AGENDA
TOWN OF PARACHUTE
PLANNING COMMISSION REGULAR MEETING
222 GRAND VALLEY WAY PARACHUTE, CO
OCTOBER 8, 2026 6:30 PM

The Town of Parachute will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 285-7630, x-104 for assistance.

(A) CALL TO ORDER & ROLL CALL

(B) PLEDGE OF ALLEGIANCE

(C) APPROVE AGENDA

(D) CONSENT AGENDA

Items of a routine nature are placed on the consent agenda to allow the town council to spend its time and energy on more important items on a lengthy agenda. Any council member or any member of the public may request that an item be "removed" from the consent agenda and considered on the regular agenda.

D.1 Consider approval of the September 10th, 2026 Regular Planning Commission Meeting Minutes.

I move to approve the September 10th, 2026 Regular Planning Commission Meeting Minutes.

September 10th, 2026 Meeting Minutes

(E) PUBLIC COMMENTS ON THE ISSUES NOT ON THE AGENDA

The Planning Commission welcomes you and thanks you for your time and concerns. If you wish to address the Planning Commission, this is the time set on the agenda for you to do so. When you are recognized, please step to the podium, state your name and address then address the Commission. Your comments will be limited to three (3) minutes. The Commission may not respond to your comments this evening, rather they may take your comments and suggestions under advisement and provide direction to the appropriate member of Town Staff for follow-up. Thank you.

PLEASE SILENCE ALL CELL PHONES AND HAND-HELD DEVICES.THANK YOU. PLEASE NOTE: THIS MEETING IS BEING RECORDED.

(F) PRESENTATIONS

(G) RESOLUTIONS

G.1 **Resolution No. 2026-05-PC** - A resolution of the Planning Commission recommending approval of an ordinance of the Town of Parachute to amend Title 15 "Land Use Regulations" of the Parachute Municipal Code to regulate data centers and technology warehouses.

I move to approve the recommendation set forth in Resolution No. 2026-05-PC for Parachute Town Council approval of an ordinance amending Title 15, "Land Use Regulations," of the Parachute Municipal Code to regulate data centers and technology warehouses.

Cover Memo_Res.2026-05-PC Data Centers
Attachment 1: Exhibit A_Res No. 2026-05-PC
Attachment 2: Reso - 2026-05-PC - Title 15 Amendment, Data Centers
Attachment 3: Redlined Ord. No. 838-2026

G.2 **Resolution 2026-03-PC** -- Adherence to the Town of Parachute's public meeting requirements missed for the August 13, 2026 Regular Planning Commission Meeting.

No Action Required.

Prop 123_Cover Memo

Attachment 1: Reso No. 2026-03-PC
Attachment 2: Exhibit A_Ordinance NO. 837-2026

(H) ADMINISTRATIVE REPORTS

H.1 Town Planner RFQ and Recruitment Update

(I) ADJOURN

Virtual Participation:

Microsoft Teams meeting
Join: https://teams.microsoft.com/meet/292019886607159?p=KHihMONBO44MARD5zO
Meeting ID: 292 019 886 607 159
Passcode: MY2zN6Rg

MINUTES
TOWN OF PARACHUTE
PLANNING COMMISSION MEETING
222 GRAND VALLEY WAY PARACHUTE, CO
SEPTEMBER 10, 2026 6:30 PM

CALL TO ORDER:

PRESENT: Sherry Loschke
Tom Rugaard
Tim Olk
Kim Owens
Dave Rousseau
David Blair

ABSENT: Amaranda Fregoso

(A) CALL TO ORDER & ROLL CALL

Meeting Commenced at 6:30 PM.

(B) PLEDGE OF ALLEGIANCE

(C) APPROVAL OF AGENDA

MOTION: Moved and seconded by Tom Rugaard/David Blair to approve
Motion passed with a 5-0 vote

(D) CONSENT AGENDA

Items of a routine nature are placed on the consent agenda to allow the town council to spend its time and energy on more important items on a lengthy agenda. Any council member or any member of the public may request that an item be "removed" from the consent agenda and considered on the regular agenda.

MOTION: Moved and seconded by Tom Rugaard/Kim Owens to approve
Motion passed with a 5-0 vote

D.1) Consider approval of the August 13, 2026 Regular Planning Commission Meeting Minutes.

(E) PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The Planning Commission welcomes and thanks you for your time and concerns. If you wish to address the Planning Commission, this is the time set on the agenda for you to do so. When you are recognized, please step to the podium, state your name and address then address the Commission. Your comments will be limited to three (3) minutes. The Commission may not respond to your comments this evening, rather they may take your comments and suggestions under advisement and provide direction to the appropriate member of Town Staff for follow-up. Thank you.

PLEASE SILENCE ALL CELL PHONES AND HANDHELD DEVICES. THANK YOU.

PLEASE NOTE THIS MEETING IS BEING RECORDED

(F) RESOLUTIONS

F.1) Resolution No. 2026-04-PC - RECOMMENDING THE TOWN COUNCIL APPROVE A SPECIAL USE REVIEW FOR FUN HOUSE KIDS LLC FOR 201 EAST 1ST STREET

MOTION: Moved and seconded by David Blair/Dave Rousseau to approve
Motion passed with a 6-0 vote

F.2) Resolution No. 2026-05-PC - A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO TO AMEND TITLE 15 "LAND USE REGULATIONS" OF THE PARACHUTE MUNICIPAL CODE TO REGULATE DATA CENTERS AND TECHNOLOGY WAREHOUSES.
Commission moved to postpone their consideration to the October 8th, 2026 Regular Planning Commission Meeting.

