

COUNTY COMMISSION ORDER NUMBER: 2024-10-01.1

IN THE COUNTY COMMISSION OF CALDWELL COUNTY, MISSOURI

AN ORDER AMENDING SECTION XIX OF THE CALDWELL COUNTY ZONING ORDINANCE TO REGULATE INDUSTRIAL DISTRICT.

WHEREAS, the Caldwell County Planning and Zoning Board proposed an amendment to Section 12 of the Caldwell County Zoning Ordinance to regulate Industrial District, as the Board considered such an amendment to be in the best interest of the citizens of Caldwell County, Missouri.

WHEREAS, notice was published in the Caldwell County News on August 22nd 2024 setting forth of a public meeting of the Caldwell County Planning and Zoning Board to be held on September 12th, 2024 to discuss and consider approval or denial of a recommendation to the Caldwell County Commission to adopt such an Ordinance; and

WHEREAS, a public hearing was held before the Caldwell County Planning and Zoning Board on September 12th, 2024 regarding said Ordinance; and

WHEREAS; the Caldwell County Planning and Zoning Board, with a quorum present voted in favor and recommended that the Caldwell county approve and adopt the proposed amendment at Section 12 of the Caldwell County Zoning Ordinance; and

WHEREAS; the Caldwell County Commission find that it is the best interest of the citizens of Caldwell County to adopt the proposed Amendment to Section 12 of the Caldwell County Zoning Ordinance as recommended by the Caldwell County Planning and Zoning Board.

NOW, THEREFORE, it is hereby ordered by the Caldwell County Commission as follows:

Section 1. APPROVAL OF THE AMENDMENT. The Commission hereby amends Section 12 of the Caldwell County Zoning Ordinance in accordance with the language approved and recommended by the Caldwell County Planning and Zoning Board after public notice and public hearing such that Section 12 of the Caldwell County Zoning Ordinance shall read as follows:

Caldwell County Zoning Ordinance;

Section XII
I-1 INDUSTRIAL DISTRICT

12.1. Purpose: It is the purpose of the I-1 District to create industrial acres that will be acceptable within the County and compliment rather than adversely affect adjacent business or residential establishments which are either: (a) ones whose operations are relatively free from objectionable influences, or (b) ones whose objectionable features will be obviated by design and/or appropriate devices.

12.2. Permitted Uses:

1. Manufacturing. Any manufacturing use or process including assembling, fabricating, altering, converting, finishing, processing, treating and packaging.
2. Warehousing, storage and wholesaling. The storage, handling, assembly and distribution of goods and materials for retail, wholesale or on-site use, except any combustible materials and/or flammable liquids.
3. Essential services and utilities to serve the principal permitted use. See Section 3.17.
4. Customary accessory uses provided such uses are clearly incidental to the principal permit use.

12.3. Conditional Uses:

1. Cement, lime, gypsum or plaster of paris manufacture.
2. Gas and petroleum manufacture or storage.
3. Chemical manufacture.
4. Fertilizer manufacture.
5. Explosives manufacture or storage.
6. Junk or salvage yards.
7. Sanitary landfills and transfer stations.
8. Stockyards and the slaughter of animals.
9. Data centers or digital asset mining or other related operations (including Bitcoin or other digital/crypto currencies).
10. Solar electric farms.

11. Any other use which, in the opinion of the Planning Board is of similar character to those herein before described.

12.4. Prohibited Uses:

1. Any use of mobile home except as a dwelling. Example: A mobile home may not be used as a storage facility.

12.5. Requirements: The following requirements shall be observed:

1. Minimum Lot Area: 2 acres
2. Minimum Lot Frontage: The minimum lot frontage at the building line shall be two hundred (200) feet.
3. Maximum Percentage of Building Coverage: 50%.
4. Yard Setbacks: Rear and side yard setbacks shall be:

Maximum Building Height	Rear Yard	Side Yard	Adjacent Residential District each side yard
1 to 2 1/2 story or 40 feet	10 feet	12 feet each side	25 feet
3 stories or 50 feet	15 feet	17 feet each side	30 feet
4 stories or 60 feet	20 feet	22 feet each side	35 feet
5 stories or 70 feet	25 feet	27 feet each side	40 feet

5. Setback requirements from highways and roads subject to Section IV, Section 4.9.
6. Maximum Building Height: No principal structure shall exceed five (5) stories or seventy (70) feet in height.
7. Signs subject to Section XV.

12.6. Data Centers, Digital Asset Mining or Related Facilities: In addition to the forgoing provisions in Section XII, the following requirement shall apply;

1. A data center or digital asset mining business or related service is defined as a group of computers that is rated for more than three megawatt hours of electricity per month, working for the purpose of cloud storage of data; or securing a digital block chain protocol or network, commonly referred to as crypto mining; or support functions.
2. Said facilities shall only be permitted in an Industrial District Zone.

3. All facilities shall be completely enclosed in a building or container specially designed for that purpose.
4. All computers in the facility used for this business purpose shall be liquid cooled. Air cooled systems are not permitted.
5. Noise levels measured at 50 feet immediately outside of the business facility shall not exceed 70 decibels (dB) at any time. However, the noise emanating from the facility shall not exceed 55 dB at the properties edge. Noise levels exceeding these provisions shall constitute a nuisance per se, subject to county enforcement by civil and/or criminal action. Other aggrieved parties may also enforce this section through civil action.
6. Home operated facilities rated at up to three megawatt hours per month shall not be subject to these provisions.

The Amendment to Section 12 dated September 12th 2024 was approved by the following;

Section 2. EFFECTIVE DATE. This Order shall be effective immediately upon passage.

Done this 12 day of September 2024

Maria Stevens

Zoning Board Chair

[Signature]

Presiding Commissioner

Jamy Aubrey

ATTEST: County Clerk

