

**RESOLUTION TO EXTEND THE TEMPORARY MORATORIUM
ON DATA CENTER FACILITIES IN LARIMER COUNTY, COLORADO**

WHEREAS, on April 7, 2026, the Board of County Commissioners of the County of Larimer, State of Colorado (the Board) adopted a Resolution to Establish a Temporary Moratorium on Data Center Facilities in Larimer County, Colorado, recorded with the Larimer County Clerk and Recorder at Reception No. 20260016505 (the Original Resolution), which established a temporary moratorium on the acceptance and processing of applications and pre-submittal activities for data center facilities in all of unincorporated Larimer County, effective through August 25, 2026, and which expressly reserved the right of Larimer County to extend the moratorium if additional time is needed to complete the regulatory process; and

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, since adoption of the Original Resolution, Larimer County staff has been engaged in a comprehensive public process to develop appropriate definitions, standards, and conditions addressing the unique characteristics and impacts of data center facilities for adoption into the Larimer County Land Use Code, and that regulatory process has not yet been completed, such that additional time is needed to complete the process in a thorough and orderly manner; and

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

WHEREAS, based on the information presented and provided, the Board has determined that an extension of the 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 further 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:

The temporary moratorium established by the Original Resolution is hereby extended, such 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, and no such applications shall be accepted or processed by the Larimer County Planning and Community Development Department for an additional period of six (6) months, through and included February 25, 2027, 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. All other terms, conditions, and provisions of the Original Resolution not expressly modified herein are incorporated by reference and shall remain in full force and effect during the extended moratorium period.

This moratorium, as extended, is effective in all of unincorporated Larimer County.

The Board held an open meeting to allow public comment on the merits of extending the temporary moratorium imposed by the Original Resolution and to determine whether the moratorium should be terminated, extended, or otherwise amended. The hearing was held on July 13, 2026 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 August 25, 2025, and shall expire on February 25, 2027, unless earlier terminated or further extended pursuant to statute.

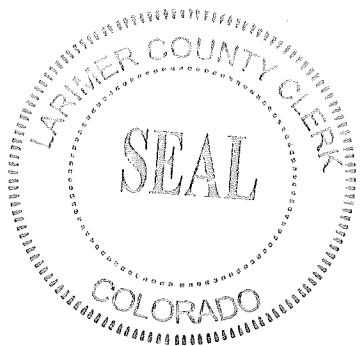
DATED THIS DAY, July 13th.

THE BOARD OF COUNTY COMMISSIONERS
LARIMER COUNTY, COLORADO

Jody Shaddock McNally
Chair

ATTEST:

D. Quinn
Deputy County Clerk



July 13, 2026
Approved as to form:

[Signature]
Assistant County Attorney