MOTION: Moved and seconded by David Blair/Tom Rugaard to continue
Motion passed with a 6-0 vote

ADMINISTRATIVE REPORTS AND COMMENTS

Charles Fountain Internship Presentation for Parachute Landing Park and Beasley Park, Design Workshop

- Link to Presentation: CFI 2026 Parachute CO_260730_Compressed.pdf
- Link to Video Recording: 20260812 Design Workshop CFI Presentation Parachute.mp4

(G) ADJOURN

You are invited to a Zoom webinar!
Every month on the Second Thu, 30 occurrence(s)

Topic: Planning Commission
Join from PC, Mac, iPad, or Android:
https://us02web.zoom.us/j/85703859802?pwd=SExhQjN6ZnlmUkt4K1NpbWpldjRRdz09
Passcode:planning
Phone one-tap:
+17193594580,,85703859802#,,,,*84697071# US

Webinar ID: 857 0385 9802
Passcode: 84697071
International numbers available: https://us02web.zoom.us/u/kbGZdGMKXX

Meeting adjourned at 7:31 PM.

Tim Olk, Chair

ATTEST

Britt Choate, Town Clerk

Integrity ▪ Respect ▪ Teamwork ▪ Pride ▪ Innovation ▪ Diversity

222 GRAND VALLEY WAY ▪ PARACHUTE, CO 81635 ▪ (970) 285-7630

AGENDA ITEM SUMMARY

TO:	Planning Commission
FROM:	Travis Elliott, Town Manager Vinnie Tomasulo, Community & Economic Development Director Jeff Conklin, Town Attorney
MEETING DATE:	October 8, 2026
MEMO DATE:	October 1, 2026
AGENDA ITEM:	**Resolution No. 2026-05-PC -** A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO TO AMEND TITLE 15 "LAND USE REGULATIONS" OF THE PARACHUTE MUNICIPAL CODE TO REGULATE DATA CENTERS AND TECHNOLOGY WAREHOUSES

EXECUTIVE SUMMARY:

This is a continuation of the Planning Commission meeting on September 10, 2026 to adopt data center regulations. The proposed ordinance amends Title 15 of the Parachute Municipal Code to create a regulatory framework for data centers, IT hosting facilities, and related technology warehouse uses.

Based on feedback from the Planning Commission, the proposed Ordinance has been amended as follows:

- Added DB(c) levels to the noise limits to regulate low tones associated with data centers.
- Added a required power supply analysis
- Added a required water demand analysis
- Added a zoning and residential buffer of 500'
- Added requirement that any proposed water cooling must be a closed loop or recycled system.
- Added a decommissioning definition and requirement
- Added a requirement to obtain and maintain an annual business license to ensure ongoing compliance.

Upon approval by Planning Commission, the Ordinance will be considered by the Town Council at their meeting on October 15th. This meeting will be a public hearing and has been duly noticed.

BACKGROUND:

Over the past decade, increasing demand for digital storage, cloud computing, telecommunications infrastructure, artificial intelligence computing, and related technology services has led to growing interest in the development of data centers throughout the United States. The Town recognizes that

these facilities can provide significant economic development opportunities through capital investment, expanded digital infrastructure, tax revenues, and employment opportunities. At the same time, data centers and technology facilities can create unique land use considerations related to utility demands, noise, water consumptions, and other impacts to the community.

The proposed ordinance addresses an emerging land use category that is not currently defined in the Land Use Code, establishes where such facilities may locate, and identifies performance standards to mitigate potential impacts on neighboring properties and municipal services that is consistent with the Town's Comprehensive Plan and future goals.

PLANNING COMMISSION OPTIONS:

1. Discuss additional proposed changes and provide Town Staff with feedback.
2. Approval of Resolution number 2026-05-PC, proposed amendment to Title 15

STAFF RECOMMENDATION:

- Staff recommends approval of Resolution No. 2026-05-PC

ATTACHMENTS:

1. Resolution No. 2026-05-PC – Recommending Approval of Title 15 Amendment – Data Centers & IT Warehouses
2. Exhibit A: Draft Ordinance No. 838-2026
3. Draft Ordinance No. 838-2026 with Redlines

TOWN OF PARACHUTE
ORDINANCE NO. 838-2026

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING TITLE 15 OF THE PARACHUTE MUNICIPAL CODE TO REGULATE DATA CENTERS AND TECHNOLOGY WAREHOUSES

WHEREAS, pursuant to C.R.S. § 31-15-103, municipalities shall have power to make and publish ordinances which are necessary and proper to provide for the safety, to preserve the health, promote the prosperity, and improve the morals, order, comfort, and convenience of such municipality and the inhabitants thereof not inconsistent with the laws of this state; and

WHEREAS, the Town of Parachute ("Parachute" or the "Town") is a home-rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Parachute Home Rule Charter; and

