

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2026, Legislative Day No. 1

Bill No. 3-26

Councilmembers Young, Patoka, Marks, Crandell, Jones & Kach

By the County Council, January 5, 2026

A BILL
ENTITLED

AN ACT concerning

Zoning Regulations – Data Center Study

FOR the purpose of restating certain definitions; establishing temporary controls suspending the permitting of data centers until a certain date; requiring the Planning Board to conduct a general review of data center permitting in Maryland, assess the average public utility usage of data centers, compare such utility usage to other permitted uses of a similar size, and submit a report to the County Council, no later than a certain date, that contains certain recommendations; providing for the retroactive application of this Act to the date of this Act's introduction; and generally relating to data centers.

BY repealing and re-enacting, without amendments

Section 101.1, the definition of “data center” listed alphabetically
Baltimore County Zoning Regulations, as amended

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

WHEREAS, on August 5, 2024, the County Council enacted Bill 54-24 to, among other things, establish a definition for data centers, permit such centers in certain zones, and establish bulk and area regulations, landscaping requirements, and noise limitations for such centers in the R.C. 5 Zone; and

WHEREAS, recognizing the potential for economic development and growth, the County Council took a “light touch” approach to regulating data centers in Bill 54-24; and

WHEREAS, in the intervening months, as the public infrastructure and environmental impacts of data centers have come into focus, it has become clear that additional regulation is needed, specifically regarding mitigation of the large amounts of public utility usage of data centers, such as water and electricity, in order to maintain the health, safety, and economic well-being of County residents; and

WHEREAS, in order to maintain a consistent regulatory environment for data centers, a temporary moratorium on data centers is needed while the County and the Council formulate and enact clearer regulations; now therefore

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Baltimore County Zoning Regulations read as follows:

3
4 ARTICLE 1 – GENERAL PROVISIONS

5 Section 101 – Definitions

6
7 § 101.1. Word usage; definitions.

8 Data Center – A building or group of buildings used to house computer systems,
9 computer storage equipment, and associated infrastructure that businesses or other organizations

1 use to organize, process, store, and disseminate large amounts of data. A data center is only
2 permitted east of Pulaski Highway (Route 40) or south of Liberty Road.

3
4 SECTION 2. AND BE IT FURTHER ENACTED, that, notwithstanding any other
5 provision of County law or regulation, until January 1, 2027: (1) the authority to issue or grant a
6 permit for a data center is hereby suspended; and (2) a County agency or department, including
7 the Department of Permits, Approvals, and Inspections, may not accept any application, petition,
8 or request for a hearing regarding a data center, including an application for any permit regarding
9 a data center.

10
11 SECTION 3. AND BE IT FURTHER ENACTED, that the Baltimore County Planning
12 Board shall review the current County laws and regulations for data centers and submit a report
13 and recommendations to the County Council, no later than October 1, 2026, that:

14 (a) provides a general summary of the permitting of data centers in Maryland and
15 a comparison the relevant County regulations to other Maryland jurisdictions;

16 (b) provides a general assessment of the average electricity and public water
17 usage of data centers, broken into relevant categories, such as the size and location of the data
18 center;

19 (c) compares the average electricity and public water usage of a data center to
20 other uses of a similar size currently permitted in the same zones and locations as data centers;
21 and

22 (d) makes recommendations on:

1 (1) appropriate regulations or policies to mitigate the increased demand for
2 electricity and public water of a data center compared with other permitted uses of a similar size,
3 including a ban on data centers, if appropriate;

4 (2) the appropriate siting of data centers, including but not limited to
5 considerations for underserved and overburdened communities, agricultural land, and
6 undeveloped land;

7 (3) changes to the Baltimore County Zoning Regulations regarding data
8 centers, including bulk, area, and size limitations;

9 (4) changes to data center permitting requirements;

10 (5) appropriate community notice and outreach requirements for data
11 centers; and

12 (6) whether data centers should be eligible for County grants, loans, and
13 tax credits, and, if so, appropriate considerations.

14
15 SECTION 4. AND BE IT FURTHER ENACTED, that this Act, having been passed by
16 the affirmative vote of five members of the County Council, shall take effect 14 days from the
17 date of its enactment and shall apply retroactively to this Act's date of introduction before the
18 County Council.