

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 26-0158

Introduced by: President Cohen
Cosponsored by: Councilmembers Parker, Dorsey, Conway, Middleton, Porter, Jones, Glover,
Ramos, Gray, Bullock, Blanchard
Introduced and read first time: March 23, 2026
Assigned to: Land Use and Transportation Committee
Committee Report: Favorable, with amendments
Council action: Adopted
Read second time: May 11, 2026

AN ORDINANCE CONCERNING

Data Centers – Moratorium

1
2 FOR the purpose of establishing a data center as a prohibited use Citywide; defining certain
3 terms; making conforming changes; providing for a special effective date; and providing for
4 the termination of ~~certain provisions of this Ordinance.~~ of this Ordinance after a certain
5 period.

6 BY repealing and re-ordaining, with amendments,
7 Article 32 - Zoning
8 Sections 1-209, 1-308(a) and (b), and ~~1-312(o)~~ 1-310(O), 1-312(O), and 14-338(A)(9)
9 Baltimore City Code
10 (Edition 2000)

11 BY renumbering
12 Article 32 - Zoning
13 Section 1-304(y) and (z)
14 to be
15 Section 1-304(z) and (aa)
16 Baltimore City Code
17 (Edition 2000)

18 BY adding
19 Article 32 - Zoning
20 Section 1-304(y)
21 Baltimore City Code
22 (Edition 2000)

23 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
24 Section 1-304(y) and (z), respectively, of Article 32 - Zoning of the Baltimore City Code be
25 renumbered to be Section 1-304(z) and (aa), respectively.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by
amendment or deleted from existing law by amendment.

RULE 12-2 ** THIRD READER PREPARED AND REVIEWED DEPARTMENT OF LEGISLATIVE REFERENCE
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Baltimore City Code

Article 32. Zoning

Title 1. General Provisions

Subtitle 3. Definitions

§ 1-304. “Chimney” to “Day-care center: Child”.

(Y) *DATA CENTER.*

“DATA CENTER” MEANS A FACILITY OR PORTION OF A FACILITY:

(1) THAT IS USED ~~FOR~~ PRIMARILY FOR THE REMOTE STORAGE, PROCESSING, AND DISTRIBUTION OF DATA; AND

(2) THAT IS CAPABLE OF USING 10 MEGAWATTS OR MORE OF ELECTRICITY.

§ 1-308. “Industrial: General” to “Lot: Interior”.

(a) *Industrial: General.*

(1) *In general.*

“Industrial: General” means the processing, manufacturing, or compounding of materials, products, or energy, having impacts on the environment or significant impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, odors, glare, or health and safety hazards.

(2) *Inclusions.*

“Industrial: General” includes:

(i) the storage of large volumes of toxic or highly flammable matter or explosives; and

(ii) outdoor operations as part of the processing, manufacturing, or compounding process.

(3) *Exclusions.*

“Industrial: General” does not include or authorize any use prohibited by § [1-218] 1-209 {“Uses prohibited citywide”} of this Title.

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1 (b) *Industrial: Light.*

2 (1) *In general.*

3 “Industrial: Light” means the processing, manufacturing, assembly, or compounding
4 of materials or products, where:

5 (i) all processing, fabrication, assembly, treatment, and packaging of products are
6 contained entirely within a building;

7 (ii) noise, odor, smoke, heat, glare, and vibration resulting from the manufacturing
8 process are confined within the building or otherwise minimized; and

9 (iii) only minimal truck traffic is required for daily operations.

10 (2) *Inclusions.*

11 “Industrial: Light” includes incidental storage, sales, and distribution of products
12 manufactured or stored on site.

13 (3) *Exclusions.*

14 “Industrial: Light” does not include or authorize any use prohibited by § [1-218]
15 1-209 {“Uses prohibited citywide”} of this Title.

16 **§ 1-310. “Motor vehicle” to “Owner”.**

17 (o) Office.

18 (1) In general.

19 “Office” means an establishment that engages in the processing, manipulation, or
20 application of business information or professional expertise, whether or not it offers
21 services to the public.

22 (2) Exclusions.