WHEREAS, pursuant to § 1.01.020 of the Parachute Municipal Code ("PMC") and § 1-11 of the Parachute Charter, the Town Council may amend the PMC; and

WHEREAS, advances in technology and the increasing demand for digital services have resulted in the development and expansion of data centers, cloud computing facilities, artificial intelligence computing facilities, colocation facilities, telecommunications hubs, digital infrastructure facilities, and similar uses commonly referred to as "Data Centers"; and

WHEREAS, Data Centers can provide substantial economic development opportunities, including capital investment, enhanced digital infrastructure, tax revenues, and employment opportunities within the Town; and

WHEREAS, the development and operation of Data Centers may also create unique land use, infrastructure, utility, water supply, energy consumption, emergency service, noise, lighting, environmental, and public safety considerations that warrant local regulation; and

WHEREAS, the Town Council finds that it is appropriate to establish regulations governing the location, design, development, construction, operation, expansion, and maintenance of Data Centers in order to promote compatibility with the Town's Comprehensive Plan and with surrounding land uses and to protect the public health, safety, and welfare; and

WHEREAS, the Town Council desires to amend the PMC to define Data Centers and related uses; establish zoning districts in which Data Centers may be permitted, conditionally permitted, or prohibited; establish development and performance standards applicable to Data Centers; and provide procedures for review and approval of such facilities; and

EXHIBIT A Resolution No. 2026-05-PC

WHEREAS, in order to adequately protect the general public, it is in the interest of the public health, safety, and welfare of the inhabitants and visitors of Parachute to amend the PMC as set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO THAT:

Section 1. Recitals. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Chapter 15.03 of the PMC – Zoning Regulations - Amended. Chapter 15.03 of the PMC is hereby amended with the addition of Section 15.03.314 – Data Centers, as follows:

15.03.314. Data Centers.

A. *Purpose*. The general purpose of this Section is to regulate the placement and construction of data centers in the districts where this Code permits the same while promoting the health, safety, and welfare of Town residents.

B. *Ancillary Data Centers as an Accessory Use*. All data centers shall be contained within a principal building or accessory structure. Data Centers or IT Hosting Facilities that are ancillary to another primary use are permitted as an accessory use if they:

(i) occupy no more than fifteen percent (15%) of the building footprint or total square footage of the principal building;

(ii) and are used to serve the enterprise functions of the on-site property owner or tenant and are not used to lease data storage and processing services to third parties.

C. *Pre-Build Noise Study*. Prior to issuance of a building permit, the applicant shall submit a sound study prepared by a qualified third-party acoustic engineer. The study must confirm, based on the approved site plan and proposed mechanical/electrical systems, that the facility can be designed and constructed to meet the adopted Town's adopted noise limitations as set forth in PMC 8.02.020.B.8.

D. *Noise Standards*. The data center shall be designed, constructed, and operated so that sound levels measured at the property line of the nearest parcel do not exceed the established Noise Limits as set forth in PMC 8.02.020.B.8. In addition to the noise limits of this Code, no data center shall be allowed to exceed a C-scale noise limit of sixty-five decibels (65 dB(C)) as measured at any point on the subject property boundary. All measurements shall

EXHIBIT A Resolution No. 2026-05-PC

be performed by a qualified third-party acoustic engineer using ANSI/ASA industry standards.

E. *Back-Up Generators.* If a data center operator intends to use backup power generators on the property, the operator must coordinate the schedule to minimize impacts for any routine testing or operation of the generators with the Town. In the event of a power outage or other emergency requiring generator use, the operator may activate the generators as needed without prior coordination.

F. *Essential Public Infrastructure Exemption.* Notwithstanding any other provision of this Section, a Data Center or IT Hosting Facility shall be exempt from the applicable requirements and limitations when the Town determines that the facility constitutes essential public utility, telecommunications, emergency communications, broadband, governmental, public safety, or similar critical community infrastructure. Such facilities may be permitted as a principal or accessory use, subject to any conditions necessary to ensure compatibility with surrounding uses and to protect public health, safety, and welfare.

G. *Closed-Loop Cooling.* Any proposed water-based cooling used for the facility or its equipment shall use a closed-loop or recycled-water system, unless an alternative cooling method is specifically approved for the data center as part of the Special Use Permit.

H. *Power Supply Analysis.* The applicant shall submit an energy supply plan prepared by a qualified professional that identifies the proposed primary and secondary sources of electricity for the data center, anticipated peak and average electrical demand, backup power systems, fuel sources, emergency operations, anticipated utility upgrades, rate impacts, and any measures proposed to reduce demand on the electric grid.

I. *Water Demand Analysis*. The applicant shall submit a water demand analysis prepared by a licensed professional engineer that demonstrates sufficient water capacity exists on the site to meet all anticipated operational and fire suppression needs of the data center without reducing the Town's ability to serve existing development including water supplies reserved for future growth or emergency needs.

J. *Zoning and Residential Buffer*. In addition to the buffering requirements set forth in Section 15.03.202 of this Code, data centers shall provide enhanced screening and buffering measures, including landscaping, trees, berms, and similar features, to reduce visual impacts and minimize noise, lighting, and other nuisances affecting adjacent properties. Furthermore, no portion of a data center building may be located within 500 feet of the boundary of any residential or mixed-use zoning district.

