

RESOLUTION NO. 26-7

RESOLUTION ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS, OR ISSUING OF PERMITS, FOR APPROVAL OF BUILDING, PLANNING OR USE PERMITS FOR DATA COLLECTION/STORAGE/PROCESSING OR BIT COIN MINING FACILITIES EXCEEDING A POWER CAPACITY OF 250 kW.

WHEREAS, South Dakota SCDL 11-2-10 grants counties the ability to enact temporary zoning ordinance for up to 2 years.

WHEREAS, on July 21st, 2026, the Yankton County Commission will impose a 6 month moratorium to allow the county to study the economic and environmental effects of a Data Center or Bit Coin Mining Facility, being defined in the Yankton County ordinance as a Service Establishment.

WHEREAS, facilities used for storage, management, processing and transmission of digital data, which house computing hardware, servers, storage drives and network equipment used to store, process and distribute digital information, including but not limited to, High Density Computing Facilities (“Data Centers”) have the potential to create an excessive burden on energy and water resources, and potential to create noise pollution, affecting nearby property owners, as well as all residents, who rely on the local power distribution grid for electricity or subterranean aquifers for potable water; and

WHEREAS, Bitcoin mining facilities, being industrial data centers housing numbers of computers that solve complex algorithms to secure the network and earn Bitcoin, have the potential to create an excessive burden on energy and water resources, and potential to create noise pollution, affecting nearby property owners, as well as all residents, who rely on the local power distribution grid for electricity or subterranean aquifers for potable water; and

WHEREAS, from time to time, it is necessary and prudent to review and study county ordinances for necessary updates to ensure proper regulation, and the County and its partners understand the necessity to employ best planning principles and intent to complete the comprehensive planning process; and,

WHEREAS, the Yankton County Commission will require time to further study, consult experts, and conduct the revision process to complete multiple amendments to the county Zoning Ordinance and/or the Yankton County Code of Ordinances, consistent with the Comprehensive Land Use Master Development Plan; and,

NOW, THEREFORE, BE IT RESOLVED by the Yankton County Commission:

1. INSTITUTION OF MORATORIUM: Upon the effective date of this resolution, no application for a building permit, use permit, zoning or rezoning permit shall be accepted by Yankton County, or its offices, specifically for Data Centers or Bitcoin Mining Facilities exceeding a power capacity of 250 kW, nor shall any permit be issued for the same.

However, applications and permitting may continue for any other legally permitted uses, including any other public utility structures which this resolution does not specifically address.

2. DURATION OF MORATORIUM. This Resolution shall be effective for a period of six (6) consecutive months from the date it becomes effective, unless extended by further action of the Board, to allow the above referenced changes to the Yankton County Zoning Ordinance and/or Code of Ordinances to be duly considered by the Yankton County Planning and Zoning Commission, where applicable, and the Yankton County Board of Commissioners.

3. EFFECTIVE DATE: This Resolution shall be in effect from and after its passage and approval.

Passed and approved this 21st day of July, 2026.

Ayes: 5

Nays: 0

Yankton County Chairman, John Marquardt /s/
ATTEST: Patty Hojem, Yankton County Auditor /s/