

RESOLUTION NO. MC24-08

A RESOLUTION REPEALING RESOLUTION NO. 2024-R036 AND ENDING THE DECLARATION OF A NEED TO ADDRESS DEVELOPMENTS PROPOSING DATA CENTERS AND CRYPTOCURRENCY MINING CENTERS IN THE CITY OF BRANSON AND THUS ENDING THE ONE HUNDRED (100) DAY ADMINISTRATIVE DELAY OF APPLICATIONS AND PERMITS PERTAINING TO THE DEVELOPMENT OF DATA CENTERS AND CRYPTOCURRENCY MINING CENTERS LOCATED IN THE CITY OF BRANSON, MISSOURI.

WHEREAS, in the 1960's and 1970's, the City of Branson, Missouri ("City") adopted the Zoning Ordinance, now existing in Chapter 94, referred to as the Unified Development Code and Utilities Code to promote health, safety, morals and a general welfare of the community, including its aesthetic appearance; lessen congestion in the streets; secure safety from fires, panic and other dangers; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; bring about the gradual conformity of the uses of land and buildings throughout the City; facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements; protect and conserve the value of land throughout the City; and provide a policy to efficiently process permits and other applications by the City; and

WHEREAS, the Board of Aldermen of the City enacted amendments to the City Code regarding the regulation of Data Centers and Cryptocurrency Mining Centers; and

WHEREAS, after careful and prudent analysis of the City's Code, State regulations, the impact of the development of Data Centers and Cryptocurrency Mining Centers may have on the health, safety, and general welfare of the City's citizens, and other pertinent information, the Board of Aldermen have reached an informed decision as to the propriety of such changes to the City's Code and has successfully enacted an ordinance that amends the City Code as to properly promote the health, safety, and general welfare of the City's citizens as such ordinance was found to be necessary subsequent to the Board of Aldermen's analysis; and

WHEREAS, the Board of Aldermen have examined zoning issues to more properly plan, approve, regulate and control uses of Data Centers and Cryptocurrency Mining Centers within the City; and

WHEREAS, it is important that development within the City be managed to promote public safety and encourage the most appropriate use of the land and protect against unhealthy conditions, decreased visibility, and to ensure substantial justice in the quiet enjoyment of homes, businesses, and premises with a reasonable expectation of public services, roads/sidewalks, and utilities, located within the City; and

WHEREAS, comprehensively designed development required the Board of Aldermen to examine further the construction and operation of the uses of property within the City and the development of utility and zoning regulations; and

WHEREAS, due to enactment of the amendments necessary to address development of Data Centers and Cryptocurrency Mining Centers, the one hundred (100) day administrative delay is no longer necessary to give the Board of Aldermen time to examine the issues, benefits, and consequences of regulation of the use of land within the City and for regulation of the use of land

within the City, and to develop and pass any needed utility, zoning, and development ordinances related thereto.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF BRANSON, MISSOURI, AS FOLLOWS:

- Section 1: Having enacted the necessary and appropriate amendments to the Zoning Ordinances in Chapter 94 of the Branson Municipal Code, the prior Resolution No. 2024-R036 for one hundred (100) days of an administrative delay pertaining to the acceptance and issuance of applications and permits for development of Data Centers and Cryptocurrency Mining Centers in the city of Branson, Missouri shall be repealed and terminated.
- Section 2: With this termination of the administrative delay, it shall be lawful to accept and issue applications or permits pertaining to development of Data Centers and Cryptocurrency Mining Centers.
- Section 3: With this termination of the administrative delay on any land located in the City, the City may issue approval of any development/construction involving the development of Data Centers and Cryptocurrency Mining Centers in compliance with the Branson Municipal Code.
- Section 4: The provisions of this Resolution are severable and if any provision hereof is declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this Resolution.
- Section 5: This resolution shall be in full force and effect after its passage and approval.

ADOPTED, by the Board of Aldermen of the City of Branson, Missouri, this _____ day of _____, 20__.

Larry D. Milton
Mayor

ATTEST:

APPROVED AS TO FORM:



Hillary Briand
City Clerk

City Attorney