EXHIBIT A Resolution No. 2026-05-PC

K. *Decommissioning*. The applicant shall provide a decommissioning plan outlining the removal of the data center, related facilities, and all associated project improvements upon cessation of operations. To ensure completion of such work, the Town may, in its sole discretion, require a bond or other acceptable financial guarantee in an amount determined necessary to cover the costs of decommissioning and restoring the site.

L. *Compliance*. The data center shall obtain and maintain a valid Town business license on an annual basis. As part of each license renewal, the operator shall demonstrate continued compliance with the requirements of this Chapter and identify any corrective actions taken to address instances of noncompliance.

M. *Other Information Required*. The Town may require supplemental information, third-party review, or additional mitigation measures based on review of the power supply plan, water demand analysis, noise study, or other materials submitted with the Special Use Permit application.

Section 3. Section 15.03.207- Amended. Section 15.03.207 - Table 3.4. Schedule of Use Table is hereby amended with the addition of an 'Information Technology' use category under the Industrial Uses section, as follows:

Use Category	Land Use	PR	LDR	R	OTC	CBD	MU	GC	NC	BP	LI	GI
Industrial Uses												
Information Technology (IT)	Data Center										S	S
	Other IT Warehouse / Factory / or Hosting Facility										S	S

Section 4. Section 15.09.104 – Amended. Section 15.09.104 is hereby amended with the addition of the following definitions:

"Data Center" means a facility, building, or group of buildings primarily used to house computer systems, servers, data storage devices, networking equipment, and associated mechanical and electrical infrastructure for the processing, storage, transmission,

EXHIBIT A Resolution No. 2026-05 PC

management, or distribution of digital data and information that are primarily intended to serve remote third parties and customers. A data center includes accessory equipment and structures necessary to support operations, including backup power generation, electrical substations, battery energy storage systems, cooling equipment, telecommunications infrastructure, and security facilities.

"IT Warehouse, IT Factory, or IT Hosting Facility" means a facility, building, campus, or land use primarily engaged in the assembly, configuration, testing, deployment, hosting, maintenance, repair, refurbishment, warehousing, leasing, or management of information technology equipment, telecommunications equipment, servers, computer hardware, networking devices, cloud computing infrastructure, cryptocurrency mining equipment, artificial intelligence computing equipment, or similar digital technology systems. Such facilities may include equipment staging, inventory storage, logistics operations, research and development activities, technical support operations, network operations centers, manufacturing or assembly activities, utility infrastructure, backup power systems, battery energy storage systems, cooling systems, telecommunications facilities, substations, security facilities, and other accessory structures necessary to support operations.

An IT Warehouse, IT Factory, or Hosting Facility may include indoor or outdoor storage areas, equipment yards, modular technology units, shipping and receiving facilities, and associated infrastructure. This use classification is intended to apply to technology-focused industrial, warehousing, hosting, computing, processing, cryptocurrency mining, artificial intelligence computing, cloud services, equipment deployment, or similar operations that do not meet the definition of a Data Center or that involve substantial ancillary industrial, manufacturing, assembly, logistics, storage, or operational activities beyond the primary processing, storage, transmission, management, or distribution of digital data.

"Decommissioning" is the process of removing equipment and other infrastructure associated with a project and restoring the site to substantially the same condition as it was prior to the construction of the project or proposed facility.

Section 5. Severability. If any section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 6. Effective date. This Ordinance shall take effect thirty (30) days following publication of the notice as provided for in the Town Charter.

EXHIBIT A Resolution No. 2026-05PC

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY by a vote of _____ to _____ of the Town Council of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the 15th day of October 2026 and approved by the Mayor on the 15th day of October 2026.

TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO

By: _____
Tom, Rugaard, Mayor

ATTEST:

_____
Britt Choate, Town Clerk

EXHIBIT A Resolution No. 2026-05-PC

PUBLIC NOTICE

Public notice is hereby given that an Ordinance entitled:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING TITLE 15 OF THE PARACHUTE MUNICIPAL CODE TO REGULATE DATA CENTERS AND TECHNOLOGY WAREHOUSES

was introduced before the Town Council on October 15, 2026; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Town Council held on October 15, 2026, and approved by the Mayor on October 15, 2026.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado, and available on the internet at http://www.parachutecolorado.com.

Dated this 15th day of October, 2026.

TOWN OF PARACHUTE

_____

Britt Choate, Town Clerk

EXHIBIT A Resolution No. 2026-05-PC

TOWN OF PARACHUTE, COLORADO
PLANNING COMMISSION
RESOLUTION NO. 2026-05-PC

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO TO AMEND TITLE 15 "LAND USE REGULATIONS" OF THE PARACHUTE MUNICIPAL CODE TO REGULATE DATA CENTERS AND TECHNOLOGY WAREHOUSES

WHEREAS, pursuant to Sections 3.24.060, 15.01.401, and 15.01.402 of the Parachute Municipal Code, the Planning Commission or Town Council may initiate a Text Amendment; and

WHEREAS, advances in technology and the increasing demand for digital services have resulted in the development and expansion of data centers, cloud computing facilities, artificial intelligence computing facilities, colocation facilities, telecommunications hubs, digital infra structure facilities, and similar uses commonly referred to as "Data Centers"; and

