

THE STATE OF TEXAS

COUNTY OF _____

RESOLUTION NO. _____

**A RESOLUTION OF THE _____ COUNTY
COMMISSIONERS COURT REGARDING LARGE-SCALE INDUSTRIAL
DEVELOPMENT IN THE STATE OF TEXAS**

WHEREAS, the _____ County Commissioners Court supports responsible economic development that promotes continued investment in technology, manufacturing, energy, and advanced industry while respecting private property rights and protecting local taxpayers; and

WHEREAS, the Commissioners Court supports limited county land use authority for large-scale industrial developments in unincorporated areas to protect public and private investments and promote life, health, safety, and compatibility, including reasonable authority to reduce impacts on local communities through best practices such as setbacks, noise-reduction technology, and other measures that take into account the concerns of neighbors; and

WHEREAS, the Commissioners Court supports development review procedures that provide counties adequate time, authority, and information to evaluate documented infrastructure, utility, drainage, floodplain, transportation, emergency service, and public safety impacts before final project approvals are granted; and

WHEREAS, the Commissioners Court supports reasonable infrastructure mitigation measures, cost-sharing agreements, performance bonds, closure bonds, and other financial assurance mechanisms to ensure project-related public infrastructure and service costs, including electric infrastructure costs, water and wastewater service, transportation system improvements, drainage and flood mitigation infrastructure, emergency services, and site restoration, are borne by development rather than local taxpayers; and

WHEREAS, the Commissioners Court supports meaningful coordination, transparency, and public disclosure regarding anticipated infrastructure, utility, natural resource, and community impacts associated with large-scale industrial developments, including appropriate reporting of electricity and water use, and opposes the use of confidentiality or nondisclosure agreements that prevent counties or the public from evaluating project impacts or disclosing information concerning impacts to public infrastructure, water resources, energy supply, or public safety; and

WHEREAS, the Commissioners Court supports sustainable water management for large-scale industrial developments, including conservation measures and protection of existing municipal, agricultural, industrial, and residential water supplies, requiring all new data centers to be built with best-available, water-efficient technologies such as closed loop cooling systems; and

WHEREAS, the Commissioners Court supports siting and water availability requirements for large-scale industrial developments that ensure adequate long-term water supplies prior to final development approval while protecting priority groundwater management areas, vulnerable water resources, and existing water users and minimizing risks associated with groundwater depletion and land subsidence where applicable; and

WHEREAS, the Commissioners Court supports coordinated planning for electric generation, transmission, and distribution infrastructure necessary to serve large-scale industrial developments without shifting disproportionate costs or reducing reliability for existing customers; and

WHEREAS, the Commissioners Court supports reforms to state sales tax exemptions and other incentives for large-scale industrial developments that do not adequately offset their public infrastructure and public service impacts and supports directing resulting revenues toward local infrastructure, resilience, and rainy-day funds to address project-related impacts; and

WHEREAS, the Commissioners Court opposes legislation that preempts counties from addressing documented local impacts of large-scale industrial developments while leaving counties financially responsible for the resulting public infrastructure and public safety costs.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF _____ COUNTY, TEXAS, that the County hereby supports responsible large-scale industrial development, including data centers, that provides economic benefits while protecting neighboring property owners, existing residents, public resources, county infrastructure, electric reliability, water supplies, and local taxpayers.

BE IT FURTHER RESOLVED that developers of data centers and other large-scale industrial projects are encouraged to meet with the County early in the planning process so the County and the developer may identify potential infrastructure, utility, drainage, floodplain, transportation, emergency service, public safety, water supply, electric reliability, and community compatibility issues before substantial project commitments are made.

BE IT FURTHER RESOLVED that, when a large-scale industrial project is presented to the County in connection with a matter lawfully before the Commissioners Court, the Court may consider favorably, among other lawful factors, the extent to which the proposed project:

1. Promotes investment in technology, manufacturing, energy, and other advanced industries within the County;
2. Provides meaningful transparency regarding anticipated infrastructure, utility, natural resource, and community impacts, including appropriate reporting of electricity and water use to state and local regulatory entities;
3. Protects existing taxpayers through appropriate cost-sharing agreements, performance bonds, closure bonds, site-restoration commitments, and other financial assurances sufficient to ensure that project-related development, infrastructure, mitigation, and remediation costs are borne by the developer rather than local taxpayers;
4. Uses best-available water-control, conservation, and water-efficient technologies, including reclaimed, recycled, brackish, or other non-potable water sources where reasonably available, and incorporates reasonable upgrades or retrofits as improved water-conservation technologies become commercially available;
5. Provides on-site or dedicated electric generation, energy storage, demand-response capability, or other resources sufficient to serve or offset project demand, reduce demands on generation, transmission, and distribution infrastructure, and provide a measurable benefit to electric reliability;
6. Participates in ERCOT Batch Zero or any applicable successor large-load review process and provides complete information regarding anticipated electric demand, energization

schedules, operating characteristics, interconnection needs, and the ability to reduce or curtail demand during grid emergencies;

7. Identifies the proposed water source and demonstrates that an adequate and sustainable long-term water supply is available without unreasonably impairing existing municipal, agricultural, industrial, or residential water users;
8. Incorporates reasonable setbacks, noise-reduction technology, lighting controls, landscaping, traffic-management measures, emergency access, fire protection, and other measures appropriate to the project's location and surrounding community;
9. Identifies and mitigates anticipated impacts on county roads, bridges, drainage and flood-mitigation infrastructure, emergency services, law enforcement, fire protection, and other county facilities and services through appropriate mitigation measures, cost-sharing arrangements, road-use agreements, financial assurances, and site-restoration commitments; and
10. Does not request or impose confidentiality or nondisclosure restrictions that would prevent the County, to the extent permitted or required by law, from evaluating or communicating material impacts on public infrastructure, water resources, energy supply, public safety, or county finances.

BE IT FURTHER RESOLVED that, these considerations are intended to guide early discussion and voluntary cooperation between the County and developers and do not constitute mandatory or uniform development standards or requirements applicable to a privately financed project except to the extent otherwise authorized by Texas law.

BE IT FURTHER RESOLVED that satisfaction of any or all of these considerations does not create an entitlement to favorable action by the Commissioners Court, and the Court may consider any other lawful factor relevant to the circumstances of the project and the best interests of the County.

BE IT FURTHER RESOLVED that nothing in this resolution creates or expands county authority, requires the County to take any action, or authorizes the County to prohibit, suspend, delay, or impose a moratorium on a privately financed project except as expressly permitted by Texas law.

BE IT FURTHER RESOLVED that this resolution is intended to encourage early and constructive communication between the County and developers seeking to invest in the community and to promote projects that provide economic opportunity, responsibly address documented impacts, protect local taxpayers, and operate as good neighbors.

PASSED AND APPROVED this _____ day of _____, 2026.

County Judge

Commissioner, Precinct 1

Commissioner, Precinct 2

Commissioner, Precinct 3

Commissioner, Precinct 4

ATTEST:

County Clerk