain to mechanical equipment such as exterior HVAC units (heat pumps, air conditioners, etc.) indicated that reference is made to the standards in WAC173-60 or those standards are adopted into local code. According to these standards, a cryptocurrency mining operation in a residential area (source, Class A) and adjacent to a residential area (receiving property, Class A) would be limited to 55 dBA at the property line. An operation in an industrial area (source, Class C) and adjacent to industrial areas (receiving property, Class C) would be limited to 70dBA. An operation violating the established noise levels would be enforced utilizing the established processes in WCC16.12 Code Enforcement.

The current proposed draft includes the following changes from the version that was presented to the City Council on January 10, 2019:

- Cryptocurrency mining as an accessory use has been removed from all residential districts. The Council was very clear that cryptocurrency mining in residential districts would not be acceptable.
- In subsection (5), there is some clarification and measurable distance for occupancy of commercial store frontage. Through the housing code update, the consultants are suggesting that this section of the use chart be updated to provide a measurable dimension for uses prohibited from occupying the immediate storefront. The suggested depth of 50 feet is consistent with their recommendation.
- For clarity, a new subsection (6) was inserted to draw attention to the blank wall standards that were previously combined in an earlier subsection.
- New subsection (7) was updated regarding compliance with the city and state noise standards.
- New subsection (8) was added to address the issue of noise compliance. Both the planning commission and the city council struggled with how to ensure compliance with adopted noise standards and to minimize negative impacts to adjacent properties. In order to establish a baseline of compliance, staff is proposing that within 30 day of beginning business of a data center or cryptocurrency mining operation, the proponent be required to submit to the city in an affidavit certifying the following information:

- Name and qualifications of the person who measured the decibel levels
- Equipment used
- Location of the noise measurements depicted on a scaled site plan. The points of measurement shall be at all property lines and generally at the points on those property lines most susceptible to noise from the applicable equipment.
- Decibel levels measured at each property line
- A description of the operating conditions of the applicable equipment when the measurements were taken.
- Time and duration of measurements
- A statement attesting to the accuracy of the information provided and a guarantee that the project proponent will not run their equipment at a more intense or noisier state than when they made the measurements.

This information would then be on-file demonstrating that the equipment at the beginning of operations was in compliance with the decibel levels in the WAC.

Staff recommends **Approval** of the draft revisions to Title 10 Zoning relative to cryptocurrency mining and data centers, based upon the suggested findings of fact and conclusions of law enclosed at the conclusion of the staff report.

## **SUGGESTED FINDINGS OF FACT AND CONCLUSIONS OF LAW**

### Suggested Findings of Fact:

1. The City of Wenatchee has adopted the Wenatchee Urban Area Comprehensive Plan and a series of sub-area comprehensive plans pursuant to the Growth Management Act (GMA), RCW Chapter 36.70A, which cover the Wenatchee Urban Growth Area and all incorporated areas within the City of Wenatchee, that have been found to be consistent with each other and with the adopted GMA plans of the adjoining jurisdictions.
2. The City of Wenatchee Planning Commission is responsible for long range planning matters and providing implementation recommendations to assure compliance with the Growth Management Act for the City of Wenatchee Urban Growth Area in coordination with Chelan County and within the incorporated boundaries of the City of Wenatchee. These measures include updates and amendments to the comprehensive plan; development regulations, environmental regulations, and any other rules, actions or regulations deemed necessary to implement the Growth Management Act.
3. RCW Chapters 36.70 and 36.70A authorize the adoption of development regulations.
4. The Planning Commission conducted workshops on the initial version of the proposed revisions on July 18<sup>th</sup>, September 19<sup>th</sup>, October 17<sup>th</sup>, and November 27<sup>th</sup>.

