FINAL

AMENDED
September 21, 2026

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2026, Legislative Day No. 15

Bill No. 63-26

Introduced by the Entire Council

By the County Council, July 20, 2026

Introduced and first read on July 20, 2026
Public Hearing set for and held on September 21, 2026
Public Hearing on AMENDED bill set for and held on October 5, 2026
Bill Expires on October 23, 2026

By Order: Kaley Schultze, Administrative Officer

A BILL ENTITLED

AN ORDINANCE concerning: Zoning – Data Storage Center

~~FOR the purpose of modifying the definition of "data storage center"; grandfathering certain data storage centers; removing certain parking requirements for data storage centers; removing certain data storage centers as an allowable use in certain commercial, industrial, mixed use, and Odenton Town Center districts; removing the conditional use requirements for certain data storage centers; making certain technical and stylistic changes; and generally related to zoning.~~

~~BY repealing: § 18-10-124~~
~~Anne Arundel County Code (2005, as amended) (as amended by Bill No. 9-26)~~

~~BY renumbering: §§ 18-10-125 through 18-10-179, respectively, to be §§ 18-10-124 through 18-10-178, respectively~~
~~Anne Arundel County Code (2005, as amended) (as amended by Bill No. 9-26)~~

~~BY repealing and reenacting, with amendments: §§ 18-1-101(48); 18-2-101(b); 18-3-104; 18-5-102; 18-6-103; 18-8-301; and 18-9-103~~
~~Anne Arundel County Code (2005, as amended)~~

EXPLANATION: CAPITALS indicate new matter added to existing law.
[[Brackets**]]** indicate matter deleted from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.
Asterisks *** indicate existing Code provisions in a list or chart that remain unchanged.
Underlining indicates matter added to bill by amendment.
~~Strikeover~~ indicates matter removed from bill by amendment.

SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,* That § 18-10-124 of the Anne Arundel County Code (2005, as amended) (as amended by Bill No. 9-26) be repealed.

SECTION 2. *And be it further enacted,* That §§ 18-10-125 through 18-10-179, respectively, of the Anne Arundel County Code (2005, as amended) are hereby renumbered to be §§ 18-10-124 through 18-10-178, respectively.

SECTION 3. *And be it further enacted,* That Section(s) of the Anne Arundel County Code (2005, as amended) (as amended by Bill No. 9-26) read as follows:

ARTICLE 18. ZONING

TITLE 1. GENERAL

18-1-101. Definitions.

Unless defined in this article, the Natural Resources Article of the State Code, or COMAR, words defined elsewhere in this Code apply in this article. The following words have the meanings indicated:

(48) "Data storage center" means a facility **[[**use primarily for the storage, management, processing, and transmission of digital data, which houses computer or network equipment, systems, servers, appliances and other associated components related to digital data storage and operations.**]]**, OR GROUP OF FACILITIES ON A SINGLE OR CONTIGUOUS PARCEL, A SUBSTANTIAL PORTION OF WHICH IS USED TO HOUSE COMPUTER SYSTEMS, SERVERS, COMPUTER STORAGE EQUIPMENT, NETWORKING SYSTEMS, OR ASSOCIATED POWER, COOLING, AND BACKUP GENERATION INFRASTRUCTURE, THAT AN INDIVIDUAL OR ENTITY USES TO ORGANIZE, PROCESS, STORE, TRANSMIT, OR DISSEMINATE VOLUMINOUS AMOUNTS OF DIGITAL DATA, WHETHER OR NOT FOR A FEE, INCLUDING ANY FACILITY MARKETED, LEASED, OR OPERATED AS A "COLOCATION FACILITY," "SERVER FARM," OR "HYPERSCALE" OR "ENTERPRISE" DATA CENTER. THE TERM DOES NOT INCLUDE:

(1) ACCESSORY COMPUTER OR SERVER EQUIPMENT THAT SUPPORTS THE PRINCIPAL USE OF A BUILDING OR PARCEL AND OCCUPIES LESS THAN 2,500 SQUARE FEET OF GROSS FLOOR AREA; OR

(2) ANY FACILITY OWNED AND OPERATED BY A UNIT OF FEDERAL, STATE, OR LOCAL GOVERNMENT FOR THAT GOVERNMENT'S OWN INTERNAL INFORMATION TECHNOLOGY OPERATIONS.

TITLE 2. GENERAL PROVISIONS

18-2-101. Scope; applicability.

