

RESOLUTION TO ESTABLISH A TEMPORARY MORATORIUM ON DATA CENTER FACILITIES IN LARIMER COUNTY, COLORADO

WHEREAS, the Board of County Commissioners of the County of Larimer, State of Colorado, has authority to plan for and regulate the use of land pursuant to the Local Government Land Use Control Enabling Act, C.R.S. §29-20-101, *et seq.*; C.R.S. §30-11-101(2) concerning the adoption and enforcement of resolutions and ordinances regarding health, safety and welfare issues as otherwise prescribed by law; C.R.S. § 30-11-107 concerning powers of Boards of County Commissioners; C.R.S. § 30-28-115 concerning the promotion of health, safety, convenience, order and/or welfare of the community through land use regulations; and other applicable state and federal statutes and common law grants of authority to best protect and promote the health, safety, and general welfare of the present and future inhabitants of Larimer County, including but not limited to:

- Regulating development and activities in hazardous areas;
- Protecting lands from activities which would cause immediate or foreseeable material danger to significant wildlife habitat and would endanger a wildlife species;
- Providing for phased development of services and facilities;
- Regulating the use of land on the basis of the impact of the use on the community or surrounding areas; and
- Otherwise planning for and regulating the use of land so as to provide planned and orderly use of land and protection of the environment in a manner consistent with constitutional rights.

WHEREAS, pursuant to C.R.S. section 30-28-121, the Board may promulgate temporary regulations not to exceed six months, by resolution and without a public hearing, prohibiting or regulating in any part of or all of the unincorporated territory of the county, structures used or to be used for any business, residential, industrial or commercial purpose; and

WHEREAS, there has been significant interest in developing data center facilities within Larimer County, which are large-scale facilities designed to house computer systems and associated components such as telecommunications and storage systems; and

WHEREAS, data center facilities can have significant impacts on infrastructure, including demands on electrical power, water supply, telecommunications networks, and transportation systems, as well as potential impacts on surrounding land uses, natural resources, public services, and the character of the community; and

WHEREAS, the Larimer County Land Use Code does not currently contain specific regulations, standards, or definitions addressing the unique characteristics and impacts of data center facilities; and

WHEREAS, the Board has determined that it is necessary to temporarily suspend acceptance of applications for data center facilities while appropriate regulations, standards, and definitions can be developed through a comprehensive public process involving the Planning Commission and the Board; and

WHEREAS, based on the information presented and provided, the Board has determined that a temporary moratorium is necessary to ensure planned, orderly development of data center facilities consistent with the character and welfare of Larimer County by enacting appropriate regulations; and

WHEREAS, Larimer County reserves the right to extend this moratorium if additional time is needed to complete the regulatory process.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LARIMER, STATE OF COLORADO THAT:

Larimer County shall not accept applications or engage in pre-submittal activities for data center facilities, including but not limited to planning applications, building permits, engineering permits, or other development applications related to data center facilities, shall be accepted or processed by the Larimer County Planning and Community Development Department for a period of six (6) months from the effective date of this resolution, or until appropriate definitions, standards and conditions can be considered by the Planning Commission for adoption into the Larimer County Land Use Code and adopted by the Board, whichever comes first, or unless further renewed or amended by separate action.

For purposes of this moratorium, a “data center facility” means a purpose-built structure, a substantial modification to an existing structure, or an integrated group of structures that is designed and used primarily to house computer servers, data storage systems, large scale digital data processing, and/or networking equipment, and associated infrastructure including but not limited to cooling systems, backup power systems, telecommunications facilities, and battery storage, sometimes referred to as Digital Infrastructure Facilities, Industrial-Scale Computing Facilities, or High-Intensity Computing Facilities typically operating on a scale requiring significant electrical power consumption, water consumption and/or infrastructure support.

This moratorium is effective in all of unincorporated Larimer County.

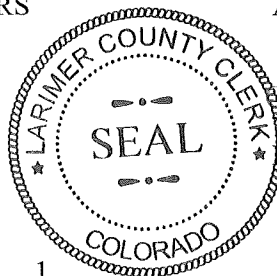
The Board held an open meeting to allow public comment on the merits of the temporary moratorium imposed by this resolution and to determine whether the moratorium should be terminated, extended, or otherwise amended. The hearing was held on Monday, February 9, 2026 at 3:00 pm in the Board’s public Hearing Room, 1st Floor, 200 West Oak Street, Fort Collins, Colorado 80522. Notice of this hearing was published in a newspaper of general circulation in Larimer County at least 14 days prior to the hearing date.

This resolution shall be effective as of the date of approval and shall expire on August 25, 2026, unless continued pursuant to statute.

DATED THIS DAY, 4/7/26.

THE BOARD OF COUNTY COMMISSIONERS
LARIMER COUNTY, COLORADO

John P. Adams
Chair *Pro Tem*



ATTEST:

Shirley Jones
Deputy County Clerk

APPROVED AS TO FORM:

Frank Notley
Assistant Deputy County Attorney