WHEREAS, Data Centers can provide substantial economic development opportunities, including capital investment, enhanced digital infrastructure, tax revenues, and employment opportunities within the Town; and

WHEREAS, the development and operation of Data Centers may also create unique land use, infrastructure, utility, water supply, energy consumption, emergency service, noise, lighting, environmental, and public safety considerations that warrant local regulation; and

WHEREAS, the Planning Commission initiated a text amendment to Title 15 "Land Use Regulations" of the Parachute Municipal Code to amend Title 15 with Data Center regulations, as set forth in the draft Ordinance enclosed as **Exhibit A** (the "Text Amendment"); and

WHEREAS, the Planning Commission reviewed the Text Amendment at duly noticed public meetings on September 10, 2026, to consider and hear public comments; and

WHEREAS, pursuant to Section 15.01.104 of the Parachute Municipal Code, the Planning Commission finds that the Text Amendment complies with the purpose of Title 15 "Land Use Regulations"; and

WHEREAS, based on the recommendation of Town Staff, the testimony of the witnesses and the documents made a part of the record of the public meeting, the Planning Commission recommends that the Town Council approve and adopt Ordinance No.838-2026 Amending Title 15 Land Use Regulations as presented to Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO, AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Commission hereby recommends the Town Council approve and adopt draft Ordinance No. 838-2026 to amend Title 15 "Land Use Regulations", as set forth in **Exhibit A**.

SO RESOLVED by a vote a vote of ___ to ____, of the Planning Commission of the Town of Parachute at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the 10th day of September, 2026**.**

PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO

By _____
Tim Olk, Chair

ATTEST:

_____
Britt Choate, Town Clerk

TOWN OF PARACHUTE
ORDINANCE NO. 838 —-2026

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING TITLE 15 OF THE PARACHUTE MUNICIPAL CODE TO REGULATE DATA CENTERS AND TECHNOLOGY WAREHOUSES

WHEREAS, pursuant to C.R.S. § 31-15-103, municipalities shall have power to make and publish ordinances which are necessary and proper to provide for the safety, to preserve the health, promote the prosperity, and improve the morals, order, comfort, and convenience of such municipality and the inhabitants thereof not inconsistent with the laws of this state; and

WHEREAS, the Town of Parachute ("Parachute" or the "Town") is a home-rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Parachute Home Rule Charter; and

WHEREAS, pursuant to § 1.01.020 of the Parachute Municipal Code ("PMC") and § 1-11 of the Parachute Charter, the Town Council may amend the PMC; and

WHEREAS, advances in technology and the increasing demand for digital services have resulted in the development and expansion of data centers, cloud computing facilities, artificial intelligence computing facilities, colocation facilities, telecommunications hubs, digital infrastructure facilities, and similar uses commonly referred to as Data Centers; and

WHEREAS, Data Centers can provide substantial economic development opportunities, including capital investment, enhanced digital infrastructure, tax revenues, and employment opportunities within the Town; and

WHEREAS, the development and operation of Data Centers may also create unique land use, infrastructure, utility, water supply, energy consumption, emergency service, noise, lighting, environmental, and public safety considerations that warrant local regulation; and

WHEREAS, the Town Council finds that it is appropriate to establish regulations governing the location, design, development, construction, operation, expansion, and maintenance of Data Centers in order to promote compatibility with the Town's Comprehensive Plan and with surrounding land uses and to protect the public health, safety, and welfare; and

WHEREAS, the Town Council desires to amend the PMC to define Data Centers and related uses; establish zoning districts in which Data Centers may be permitted, conditionally permitted, or prohibited; establish development and performance standards applicable to Data Centers; and provide procedures for review and approval of such facilities; and

WHEREAS, in order to adequately protect the general public, it is in the interest of the public health, safety, and welfare of the inhabitants and visitors of Parachute to amend the PMC as set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO THAT:

Section 1. Recitals. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Chapter 15.03 of the PMC – Zoning Regulations - Amended. Chapter 15.03 of the PMC is hereby amended with the addition of Section 15.03.314 – Data Centers, as follows:

15.03.314. Data Centers.

A. *Purpose*. The general purpose of this Section is to regulate the placement and construction of data centers in the districts where this Code permits the same while promoting the health, safety, and welfare of Town residents.

B. *Ancillary Data Centers as an Accessory Use*. All data centers shall be contained within a principal building or accessory structure. Data centers that are ancillary to another primary use are permitted as an accessory use if they:

(i) occupy no more than ten percent (10%) of the building footprint or total square footage of the principal building;

(ii) and are used to serve the enterprise functions of the on-site property owner or tenant and are not used to lease data storage and processing services to third parties.

C. *Pre-Build Noise Study*. Prior to issuance of a building permit, the applicant shall submit a sound study prepared by a qualified third-party acoustic engineer. The study must confirm, based on the approved site plan and proposed mechanical/electrical systems, that the facility can be designed and constructed to meet the adopted Town's adopted noise limitations.

~~D.~~ *Noise Standards*. The data center shall be designed, constructed, and operated so that sound levels measured at the property line of the nearest parcel do not exceed the established Noise Limits of this Code. In addition to the noise limits of this Code, no data center shall be allowed to exceed a C-scale noise limit of sixty-five decibels (65 dB(C)) as measured at any point on the subject property boundary. All measurements shall be performed by a qualified third-party acoustic engineer using ANSI/ASA industry standards.