23 “Office” does not [include] INCLUDE:

24 (1) A FACILITY FOR fabricating, assembling, repairing, or warehousing physical
25 products for the retail or wholesale [market.] MARKET; OR

26 (2) A DATA CENTER.”

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1 **§ 1-312. “Property line” to “Roof deck”.**

2 (o) *Research and development facility.*

3 (1) *In general.*

4 “Research and development facility” means an establishment where research and
5 development activities are conducted in various disciplines, including biotechnology,
6 pharmaceuticals, medical instrumentation or supplies, communication and
7 information technology, electronics and instrumentation, and computer hardware and
8 software.

9 (2) *Inclusions.*

10 “Research and development facility” includes, as an accessory use, the manufacture,
11 fabrication, processing, or sale of products developed on the same lot as the
12 establishment.

13 (3) *Exclusions.*

14 “Research and development facility” does not [include] INCLUDE:

15 (I) the manufacture, fabrication, processing, or sale of products as a primary
16 [use.] USE; OR

17 (II) A DATA CENTER.

18 **Title 14. Use Standards**

19 **Subtitle 3. Use Standards**

20 **§ 14-338. Telecommunications facilities.**

21 (a) *Definitions.*

22 (9) Telecommunications facility.

23 (I) IN GENERAL.

24 “Telecommunications facility” means any structure that falls within the definition
25 of “base station” or “tower”.

26 (II) EXCLUSION.

27 “TELECOMMUNICATIONS FACILITY” DOES NOT INCLUDE A DATA CENTER.

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SECTION 3. AND BE IT FURTHER ORDAINED, That:

(a) The Department of Planning shall conduct a comprehensive data center impact study and produce a report to the Mayor, City Council, and Planning Commission.

(b) The Department of Planning shall collaborate with the following agencies to conduct the study and produce the report:

(1) the Department of Public Works;

(2) the Department of Housing and Community Development;

(3) the Commission on Sustainability;

(4) the Department of Finance;

(5) the Office of Equity and Civil Rights;

(6) the Baltimore City Health Department; and

(7) the Baltimore Development Corporation.

(c) The study and report shall include:

(1) an assessment of the impact data centers would have on Baltimore's energy infrastructure and ratepayers, including:

(i) ways the City could mitigate the impact of data center energy consumption on ratepayers; and

(ii) the feasibility and enforceability of energy self-supply and power purchase agreement-based energy models;

(2) an analysis of the impact a data center would have on Baltimore's economy and workforce, including:

(i) the net fiscal impact a data center would have on Baltimore, accounting for State sales tax exemptions and offsetting property tax and energy tax revenues;

(ii) the potential for short and long-term job creation;

(iii) a comparison of data center fiscal returns relative to alternative uses of target industrial and commercial sites; and

(iv) a review of community benefit agreement structures used in comparable jurisdictions;

(3) an analysis of the environmental health impact a data center would have on Baltimore, including:

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1 (i) water consumption modeling for potential data center development in
2 Baltimore City;

3 (ii) air quality implications of potential diesel backup generator use; and

4 (iii) noise and land compatibility standards for data center placement,
5 relative to residential neighborhoods and environmental justice
6 communities; and

7 (4) feedback from community engagement with targeted outreach to stakeholders
8 who include:

9 (i) community associations;

10 (ii) environmental justice organizations;

11 (iii) labor unions; and

12 (iv) small business owners.

13 (d) The report shall make the following recommendations:

14 (1) how to define the term “data center” and a list of criteria used to identify a use as a
15 data center; and

16 (2) conditional use standards that Baltimore City should establish for data centers.

17 (e) The report shall be submitted to the Mayor, City Council, and Planning Commission no
18 later than 9 months after the enactment of this Ordinance.

19 SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance shall remain in effect for a
20 period of 1 year following the effective date, at which time and with no further action required by
21 the City Council, this Ordinance shall be abrogated and of no further force and effect.

22 ~~SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is~~
23 ~~enacted. Section 2 of this Ordinance shall remain effective for year following the date of~~
24 ~~enactment, at which time and with no further action required by the City Council, Section 2 of~~
25 ~~this Ordinance shall be abrogated and of no further force and effect.~~

26 SECTION 5. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect 30 days after it
27 is enacted.

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Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City