5. The City of Wenatchee issued a determination of nonsignificance on November 30, 2018 and provided copies of the environmental documents to the Department of Ecology SEPA Register.
6. On November 30, 2018, the City of Wenatchee provided formal notice to the Washington State Department of Commerce of the intent to adopt amendments to the Wenatchee City Code with a request for expedited review per RCW 36.70A.106. Additional notices were provided to local and regional agencies for the review and comment periods/environmental determinations.
7. Notice of the public 60 day review and comment period, and public hearing dates were published in the Wenatchee World on November 30, 2018.
8. On December 11, 2018, the City of Wenatchee Planning Commission conducted an advertised public hearing. The Planning Commission entered into the record the files on the proposed amendment, accepted public testimony, and deliberated the merits of the proposal.
9. On January 10, 2019 the Wenatchee City Council conducted a public hearing on the initial version of the proposed amendments. At this meeting, the council voted unanimously against adopting the proposed Ordinance.
10. A joint public workshop with council and Planning Commission was held at the regularly scheduled City Council Workshop on January 17, 2019.
11. Ordinance 2019-04 was passed after an advertised public hearing on February 14, 2019. This Ordinance extended the interim control another 6 months.
12. On May 15, 2019 the Planning Commission discussed a revised set of regulations reflecting the City Council's feedback in a workshop setting.
13. On June 8, 2019 a notice of codes proposed for adoption and public hearing was published in the Wenatchee World newspaper advertising a public hearing with Planning Commission on June 19, 2019 and with City Council on July 11, 2019.
14. The City of Wenatchee Planning Commission has reviewed the entire record and public testimony as it relates to the proposed amendments to the Wenatchee City Code.
15. Cryptocurrency is a term encompassing code-based protocols supporting an electronic, non-physical media for the exchange of value.
16. Cryptocurrency mining is a continuous process where computers work to solve algorithms to maintain and build an algorithmic chain, or blockchain, and in exchange are granted cryptocurrency.
17. Cryptocurrencies have an ever-fluctuating monetary value and can be exchanged for conventional currency.
18. The continuous use of specialized computer hardware creates a high-density load situation which is taxing the existing electricity distribution and service infrastructure throughout various parts of the City.
19. The use of this specialized computer hardware, creating a high density load situation, in areas or at facilities where the electricity distribution infrastructure is not designed for its high energy loads could create a life-safety fire hazard.
20. The energy consumption characteristics of cryptocurrency mining was not envisioned in the development of the community's plans as they pertain to accommodating future growth.

21. High consumption of electricity for cryptocurrency mining may limit the Chelan County Public Utility District's (PUD) ability to meet the community's electricity consumption needs which may limit the ability of the City to accommodate its projected growth without the siting and construction of significant electrical infrastructure.
22. Goal 1 in the Utilities Element of the Wenatchee Urban Area Comprehensive Plan, states: "Ensure that the utilities necessary to support development are adequate at the time they are needed without decreasing service levels below those locally acceptable", Policy 2 of Goal 1 further states: "No development will be approved that reduces the level of service of any utility below the adopted level of service"
23. Goal ED 6 in the Economic Development Element of the Wenatchee Urban Area Comprehensive Plan, states: "Work with regional partners to ensure that regional and local infrastructure needs are addressed"
24. Key strategy number 10 (adopted as a policy by Goal ED 1, Policy 1) in the Economic Development Element of the Wenatchee Urban Area Comprehensive Plan begins with "Pursue data farm development" and goes on to described the benefits this type of development may bring to the community including the following passage: "Selling reliable hydropower at market prices provides an amazing economic impact in terms of tax revenues to the schools and other governmental services."
25. WAC173-60 Maximum Environmental Noise Levels was adopted pursuant to chapter 70.107 RCW, the Noise Control Act of 1974, in order to establish maximum noise levels permissible in identified environments, and thereby to provide use standards relating to the reception of noise within such environments.

Suggested Conclusions of Law:

1. The procedural and substantive requirements of the State Environmental Policy Act have been complied with.
2. The procedural requirements of RCW 36.70A have been complied with.
3. The proposed amendments are consistent with the Chelan County Countywide Planning Policies and the Wenatchee Urban Area Comprehensive Plan.
4. The proposed amendments are consistent with the requirements of the Revised Code of Washington, and the Washington Administrative Code.
5. The proposed amendments have been reviewed and processed in accordance with the requirements of Title 10 Zoning, Title 12 Environmental Protection, and Title 13 Administration of Development Regulations of the City of Wenatchee Code.

## **Exhibit A**

### **Proposed Amendments to the Wenatchee City Code**

WCC10.08.050 Definitions “C”:

“Cryptocurrency mining” means the operation of specialized computer equipment for the primary purpose of adding, securing, or verifying transactions to a blockchain or mining one or more blockchain-based cryptocurrencies such as Bitcoin. This activity typically involves 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; High Density Load (HDL) electricity use; a high Energy Use Intensity (EUI) where the operating square footage as determined by the Utility is above 250kWh/ft<sup>2</sup>/year and with a high load factor in addition to the use of 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.

10.08.055 Definitions “D”

“Data Center” – A facility where the primary use is to house and operate networked computer systems and associated components that include, but may not be limited to, power supply, data communications connections, environmental controls, and security devices. Facilities or operations that meet the definition of “Cryptocurrency mining” will be regulated under that land use designation.