(b) **Applicability to pending and future proceedings.** Subject to the grandfathering provisions of COMAR Title 27, this article applies to all pending and future proceedings and actions of any board, department, or agency empowered to decide applications under this Code, except that:

***

~~(12) for a property located in the Odenton Town Center, any application listed in § 17-2-101(b)(18) of this Code or any application under this article filed on or before March 29, 2024 shall be governed by Subtitle 1 of Title 9 as it existed prior to March 29, 2024;~~ ~~[[and]]~~

~~(13) for a property located in a mixed use district, any application listed in§ 17-2-101(b)(20) of this Code filed on or before February 2, 2025 and any application under this article associated with those applications shall be governed by the law as it existed prior to February 2, 2025~~~~[[.]]~~~~; AND~~

~~(14) AN APPLICATION FOR A ZONING CERTIFICATE, BUILDING PERMIT, GRADING PERMIT, OR SPECIAL EXCEPTION FOR A DATA STORAGE CENTER THAT IS PENDING BEFORE THE OFFICE OF PLANNING AND ZONING, THE BOARD OF APPEALS OR ANY OTHER COUNTY AGENCY FILED ON OR BEFORE THE EFFECTIVE DATE OF BILL NO. 63-26 SHALL BE GOVERNED BY THE LAW AS IT EXISTED PRIOR TO THE EFFECTIVE DATE OF BILL NO. 63-26.~~

~~TITLE 3. PARKING, OUTDOOR LIGHTING, AND SIGNAGE~~

~~18-3-104. Parking space requirements.~~

~~The minimum onsite required parking spaces are listed in the chart below. They may be increased based on site development plan review or special exception approval, reduced as provided in § 18-3-105, or superseded by a parking program allowed by this Code. The Planning and Zoning Officer may determine reasonable and appropriate onsite parking requirements for structures and land uses that are not listed on the chart based on requirements for similar uses, comments from reviewing agencies, and the parking needs of the proposed use.~~

~~Use~~	~~Parking~~
~~***~~	
~~[[Data storage center]]~~	~~[[1 space per 1,000 square feet of floor area for the first 5,000 square feet and 1 space for each additional 5,000 square feet of floor area]]~~
~~***~~	

~~TITLE 5. COMMERCIAL DISTRICTS~~

~~18-5-102. Permitted, conditional, special exception, and business complex auxiliary uses.~~

~~The permitted, conditional, and special exception uses allowed in each of the commercial districts, and uses auxiliary to a business complex, are listed in the chart in this section using the following key:~~ ~~[[P=permitted]]~~ ~~P = PERMITTED use; C = conditional use; SE = special exception use; and A = auxiliary to a business complex use. A blank means that the use is not allowed in the district. Except as provided otherwise in this article, uses and structures customarily accessory to permitted, conditional, and special exception uses also are allowed.~~

[[Permitted, Conditional, Special Exception, and Business Complex Auxiliary]] Uses	**C1**	**C2**	**C3**	**C4**
***				
[[Data storage center in the BWI/Fort Meade Growth Area]]		[[C]]	[[C]]	
***				

TITLE 6. INDUSTRIAL DISTRICTS

18-6-103. Permitted, conditional, [[and]], special exception, AND BUSINESS COMPLEX AUXILIARY uses.

The permitted, conditional, [[and]] special exception, AND BUSINESS COMPLEX AUXILIARY uses allowed in each of the industrial districts are listed in the chart in this section using the following key: P = permitted use; C = conditional use; SE = special exception use; and [[A=]] A = auxiliary use to a business complex use. A blank means that the use is not allowed in the district. Except as provided otherwise in this article, uses and structures customarily accessory to permitted, conditional, and special exception uses also are allowed, except that outside storage as an accessory use in W1 is limited to 15% of the allowed lot coverage.

[[Permitted, Conditional, and Special Exception]] Uses	**W1**	**W2**	**W3**
***			
[[Data storage center]]	[[P]]	[[P]]	[[P]]
***			

TITLE 8. MIXED USE DISTRICTS

18-8-301. Permitted uses; conditional uses.

(a) **Uses allowed.**

(1) The permitted and conditional uses under the optional method of development are listed in the chart in this section using the following key: P = permitted use; C = conditional use; SE = special exception use. A blank space means that the use is not allowed in the district. Uses and structures customarily accessory to the listed uses also are allowed.

(2) Any use lawfully in existence in a mixed use district prior to February 2, 2025 that became prohibited as of February 2, 2025, may continue, provided the use does not cease operation for 36 consecutive months. Any change, expansion, or alteration of the use on or after February 2, 2025 shall comply with this subtitle or Title 15.

