

ORDINANCE NO. 147, 2026
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ESTABLISHING A TEMPORARY MORATORIUM ON THE
ACCEPTANCE OR PROCESSING OF LAND USE
APPLICATIONS, PERMIT APPLICATIONS, AND OTHER
APPLICATIONS SEEKING APPROVAL TO CONSTRUCT OR
OPERATE CERTAIN DATA CENTERS

A. Data centers that store, process, and distribute digital information are constructed in a variety of sizes and capacities depending upon the intended usage and are an important component of the modern connected society and economy.

B. Large data centers associated with the provision of computing services such as artificial intelligence and cloud computing are experiencing a nationwide construction boom.

C. Large data centers require large amounts of land, electricity, and water and operate 24 hours a day, 7 days a week.

D. Large data centers have raised concerns nationwide regarding water and electricity consumption and utility rate increases, environmental and compatibility issues such as noise, light, and heat, and the appropriate use of land.

E. The Fort Collins Land Use Code does not allow data centers as a principal use and does not contain data center regulations.

F. Since August 2026, City staff has been researching data centers and preparing this temporary moratorium for City Council consideration.

G. On October 6, 2026, City Council adopted Resolution 2026-117 directing staff to present the moratorium set forth in this Ordinance on October 20, 2026, and to not accept development applications or applications for permits of any type for data centers as a principal use and certain data centers proposed as an accessory use.

H. In light of the potential benefits and negative impacts of allowing data centers within the City, City Council desires to adopt a temporary moratorium on certain data centers to allow time for City staff to draft proposed Land Use Code changes and any necessary changes to other applicable regulatory documents regarding data centers for City Council consideration.

I. City Council finds that the adoption of a temporary moratorium is necessary to protect the health, safety, and welfare of the residents of Fort Collins.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. City Council imposes a moratorium effective retroactively from October 6, 2026, the date of adoption of Resolution 2026-117, and running until the end of day April 6, 2027, on the acceptance or processing of land use applications, permit applications, or any other applications to allow data centers as defined in Section 2 as either (1) a principal use; or (2) data centers as an accessory use with a proposed peak electrical demand of more than 10 MW.

Section 2. The definition of data center for purposes of this Ordinance is as follows:

A building, portion of a building, or site whose primary function is housing computing, storage, or network equipment that processes or transmits data for third parties or for operations not located on the premises.

Section 3. This Ordinance shall control over any conflicting ordinance of the City but only to the extent of the conflict.

Introduced, considered favorably on first reading on October 20, 2026, and approved on second reading for final passage on November 3, 2026.

Mayor

ATTEST:

City Clerk

Effective Date: November 13, 2026
Approving Attorney: Brad Yatabe

Exhibit: None