**10.10.020 District Use Chart.**

District Use Chart																		
<p><b>P = Permitted use</b>  <b>P1 = Permitted, not to occupy grade level commercial street frontage</b>  <b>AU = Accessory use</b>  <b>C = Conditional use</b>  <b>C1 = Permitted, not to occupy grade level commercial street frontage</b>  <b>~ = Prohibited use</b>  <b>M = Permitted use in a corridor mixed use project within the MRC overlay</b></p>																		
Uses	Commercial Districts				Mixed Use Districts			Residential Districts				Overlay Zones						
	CBD	NWBD/SWBD	CN	I	WMU	OMU	RMU	RF	RS	RL	RM	RH	HEO	CSO	MRC	IO	PO	RO
<b>Industrial</b>																		
Cryptocurrency Mining	P1	P1	~	P	~	~	~	~	~	~	~	~	P1	P1	~	~	~	~
Data Center	P1	P1	~	P	P1	P1	~	~	~	~	~	~	P1	P1	~	P	~	~

**10.48.310 Cryptocurrency mining and Data Centers**

All cryptocurrency mining operations where allowed by Chapter 10.10 WCC, District Use Chart, shall meet the following standards unless otherwise regulated within this code:

- (1) Applications for a business license shall be processed as a Type II administrative review with public notice under WCC 13.09.040.
- (2) The use of cargo containers, railroad cars, semi-truck trailers and other similar storage containers for any component of the operation is strictly prohibited.
- (3) Prior to approving the business license, the applicant shall provide written verification from the Chelan County Public Utility District (PUD) stating the following:
  - i. Adequate capacity is available on the applicable supply lines and substation to ensure that the capacity available to serve the other needs of the planning area are consistent with the normal projected load growth envisioned by the PUD.
  - ii. Utility supply equipment and related electrical infrastructure is sufficiently sized and can safely accommodate the proposed use.
  - iii. The use will not cause electrical interference or fluctuations in line voltage on and off the operating premises.

- (4) Prior to any cryptocurrency mining, a copy of the Washington State Department of Labor and Industries electrical permit and written verification that the electrical work has passed a final inspection shall be provided to the City and the PUD.
- (5) Data centers and Cryptocurrency mining operations shall not occupy the grade level commercial street frontage to a depth of 50 feet, except within the Industrial zoning district.
- (6) New structures proposed for use as data centers or for cryptocurrency mining shall meet the blank wall limitation standards found in WCC10.24.050(9), for all zones except within the Industrial and the Industrial Overlay zoning districts.
- (7) All cryptocurrency mining and data center operations, including all ancillary equipment/operations for purposes such as cooling, shall be designed, constructed, operated, and maintained so as not to cause the dissemination of dust, smoke, glare, heat, vibration or noise in excess of the maximum environmental noise level established by WCC Title 6A or Chapter 173-60 WAC beyond the property line or affecting adjacent buildings. Violation of these established noise levels will result in revocation of a City Business License pursuant to WCC16.12 and any other applicable penalties.
- (8) The project proponent shall provide to the City within 30 days of commencing operations an affidavit that includes the following information:
  - Name and qualifications of the person who measured the decibel levels
  - Equipment used
  - Location of the noise measurements depicted on a scaled site plan. The points of measurement shall be at all property lines and generally at the points on those property lines most susceptible to noise from the applicable equipment.
  - Decibel levels measured at each property line
  - A description of the operating conditions of the applicable equipment when the measurements were taken.
  - Time and duration of measurements
  - A statement attesting to the accuracy of the information provided and a guarantee that the project proponent will not run their equipment at a more intense or noisier state than when they made the measurements.

The City reserves the right to require independent verification of noise measurements and/or to request additional measurements at different points on the property. All measurements must comply with the noise levels established in Chapter 173-60 WAC and Title 6A Wenatchee City Code.



***City of  
Wenatchee***

**DEPARTMENT OF  
COMMUNITY DEVELOPMENT**

Public Services Center  
1350 McKittrick Street, Suite A  
Wenatchee, WA 98801

(509) 888-3200  
Fax (509) 888-3201

To: City of Wenatchee Planning Commission  
From: Community Development Staff  
Date: June 11, 2019  
RE: June 19 PC Meeting - Housing Code Update – Workshop materials

At the June 19 Planning Commission meeting we are planning to hold a workshop on the code changes proposed by staff and Makers Architecture and Urban Design (Makers) as part of the effort we are calling the “Housing Code Update”. The draft code is not yet ready but we expect to have it from Makers by the end of the week. Staff will send it to you as soon as we are able. Makers will be in attendance to make a presentation and discuss the proposal. While stakeholders and the public will be invited, the format of the meeting will be the same as a typical workshop with a staff/consultant presentation followed by discussion.