(b) **Categories in chart**. The following chart divides the uses allowed under the optional method of development into the categories of residential, retail and service, office, light industrial, civic/institutional, and other uses, and the uses are subject to the requirements described in § 18-8-302.

Uses	**MXD-V**	**MXD-G**	**MXD-N**	**MXD-S**	**MXD-U**
***					

[[Data storage centers]]				[[P]]	
***					

TITLE 9. OTHER ZONING DISTRICTS

18-9-103. Uses.

(a) **Existing uses.** Any use lawfully in existence in the Odenton Town Center prior to March 29, 2024 that became prohibited as of March 29, 2024, may continue, provided the use does not cease operation for 12 consecutive months. Any change, expansion, or alteration of the use on or after March 29, 2024 shall comply with Subtitle 8 of Title 7 of Article 17 of this Code and Subtitle 1 of Title 9 of this article, or Title 15 of this article.

(b) **Use chart.** The permitted, conditional, and special exception uses allowed in each of the Odenton Town Center Districts and Historic Village Mix Block are listed in this section using the following key: P = permitted use; C = conditional use; SE = special exception use. A blank means the use is not allowed in the district or the Historic Village Mix Block.

Uses	**OTC-C**	**OTC-T**	**OTC-I**	**OTC-E**	**OTC-FM**	**OTC-H**	**Historic Village Mix Block**
***							
[[Data storage centers]]			[[P]]				
***							

TITLE 10. REQUIREMENTS FOR CONDITIONAL USES

[[18-10-124. Data storage centers in the BWI/Fort Meade Growth Area.

Data storage centers in the BWI/Fort Meade Growth Area shall comply with all of the following requirements.

(1) The facility shall be located on a lot or contiguous lots that total at least 25 acres.

(2) The facility shall comply with all applicable bulk regulations for the zoning district in which the facility is located, except that the bulk regulations contained in the following chart shall be met:

Minimum Setbacks for Principal Structures:	
Front lot line	50 feet
Side lot line	30 feet
Rear lot line	30 feet
Freeway	100 feet
Divided principal arterial road	60 feet
Any other public road or right-of-way	50 feet

~~(3) A variance may not be granted that reduces the minimum setback requirements specified in subsection (2).~~

~~(4) The lot or contiguous lots on which the data center is located may not include residential dwelling units.~~

~~(5) Outside storage is permitted as an accessory use, provided no more than 15% of the total allowed lot coverage is used for outside storage.~~

~~(6) The lot or contiguous lots comprising the facility shall be located in the BWI/Fort Meade Growth Area, as shown on the official map adopted by the County Council entitled "BWI/Fort Meade Growth Area, 2016".]]~~

~~SECTION 4. *And be it further enacted,* That all references in this Ordinance to "the effective date of Bill No. 63-26", or words to that that effect, shall, upon codification, be replaced with the actual date on which this Ordinance takes effect under Section 307 of the County Charter as certified by the Administrative Officer to the County Council.~~

FOR the purpose of repealing the personal property tax assessment reduction for qualified data storage centers; enacting a temporary moratorium on actions related to the development of data storage centers in Anne Arundel County and enacting legislation relating to the regulation of data storage centers in Anne Arundel County; requiring the formation of a work group to consider matters relating to the regulation of data storage centers in the County and to prepare a report and recommendations to the County Executive and the County Council regarding regulation of data storage centers in the County; and generally relating to data storage centers.

BY repealing: § 4-3-104
Anne Arundel County Code (2005, as amended)

WHEREAS, data storage centers are large-scale facilities that house systems, including infrastructure, used to process, store, and transmit digital information; and

WHEREAS, currently, demand for new data storage centers and expansion of existing data storage centers is increasing due to increasing demand for digital information services, including artificial intelligence and cloud computing; and

WHEREAS, the existing provisions of Article 18 the County Code related to data storage centers pre-date the continuing evolution of the current demand, needs, uses, and configuration of data storage centers; and

WHEREAS, the data storage centers required for current digital technology require significant amounts of electricity, water, and land, that strain these resources in the County, as well as public infrastructure for the provision of these and other resources; and

WHEREAS, data storage centers may have additional impacts, such as noise and compatibility with the environment and other nearby land uses, including residential and recreational uses; and

WHEREAS, without clear, up-to-date regulatory frameworks, zoning standards, and infrastructure planning, the approval of development of data storage centers may outpace the County's ability to ensure that such development aligns with community goals, environmental and resource sustainability, County infrastructure, and fiscal responsibility; and

WHEREAS, a temporary moratorium on new data storage center development will provide the County the time and opportunity to conduct research and studies, to engage with residents and other stakeholders, and to develop policies, regulations, and standards to guide data storage center development; and

WHEREAS, other local jurisdictions in the State of Maryland have taken similar steps to study how best to move forward with data storge center development; and

WHEREAS, a temporary moratorium is not intended to prohibit data storage center development permanently, but is a proactive step to ensure that such development is carefully planned, equitably sited, aligned with the County's development priorities, safe, sustainable, and in the best interests of the County and its residents; now, therefore,

SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland*, That § 4-3-104 of the Anne Arundel County Code (2005, as amended) is hereby repealed.

