

RESOLUTION NO. 2026-__

**RESOLUTION IMPOSING A TEMPORARY MORATORIUM ON PROCESSING
SPECIAL USE PERMIT APPLICATIONS FOR DATA CENTER PROJECTS**

WHEREAS, the Board has promulgated permitting guidelines in the Prowers County Zoning Regulation (“Code”), adopted on February 16, 2006 and has been amended, mostly recently on March 24, 2026; and

WHEREAS, the Board has authority to regulate the use of land and to protect and promote the health, safety, and general welfare of the present and future inhabitants of Prowers County pursuant to Colorado law. C.R.S. §29-20-101, *et seq* (Land Use Control Enabling Act); 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).

WHEREAS, Section 24 of the Code provides for the process that amendments to the Code may be made; and

WHEREAS, Prowers County’s development of new data center projects has the potential for significant and broad impacts on the health, safety, and welfare of residents of Prowers County and on the environment, natural resources, and public recreation areas of Prowers County; and

WHEREAS, the Board reasonably anticipates that applications for permits to engage in development of new data center projects may be filed in Prowers County before the amended regulations can be considered and adopted; and

WHEREAS, the Board finds that this Resolution is necessary to preserve and evaluate potential broad impacts on public health, welfare, and safety of the present and future inhabitants of Prowers County and on the environment, natural resources, and public recreation areas; and

WHEREAS, the Board finds that a moratorium on processing Special Use Permit applications for efficient utilization of data center projects for six months is necessary to enable Prowers County to complete its evaluation and finalize amendments to the Code as they pertain to development of new data center projects; and

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Prowers County that:

1. Effective immediately upon the adoption of this Resolution, the Board shall not accept the submission of, review, or act upon any applications for the development of data center projects wholly or partially located within the unincorporated territory of Prowers County.
2. This moratorium shall expire six months from the date of this Resolution, unless terminated earlier by Board action, or by adoption of amendments to the Code, or extended to finalize amendments to the Code.

This Resolution shall be in full force and effect upon its passage and adoption.

The Chairman declared the motion carried and so ordered.

ADOPTED this ____ day of June, 2026, by the Board of County Commissioners of Prowers County, Colorado.

Roger Stagner, Chairman

Ty Harmon, Commissioner

Ron Cook, Commissioner

ATTEST:

Jana Coen, County Clerk