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D. *Closed-Loop Cooling.* Any proposed water-based cooling used for the facility or its equipment shall use a closed-loop or recycled-water system, unless an alternative cooling method is specifically approved for the data center as part of the Special Use Permit.

E. *Back-Up Generators.* If a data center operator intends to use backup power generators on the property, the operator must coordinate the schedule to minimize impacts for any routine testing or operation of the generators with the Town. In the event of a power outage or other emergency requiring generator use, the operator may activate the generators as needed without prior coordination.

F. *Power Supply Analysis.* The applicant shall submit an energy supply plan prepared by a qualified professional that identifies the proposed primary and secondary sources of electricity for the data center, anticipated peak and average electrical demand, backup power systems, fuel sources, emergency operations, anticipated utility upgrades, rate impacts, and any measures proposed to reduce demand on the electric grid.

G. *Water Demand Analysis.* The applicant shall submit a water demand analysis prepared by a licensed professional engineer that demonstrates sufficient water capacity exists on the site to meet all anticipated operational and fire suppression needs of the data center without reducing the Town's ability to serve existing development including water supplies reserved for future growth or emergency needs.

H. *Zoning and Residential Buffer.* In addition to the buffering requirements set forth in Section 15.03.202 of this Code, data centers shall provide enhanced screening and buffering measures, including landscaping, trees, berms, and similar features, to reduce visual impacts and minimize noise, lighting, and other nuisances affecting adjacent properties. Furthermore, no portion of a data center building may be located within 500 feet of the boundary of any residential or mixed-use zoning district.

I. *Decommissioning.* The applicant shall provide a decommissioning plan outlining the removal of the data center, related facilities, and all associated project improvements upon cessation of operations. To ensure completion of such work, the Town may, in its sole discretion, require a bond or other acceptable financial guarantee in an amount determined necessary to cover the costs of decommissioning and restoring the site.

J. *Compliance.* The data center shall obtain and maintain a valid Town business license on an annual basis. As part of each license renewal, the operator shall demonstrate continued compliance with the requirements of this Chapter and identify any corrective actions taken to address instances of noncompliance.

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~~1.~~K. *Other Information Required.* The Town may require supplemental information, third-party review, or additional mitigation measures based on review of the power supply plan, water demand analysis, noise study, or other materials submitted with the Special Use Permit application.

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Section 3. Section 15.03.207- Amended. Section 15.03.207 - Table 3.4. Schedule of Use Table is hereby amended with the addition of an 'Information Technology' use category under the Industrial Uses section, as follows:

Use Category	Land Use	PR	LDR	R	OTC	CBD	MU	GC	NC	BP	LI	GI
Industrial Uses												
Information Technology	Data Center / Server Warehouse										S	S
	Other IT Warehouse / Factory / or Hosting Facility										S	S

Section 4. Section 15.09.104 – Amended. Section 15.09.104 is hereby amended with the addition of the following definition:

"Data Center" means a facility, building, or group of buildings primarily used to house computer systems, servers, data storage devices, networking equipment, and associated mechanical and electrical infrastructure for the processing, storage, transmission, management, mining cryptocurrencies, or distribution of digital data and information. A data center includes accessory equipment and structures necessary to support operations, including backup power generation, electrical substations, battery energy storage systems, cooling equipment, telecommunications infrastructure, and security facilities.

DRAFT

"Decommissioning" is the process of removing equipment and other infrastructure associated with a project and restoring the site to substantially the same condition as it was prior to the construction of the project or proposed facility.

Section 5. Severability. If any section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 65. Effective date. This Ordinance shall take effect thirty (30) days following publication of the notice as provided for in the Town Charter.

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INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY by a vote of __ to ___ of the Town Council of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the ____ day of _____ 2026 and approved by the Mayor on the ____ day of _____ 2026.

DRAFT

TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO

By: _____
Tom, Rugaard, Mayor

ATTEST:

_____
Britt Choate, Town Clerk

DRAFT

PUBLIC NOTICE

Public notice is hereby given that an Ordinance entitled:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING TITLE 15 OF THE PARACHUTE MUNICIPAL CODE TO REGULATE NATURAL MEDICINE FACILITIES

was introduced before the Town Council on _____ _____, 2025; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Town Council held on _____ _____, 2025, and approved by the Mayor on _____ _____, 2025.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado, and available on the internet at http://www.parachutecolorado.com.

Dated this _____ day of _____ 2025.

TOWN OF PARACHUTE

_____
Lucy Spalenka, Town Clerk

DRAFT

Integrity • Respect • Teamwork • Pride • Innovation • Diversity

222 GRAND VALLEY WAY ▪ PARACHUTE, CO 81635 ▪ (970) 285-7630

AGENDA ITEM SUMMARY

TO:	Planning Commission
FROM:	Vinnie Tomasulo, Community and Economic Development Director Travis Elliott, Town Manager
MEETING DATE:	August 13, 2026
MEMO DATE:	August 6, 2026
AGENDA ITEM:	Discussion and Proposed Amendment to the Title 15 (Land Use Code)

EXECUTIVE SUMMARY:

In 2022 Colorado voters approved "Proposition 123 which established the State Affordable Housing Fund and requires local governments to implement an expedited review/fast track process for affordable housing developments by December 31, 2026, and to establish the Town's eligibility for Proposition 123 financial assistance and grant funds from the State of Colorado.

