

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2026, Legislative Day No. 2

Bill No. 9-26

Councilmembers Marks & Patoka

By the County Council, January 20, 2026

A BILL
ENTITLED

AN ACT concerning

Zoning Regulations – Data Centers and Energy Storage Devices – Partial Repeal and Clarification

FOR the purpose of repealing the definition, permitted uses, and special regulations for data centers, as enacted by Bill 54-24; clarifying the locational requirements and the applicability of existing special regulations for energy storage devices; permitting energy storage devices in the MD 43 Overlay District, subject to certain special regulations; and generally relating to data centers and energy storage devices.

BY repealing

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.

BY repealing and re-enacting, with amendments

Sections 101.1, the definition of “energy storage device” listed alphabetically, 1A04.2.A.15, 233.1.B, the permitted use “data centers or energy storage devices” listed alphabetically, 241.1, the permitted use “data centers or energy storage devices” listed alphabetically, 248.1.A.12, 253.1.B.27, 256.1.B.1, and 443 Baltimore County Zoning Regulations, as amended

BY adding

Section 259.11.A.5
Baltimore County Zoning Regulations, as amended

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

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ARTICLE 1 – GENERAL PROVISIONS

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Section 101 – Definitions

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§ 101.1. Word usage; definitions.

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Words used in the present tense include the future; words in the singular number include the plural number; the word “shall” is mandatory. For the purposes of these regulations, certain terms and words are defined below.

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Any word or term not defined in this section shall have the ordinarily accepted definition as set forth in the most recent edition of Webster’s Third New International Dictionary of the English Language, Unabridged.

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[DATA CENTER – a building or group of buildings used to house computer systems, computer storage equipment, and associated infrastructure that businesses or other

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

3 ENERGY STORAGE DEVICE – a resource capable of absorbing electrical
4 energy, storing it for a period of time, and delivering the energy for use at a later time as needed.
5 An energy storage device is not considered a utility transmission facility. An energy storage
6 device consists of the system of structures, wires, insulators and associated hardware that carries
7 electrical energy to and from the electric power system. If located in the R.C.5 Zone, the site of
8 an energy storage device shall be a minimum of 30 acres and located within one half mile of a
9 transmission line. [An energy storage device is only permitted east of Pulaski Highway (Route
10 40) or south of Liberty Road.]

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12 ARTICLE 1A – RESOURCE CONSERVATION ZONES

13 Section 1A04 – R.C. 5 (Rural-Residential) Zone

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15 § 1A04.2. Use regulations.

16 A. Uses permitted as of right. The following uses, only, are permitted as of right in
17 R.C.5 Zones:

18 15. [Data centers or] energy storage devices, subject to Section [440] 443.
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20 ARTICLE 2 – ELEVATOR-APARTMENT RESIDENCE ZONES,
21 RESIDENTIAL – OFFICE ZONES, OFFICE ZONES, BUSINESS ZONES,

22 MANUFACTURING ZONES AND DISTRICTS

23 Section 233 – Business, Major (B.M.) Zone Use Regulations

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§ 233.1. Permitted uses.

The following uses only are permitted:

B. [Data centers or] energy storage devices, SUBJECT TO SECTION 443, if the lot is part of a tract of land that also includes land zoned M.L. or M.H. with or without an overlay district. For purposes of this provision, the tract may include lots separated by public roads or rights of way. A use permitted under this paragraph may be established as a single user or operator, or as part of an overall campus or park that includes multiple users or operators.

Section 241 – M.R. Zone Use Regulations

§ 241.1. Permitted uses.

The following uses are permitted, provided that their operations are entirely within enclosed buildings except where approval of the development plan indicates otherwise:

[Data centers or] energy storage devices, SUBJECT TO SECTION 443.

Section 248 – M.L.R. Zone Use Regulations

§ 248.1. Permitted uses.

A. The following uses only are permitted:

12. [Data centers or] energy storage devices, SUBJECT TO SECTION 443.

Section 253 – Manufacturing, Light (M.L.) Zone Use Regulations

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§ 253.1. Uses permitted as of right.

The uses listed in this section, only, shall be permitted as of right in M.L. Zones, subject to any conditions hereinafter prescribed.

B. The following transportation, storage or quasi-public uses or utilities:

27. [Data centers or] energy storage devices, SUBJECT TO SECTION

443.

Section 256 – Manufacturing, Heavy (M.H.) Zone Use Regulations

§ 256.1. Permitted uses.

B. The following uses are permitted by right in the M.H. Zone.

1. [Data centers or] energy storage devices, SUBJECT TO SECTION 443.

Section 259 – Districts

§ 259.11. Development standards for MD 43 Overlay District.

A. Uses permitted by right.

5. ENERGY STORAGE DEVICES, SUBJECT TO SECTION 443.

Article 4 – Special Regulations

Section 443 – [Data Centers and] Energy Storage Devices

1 § 443.1. [Data Centers and] Energy Storage Devices.

2 A. Location requirements. Notwithstanding any provision of these regulations to the
3 contrary, [a data center or] AN energy storage device may be permitted within the Chesapeake
4 Bay Critical Area. This subsection shall not be interpreted to require [a data center or] AN
5 energy storage device to be located within the Chesapeake Bay Critical Area.

6 B. Bulk standards. [A data center or] AN energy storage device developed under this
7 section is subject only to the following setback, height, and area requirements:

8 1. The minimum setback from any lot line or street line shall be 10 feet.

9 2. The minimum setback may be reduced to zero for the purposes of integrating,
10 adjoining, or connecting structures on contiguous lots with the expressed approval of the owner
11 of the contiguous lot.

12 3. Notwithstanding the provisions of section 102.2 of these regulations, a yard or
13 setback is not required between the structures which constitute [a data storage or] AN energy
14 storage device or any accessory device thereto.

15 4. The maximum height of principal structures associated with [a data storage or]
16 AN energy storage device shall be 60 feet. Interconnection equipment, poles, or other ancillary
17 support structures shall not be considered as principal structures.

18 5. There is no lot coverage requirement.

19 C. Parking. The minimum number of off-street parking spaces provided shall be one
20 space per employee on the largest shift.

21 D. Signage. Signage for [a data center or] AN energy storage device developed under
22 this section shall comply with the regulations applicable to the M.H. Zone.

23 E. Landscaping Requirements.

1 1. A landscaping buffer shall be provided around the perimeter of any portion of
2 a property containing a building or structure used as [a data center or] AN energy storage device
3 adjoining a property zoned or used for residential uses.

4 2. Landscaping is not required within areas which are already vegetated or when
5 landscaping would conflict with other regulations, such as those applicable to wetlands and the
6 preservation of natural habitat.

7 F. Noise. [A data center or] AN energy storage device developed under this section shall
8 comply with all state and local noise ordinances and regulations, as set forth in Comar
9 26.02.03.02. and Article 17, title 3 of the Baltimore County Code.

10 G. Conflicts. If there is a conflict between the provisions of this section and any other
11 provisions of these Zoning Regulations, the provisions of this section shall govern.

12 [H. Applicability. This section applies only to a data center or energy storage device in
13 the R.C.5 Zone.]

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15 SECTION 2. 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.