

CITY OF BALTIMORE  
ORDINANCE **26-128**  
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**

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

BY repealing and re-ordinating, with amendments,

Article 32 - Zoning

Sections 1-209, 1-308(a) and (b), and ~~1-312(o)~~ 1-310(O), 1-312(O), and 14-338(A)(9)

Baltimore City Code

(Edition 2000)

BY renumbering

Article 32 - Zoning

Section 1-304(y) and (z)

to be

Section 1-304(z) and (aa)

Baltimore City Code

(Edition 2000)

BY adding

Article 32 - Zoning

Section 1-304(y)

Baltimore City Code

(Edition 2000)

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

KULL 12-2 • THIRD READER  
PREPARED AND REVIEWED  
DEPARTMENT OF  
LEGISLATIVE REFERENCE

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**SECTION 2. AND BE IT FURTHER ORDAINED,** That the Laws of Baltimore City read as follows:

**Baltimore City Code**

**Article 32. Zoning**

**Title 1. General Provisions**

**Subtitle 2. Rules of Interpretation**

**§ 1-209. Uses prohibited citywide.**

*(a) Application of section.*

This section and its listing of certain prohibited uses:

(1) is not exhaustive; and

(2) may not be construed to imply that any use not listed here is a permitted or conditional use.

*(b) Listing.*

The following uses are prohibited in all zoning districts of the City:

(1) crude oil terminals;

(2) DATA CENTERS;

(3) [(2)] incinerators;

(4) [(3)] junk or scrap storage and yards;

(5) [(4)] nuclear power plants;

(6) [(5)] solid waste sanitary landfills;

(7) [(6)] storage on barges and belt conveyor systems used for the transfer of materials, but this prohibition does not apply to the continuous process of unloading or loading processed metal (as defined in § 1-308) for and during its transfer to or from a docked barge or vessel awaiting shipment; and

(8) [(7)] vehicle dismantling facilities.

~~**SECTION 3. AND BE IT FURTHER ORDAINED,** That the Laws of Baltimore City read as follows:~~

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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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(b) *Industrial: Light.*

(1) *In general.*

"Industrial: Light" means the processing, manufacturing, assembly, or compounding of materials or products, where:

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

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

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

(2) *Inclusions.*

"Industrial: Light" includes incidental storage, sales, and distribution of products manufactured or stored on site.

(3) *Exclusions.*

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

**§ 1-310. "Motor vehicle" to "Owner".**

(o) *Office.*

(1) *In general.*

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

(2) *Exclusions.*

"Office" does not [include] INCLUDE:

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

(2) A DATA CENTER."

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§ 1-312. "Property line" to "Roof deck".

(o) *Research and development facility.*

(1) *In general.*

"Research and development facility" means an establishment where research and development activities are conducted in various disciplines, including biotechnology, pharmaceuticals, medical instrumentation or supplies, communication and information technology, electronics and instrumentation, and computer hardware and software.

(2) *Inclusions.*

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

(3) *Exclusions.*

"Research and development facility" does not [include] INCLUDE:

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

(II) A DATA CENTER.

**Title 14. Use Standards**

**Subtitle 3. Use Standards**

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

(a) Definitions.

(9) Telecommunications facility.

(I) IN GENERAL.

"Telecommunications facility" means any structure that falls within the definition of "base station" or "tower".

(II) EXCLUSION.

"TELECOMMUNICATIONS FACILITY" DOES NOT INCLUDE A DATA CENTER.

1     **SECTION 3. AND BE IT FURTHER ORDAINED, That:**

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

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

6         (1) the Department of Public Works;

7         (2) the Department of Housing and Community Development;

8         (3) the Commission on Sustainability;

9         (4) the Department of Finance;

10        (5) the Office of Equity and Civil Rights;

11        (6) the Baltimore City Health Department; and

12        (7) the Baltimore Development Corporation.

13     (c) The study and report shall include:

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) community associations;

(ii) environmental justice organizations;

(iii) labor unions; and

(iv) small business owners.

(d) The report shall make the following recommendations:

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

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

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

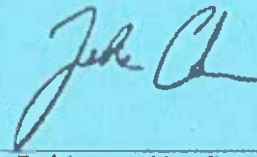
SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance shall remain in effect for a period of 1 year following the effective date, at which time and with no further action required by the City Council, this Ordinance shall be abrogated and of no further force and effect.

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

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

**Council Bill 26-0158**

Certified as duly passed this 11th day of May, 2026



\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 13th day of May, 2026



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Chief Clerk

Approved this 16 day of June, 2026

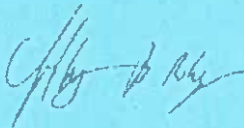


\_\_\_\_\_  
Mayor, Baltimore City

**A TRUE COPY**  
**Director of Finance**

Approved for Form and Legal Sufficiency,

this 13th day of May, 2026



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Chief Solicitor