The attached Exhibit A: Draft ordinance number 837-2026 adds section 15.02.214 - *Expedited Review for Affordable Housing* - to the Town's Land Use Code and illustrates the updates to Title 15 that define and describe the types of qualifying affordable housing types and associated timelines and guidelines associated with each step of the required expedited review processes. The ordinance also updates Table 2.1 – Land Use Review Chart in in Section 15.02.102 of PMC accordingly.

Per the Town Charter, all edits to the Town Land Use Code and Title 15 requires review by the Planning Commission. Upon approval by the Planning Commission, a public hearing and consideration of adoption will be held at the Town Council meeting on August 20th.

PLANNING COMMISSION OPTIONS:

1. Discuss additional proposed changes and provide Town Staff with feedback.
2. Approval of Resolution No. 2026-03-PC for approval of proposed changes to the Title 15.

STAFF RECOMMENDATION:

1. Staff recommend approval of Resolution No. 2026-03-PC.

ATTACHMENTS:

1. Resolution No. 2026-03-PC Title 15 Amendment
2. Exhibit A: Draft Ordinance No. 837-2026

TOWN OF PARACHUTE, COLORADO
PLANNING COMMISSION
RESOLUTION NO. 2026-03-PC

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO TO AMEND TITLE 15 "LAND USE REGULATIONS" OF THE PARACHUTE MUNICIPAL CODE

WHEREAS, pursuant to Sections 3.24.060, 15.01.401, and 15.01.402 of the Parachute Municipal Code, the Planning Commission or Town Council may initiate a Text Amendment.

WHEREAS, the Planning Commission initiated a text amendment to Title 15 "Land Use Regulations" of the Parachute Municipal Code to amend Title 15, as set forth in the draft Ordinance enclosed as **Exhibit A** (the "Text Amendment");

WHEREAS, the Planning Commission reviewed the Text Amendment at duly noticed public meetings on August 13, 2026, to consider and hear public comments;

WHEREAS, pursuant to Section 15.01.104 of the Parachute Municipal Code, the Planning Commission finds that the Text Amendment complies with the purpose of Title 15 "Land Use Regulations"; and

WHEREAS, based on the recommendation of Town Staff, the testimony of the witnesses and the documents made a part of the record of the public meeting, the Planning Commission recommends that the Town Council approve and adopt Ordinance No.837-2026 Amending Title 15 Land Use Regulations as presented to Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO, AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Commission hereby recommends the Town Council approve and adopt draft Ordinance No. 837-2026 to amend Title 15 "Land Use Regulations", as set forth in **Exhibit A**.

SO RESOLVED by a vote a vote of ___ to ____, of the Planning Commission of the Town of Parachute at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the 13th day of August, 2026**.**

PLANNING COMMISSION OF THE
TOWN OF PARACHUTE, COLORADO

By _____
Tim Olk, Chair

ATTEST:

_____
Britt Choate, Town Clerk

TOWN OF PARACHUTE
ORDINANCE NO. 837-2026

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING TITLE 15 OF THE PARACHUTE MUNICIPAL CODE TO ADD SECTION 15.02.214 – EXPEDITED REVIEW FOR AFFORDABLE HOUSING AND AMENDING TABLE 2.1 TO UPDATE THE LAND USE REVIEW PROCEDURES CHART

WHEREAS, pursuant to C.R.S. § 31-15-103, municipalities shall have power to make and publish ordinances which are necessary and proper to provide for the safety, to preserve the health, promote the prosperity, and improve the morals, order, comfort, and convenience of such municipality and the inhabitants thereof not inconsistent with the laws of this state; and

WHEREAS, the Town of Parachute ("Parachute" or the "Town") is a home-rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Parachute Home Rule Charter; and

WHEREAS, pursuant to § 1.01.020 of the Parachute Municipal Code ("PMC") and § 1-11 of the Parachute Charter, the Town Council may amend the PMC; and

WHEREAS, Title 15 of the PMC contains the Town's Land Use Regulations (the "Land Use Code"); and

WHEREAS, in 2022, Colorado voters approved Proposition 123, which established the State Affordable Housing Fund and requires local governments to implement an expedited review/fast track process for affordable housing developments by December 31, 2026 to establish the Town's eligibility for Proposition 123 financial assistance and grant funds from the State of Colorado; and

WHEREAS, the Town wishes to allow certain affordable housing developments to proceed through the expedited review process as proposed in this ordinance and thereby comply with Proposition 123; and

WHEREAS, the Town Council wishes to amend the PMC to add Section 15.02.214 to the Land Use Code to establish an expedited review process for affordable housing developments; and

WHEREAS, the Town Council wishes to amend Table 2.1 in Section 15.02.102 of the PMC to add "Affordable Housing" to the Land Use Review Procedures Chart; and

WHEREAS, it is in the interest of the public health, safety, and welfare of the inhabitants and visitors of Parachute to amend the PMC as set forth in this Ordinance.

