

**CITY OF BALTIMORE
COUNCIL BILL 26-0174
(First Reader)**

Introduced by: Councilmember Porter

Cosponsored by: President Cohen and Councilmembers Middleton, Torrence, Gray, Bullock, and Ramos

Introduced and read first time: April 27, 2026

Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Planning Commission, Department of Transportation, Board of Municipal and Zoning Appeals, Health Department, Department of Housing and Community Development, Baltimore Development Corporation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use – Health Equity Assessment – Data Centers**

3 FOR the purpose of establishing data centers as a conditional use by ordinance; establishing the
4 Health Equity Assessment as an additional requirement for certain conditional uses; requiring
5 a Health Equity Assessment for a data center conditional use; and defining certain terms.

6 BY renumbering

7 Article 32 - Zoning
8 Section 1-304(y) and (z)
9 to be
10 Section 1-304(z) and (aa)
11 Baltimore City Code
12 (Edition 2000)

13 BY adding

14 Article 32 - Zoning
15 Section 5-411
16 Baltimore City Code
17 (Edition 2000)

18 BY repealing and re-ordaining, with amendments,

19 Article 32 - Zoning
20 Table 11-301
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.

Council Bill 26-0174

- 1 (1) A DESCRIPTION OF THE EXISTING PUBLIC HEALTH BURDEN AND THE PROJECTED
2 CONTRIBUTION TO THE PUBLIC HEALTH BURDEN OF THE PROPOSED USE;
- 3 (2) THE EJ SCORE AND A DESCRIPTION FOR THE INDICATORS CONTRIBUTING TO THE EJ
4 SCORE;
- 5 (3) A LIST OF EACH EXISTING POLLUTION SOURCE IMPACTING THE AREA AND ITS
6 PROXIMITY TO THE PROPOSED USE;
- 7 (4) A DESCRIPTION OF THE CLEAN DRINKING WATER SUPPLY AND THE PROJECTED
8 IMPACT ON THE DRINKING WATER SUPPLY BY THE PROPOSED USE;
- 9 (5) THE AMBIENT CONCENTRATION OF EACH AIR POLLUTANT AND HAZARDOUS AIR
10 POLLUTANT AS REGULATED UNDER RELEVANT STATE AND FEDERAL LAWS AND
11 REGULATIONS, AND A DESCRIPTION OF THE PROJECTED IMPACT ON THE AMBIENT
12 CONCENTRATION OF THOSE POLLUTANTS BY THE PROPOSED USE;
- 13 (6) TO THE EXTENT THAT INFORMATION IS AVAILABLE, NOISE POLLUTION LEVEL IN
14 THE AREA OF THE PROPOSED USE AND A DESCRIPTION OF THE PROJECTED
15 CONTRIBUTION TO THE NOISE POLLUTION LEVEL BY THE PROPOSED USE;
- 16 (7) TO THE EXTENT THAT INFORMATION IS AVAILABLE, EXISTING TRAFFIC COUNT IN
17 THE AREA OF THE PROPOSED USE AND A DESCRIPTION OF THE PROJECTED
18 CONTRIBUTION TO TRAFFIC COUNT BY THE PROPOSED USE;
- 19 (8) AN EVALUATION OF EXISTING PUBLIC HEALTH STRESSORS IN THE AREA OF THE
20 PROPOSED USE AND ANY POTENTIAL PUBLIC HEALTH STRESSORS POSED BY THE
21 PROPOSED USE; AND
- 22 (9) A EXPLANATION OF THE COMPELLING PUBLIC INTEREST THAT THE PROPOSED USE
23 WILL SERVE FOR THE AREA, AS WELL AS ANY POTENTIAL ALTERNATIVE USE THAT
24 COULD SERVE THE SAME PUBLIC INTEREST.

25 (D) *PROCEDURES.*

26 (1) *IN GENERAL.*

27 THE DEPARTMENT OF HEALTH SHALL REVIEW THE HEALTH EQUITY ASSESSMENT TO
28 DETERMINE IF THE HEALTH EQUITY ASSESSMENT:

- 29 (I) IS ACCURATE AS PERTAINS TO MEASURABLE INFORMATION REQUIRED UNDER
30 SUBSECTION (C);
- 31 (II) TO THE EXTENT THAT CAN BE DETERMINED, IS ACCURATE AS PERTAINS TO THE
32 PROJECTED EFFECT OF THE PROPOSED AS REQUIRED UNDER SUBSECTION (C);
33 AND

Council Bill 26-0174

(III) SHOWS THAT THE COMPELLING PUBLIC INTEREST SERVED BY THE PROPOSED USE IN ALL CENSUS TRACTS WITH IN A 1.5 MILE RADIUS IS GREATER THAN THE NEGATIVE IMPACT OF THE PROPOSED USE ON THE PUBLIC HEALTH BURDEN FOR THOSE CENSUS TRACTS.

(2) DENIAL.

THE HEALTH COMMISSIONER MAY ONLY RECOMMEND THE PROPOSED USE FAVORABLY IF EACH CONDITION IN PARAGRAPH (1) IS MET.

(E) REPORT TO APPROVING BODY.

THE DEPARTMENT OF HEALTH SHALL REPORT ITS FAVORABLE OR UNFAVORABLE RECOMMENDATION ON THE PROPOSED USE TO THE BOARD OF MUNICIPAL AND ZONING APPEALS OR THE CITY COUNCIL, AS APPROPRIATE.

(F) TIME LIMIT.

A HEALTH EQUITY ASSESSMENT REQUIRED UNDER THIS SECTION FOR A CONDITIONAL USE TO BE CONSIDERED BY THE BOARD OF MUNICIPAL AND ZONING APPEALS SHALL BE SUBMITTED TO THE DEPARTMENT OF HEALTH NO MORE THAN 60 DAYS FROM THE BOARD'S RECEIPT OF THE COMPLETED APPLICATION.

Zoning Tables

Table 11-301: Industrial Districts – Permitted and Conditional Uses

USES	DISTRICTS							USE STANDARDS
	OIC	BSC	IMU-1	IMU-2	I-1	I-2	MI	
INDUSTRIAL								
...								
Contractor Storage Yard				CB	P	P		Per § 14-330
DATA CENTER				CO		CO	CO	
Food Processing: Light	P		P	P	P			
...								

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.