SECTION 2. *And be it further enacted*, That, for purposes of this Ordinance, the term "Effective Period" means the period of time between the effective date of Bill No. 63-26 and the earlier of January 31, 2028, or the effective date of legislation based on recommendations of the Work Group that comprehensively regulates data storage centers in the County.

SECTION 3. *And be it further enacted*, That, during the Effective Period, the County shall not accept any new applications of any type for any proposed development of a "data storage center" as defined in § 18-1-101 of the County Code, but preliminary plan, site development plan, sketch plan, modifications and final plan applications for any proposed development of a data storage center filed before the beginning of the Effective Period and any applications associated with those plans submitted after the Effective Date, and future phases of any existing data storage center on adjacent or adjoining properties, may proceed during the Effective Period, including any required administrative actions, including hearings and decisions of the Administrative Hearing Officer and the Board of Appeals.

SECTION 4. *And be it further enacted*, That, during the Effective Period, the County Council shall not introduce, consider, hear, or pass any legislation relating to any zoning or other regulation of data storage centers, except as required to address an acute emergency under Section 208(d) of the County Charter, except as required to form the

work group described in Section 5, and except for legislation based on recommendations of the Work Group described in and formed pursuant to Section 5 of this Ordinance.

SECTION 5. *And be it further enacted*, That as soon as practicable after the effective date of this Ordinance, the County Council shall form a temporary work group as set forth in Section 6 of this ordinance to conduct a comprehensive review of the matters set forth in Section 8 of this Ordinance and prepare the report required under Section 7 of this Ordinance (the "Work Group");

SECTION 6. *And be it further enacted*, That each Councilmember shall appoint one member to the Work Group, the Council shall designate a Chair, County Executive shall appoint four other members to the Work Group subject to confirmation by the County Council, and the County Executive shall appoint a designee from each of the Office of Planning and Zoning, the Department of Public Works, the Department of Inspection and Permits, the Economic Development Corporation, and the Office of Law to serve as ex officio members of the Work Group; and

SECTION 7. *And be it further enacted*, that appointees to the Work Group shall include, but not be limited to persons with expertise in matters related to data storage center development and operation, including the areas of energy use and rate structure, utility infrastructure, water resource management, climate resilience and environmental science, air quality and noise mitigation, economic development and impacts, to study and produce a report for the County Executive and the County Council no later than ten (10) months after the effective date of this Ordinance containing an analysis of the matters listed in Section 8 of this Ordinance and recommendations on the appropriate regulation of data storage centers in Anne Arundel County.

SECTION 8. *And be it further enacted*, That the Work Group formed pursuant to Sections 6 and 7 of this Ordinance shall review and recommend best practices for various aspects of the regulation of data storage centers, including siting and location, setbacks and screening, water consumption and its impacts, water quality issues, power and energy consumption and their impacts, noise and acoustic mitigation, impact fees for excise tax application, decommissioning, any tax credits or exemptions, and impacts on the County's General Development Plan, "Plan 2040".

SECTION 9. *And be it further enacted*, That the provisions of this Ordinance shall remain in effect until the earlier of January 31, 2028, or the effective date of legislation based on recommendations of the Work Group that comprehensively regulates data storage centers in the County, after which it shall stand as repealed and, with no further action required by the County Council, shall be of no further force and effect.

~~SECTION 5.~~ SECTION 10. *And be it further enacted*, That this Ordinance shall take effect 45 days from the date it becomes law.

AMENDMENTS ADOPTED: September 21, 2026

READ AND PASSED this 5th day of October, 2026

By Order:

Kaley Schultze
Administrative Officer

PRESENTED to the County Executive for his approval this 6th day of October, 2026

Kaley Schultze
Administrative Officer

APPROVED AND ENACTED this 12th day of October, 2026

Steuart Pittman
County Executive

EFFECTIVE DATE: NOVEMBER 26, 2026

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO. 63-26. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES OF THE COUNTY COUNCIL.

Kaley Schultze
Administrative Officer