Exhibit A

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO THAT:

Section 1. Recitals. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Amendment to Title 15 with Addition of Section 15.02.214. Town Council hereby amends Title 15, Article 2 of the PMC with the addition of Section 15.02.214 – Expedited Review for Affordable Housing as follows:

Sec. 15.02.214 - Expedited review for affordable housing

A. *Applicability*.

1. The purpose of this section is to meet the requirements of C.R.S. § 29-32-101, *et seq.*, which established the State Affordable Housing Fund. This section applies to any land use application for a building permit, land use development not limited to zoning approval or subdivision of land (i.e., condominium subdivision), variance, special use, or other application required under the Parachute Municipal Code, except as provided herein, for any project for which fifty percent (50%) or more of the residential units in the development constitute "Affordable Housing" as defined below or as otherwise defined in C.R.S. § 29-32-101 (the "Qualified Projects"):

    i. For rental housing units, "Affordable Housing" means housing that has a monthly rent of less than thirty percent (30%) of the monthly income of a household with an annual income of at or below sixty percent (60%) of the area median income ("AMI").

    ii. For for-sale housing units, "Affordable Housing" means housing that could be purchased by a household with an annual income of at or below one-hundred percent (100%) of the AMI, for which the mortgage payment costs the household thirty percent (30%) or less of its monthly income.

2. Any applicant qualifying for expedited review under this section 15.02.214 may opt out at any time by written notice to the Town Manager.

3. Except as provided herein, this section shall not apply to applications that require the following reviews:

    i. Concept Review (Section 15.02.104);

    ii. Initial Zoning or Rezonings (Section 15.02.201);

Exhibit A

iii. Subdivision (Sections 15.02.205-15.02.209 only);

iv. Appeals (Section 15.02.212); and

v. Annexations (Chapter 15.08).

B. *Expedited Review*. Qualified Projects under this section shall be subject to the following review timelines.

1. *90-day Review*. The decision-making body shall make its final decision of project approval, approval with conditions, or denial not more than ninety (90) calendar days, unless otherwise specified under C.R.S. § 29-32-105 or this section, after submission of a complete application under section 15.02.106. The 90-day review period will begin on the date the Community Development Specialist or designee confirms in writing that the Town received a complete application submittal.

2. *Timeline Applicability*.

i. Each application type shall have a separate 90-day review timeline (*e.g.*, Site Plan, Condominium Subdivision, Appeal, etc.).

ii. If an applicant withdraws an application and submits a new application pursuant to the terms of this section, the 90-day review timeline will re-start upon submission of the new application.

3. *Timeline Extensions*. Extensions of the 90-day review timeline are permitted in the following circumstances and in accordance with C.R.S § 29-32-105.

i. *Extension by Applicant*. An applicant may request a one-time extension in writing for an additional ninety (90) days to comply with state law, a court order, or a review period required by another local government, tribal government, or agency for any component of the application requiring that government's or agency's approval.

ii. *Extension by the Town*. The Town may extend the 90-day review timeline to allow for the submission of additional information or revisions to an application in response to the Town's requests. Such extension shall not exceed the amount of time from the request to the submission of the applicant's response plus thirty (30) days. Applicants shall provide such additional information or responses promptly and shall, whenever practicable, provide a response within five (5) business days.

Exhibit A

4. *Opt-Out*. Applicants for Qualified Projects may opt out of Expedited Review at any time by written notice to the Community Development Specialist.

Section 3. Amendment to Table 2.1. Town Council hereby amends Table 2.1 – Land Use Review Procedures Chart in Section 15.02.102 of the PMC with **bold underlined additions**, as follows:

Approval Requested	Preapplication Conference	Concept Review	Completeness Review	Referral	Notification	Approval				Notes/ Code section
						TM	PC	TC	BOA	
****										
Other Application Types										
Administrative Adjustment	O	O	X	O	X Website	X				See PMC 15.02.211
Appeal	O	N/A	X	O	X Website				H	See PMC 15.02.212
Variance		N/A	X	O	X Mailing, Website, Posting				H	See PMC 15.02.213
Affordable Housing	X	O	X	X	X Website		X	H		See PMC 15.02.214

Exhibit A

Section 4. Severability. If any section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 5. Effective Date. This Ordinance shall take effect thirty (30) days following publication of the notice as provided for in the Town Charter.

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY by a vote of ___ to ___ of the Town Council of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the ____ day of _____ 2026 and approved by the Mayor on the ____ day of _____ 2026.

TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO

By: _____
Tom Rugaard, Mayor

ATTEST:

_____
Britt Choate, Town Clerk

Exhibit A

PUBLIC NOTICE

Public notice is hereby given that an Ordinance entitled:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING TITLE 15 OF THE PARACHUTE MUNICIPAL CODE TO ADD SECTION 15.02.214 – EXPEDITED REVIEW FOR AFFORDABLE HOUSING AND AMENDING TABLE 2.1 TO UPDATE THE LAND USE REVIEW PROCEDURES CHART

was introduced before the Town Council on _____ _____, 2026; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Town Council held on _____ _____, 2026, and approved by the Mayor on _____ _____, 2026.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado, and available on the internet at http://www.parachute.gov

Dated this _____ day of _____ 2026.

TOWN OF PARACHUTE

_____
Britt Choate, Town Clerk

Exhibit A