



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Timothy Keane, Acting Commissioner, Housing and Community Development
CC	Mayor's Office of Government Relations
DATE	May 5, 2026
SUBJECT	26-0158 Data Center Moratorium

Position: Favorable with Amendments

BILL SYNOPSIS

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 26-0158 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.

If enacted, City Council Bill 26-0158 would enact a one-year moratorium on all data centers as defined by the Bill. If approved, this Bill will take effect on the date of its enactment.

SUMMARY OF POSITION

If a new data center were to be built within the City, initial contact would most likely occur at the filing of permits and plans for construction where potential energy usage would be calculated. If that projected energy usage were to exceed 10 megawatts, those applications would then be denied by Zoning, given the prohibited use. If, for any reason, a new Data Center was built without any of the required permits, DHCD's Special Investigations Unit (SIU) zoning inspectors would be called upon to investigate, as they would for any other potential zoning violation. DHCD SIU would also be called upon to investigate any complaints of this prohibited use occurring at existing structures. In order to determine how much energy a given structure is capable of using we would need the cooperation of the electric utility or sufficient information from the facility to be able to complete a load calculation.

FISCAL IMPACT

It is difficult to estimate how many complaints DHCD would receive if this Bill were enacted. Without knowing the volume of complaints, and consequentially how many inspections would

need to be carried out, we cannot currently forecast its potential impact on inspector workload. Also, as we do not currently have a means of assessing a structure's power usage, it is equally difficult to assess what, if any, costs may be associated with those methods.

AMENDMENTS

As currently written, this Bill will take effect on the day of its enactment. Given that DHCD will need to establish a standard methodology for determining energy usage, we are requesting that the Bill take effect 30 days after the date of its enactment.