MONTGOMERY COUNTY EXECUTIVE ORDER

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject	Executive Order No.	Subject Suffix
Data Center Permitting Pause	109-26	
Department	Department No.	Effective Date
Office of the County Executive		06-12-2026

ORDER DIRECTING THE DEPARTMENT OF PERMITTING SERVICES TO TEMPORARILY PAUSE ACCEPTANCE, CONSIDERATION, AND PROCESSING OF PERMIT APPLICATIONS FOR DATA CENTERS

WHEREAS, for purposes of implementing this Executive Order, "Data Center" means a building or group of buildings primarily used to house computer or network systems, computer storage equipment, servers, and associated infrastructure to store, manage, process, and transmit digital data. "Data Center" includes a use proposed by an applicant for a Cable Communications System if the proposed use consists of a building or group of buildings primarily used to house computer or network systems, computer storage equipment, servers, and associated infrastructure to store, manage, process, and transmit digital data;

WHEREAS, the Montgomery County District Council ("the Council") introduced Zoning Text Amendment ("ZTA") 26-01 on January 20, 2026, to permit Data Centers by conditional use only in Industrial Zones;

WHEREAS, the Council recently conducted a Public Hearing on ZTA 26-01 and received public testimony on February 24, 2026, and is expected to consider ZTA 26-01 at a future Planning, Housing, and Parks Committee Worksession;

WHEREAS, it is in the public interest for the Council to have adequate time and opportunity to fully consider, deliberate, and address the potential impact of Data Centers, including but not limited to: existing and future local energy demands; negative impacts to the surrounding environment, including wetlands, streams, rivers, flood plains, or environmentally sensitive areas; negative impacts to parks and recreational facilities; the visual impact on surrounding properties; and appropriate measures to mitigate such impacts;

WHEREAS, the potential environmental, energy, and economic impacts of data center development in the State of Maryland are also under review by the State through an on-going multi-agency assessment as enacted by the General Assembly of Maryland with a final report due on or before September 1, 2026 (*see* 2025 Maryland Laws 1st Sp. Sess. Ch. 10 (S.B. 116));

WHEREAS, a pause on the acceptance, consideration, and processing of permit applications for Data Centers by the Department of Permitting Services ("DPS") is necessary to afford the Council such an opportunity to complete its legislative function in considering the related zoning issues and to prevent public harm;

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WHEREAS, Montgomery County Charter, Article II, authorizes the County Executive to exercise the executive power of the County, including the direction of DPS; and

WHEREAS, a pause of six months is in the public interest, is reasonably necessary to achieve the stated goals above, is a reasonable duration to serve the stated goals above, and is not unduly burdensome and does not impose an economic impact on potential permit applicants.

NOW, THEREFORE, by the power vested in me as County Executive for Montgomery County, Maryland, **IT IS HEREBY**:

ORDERED that beginning on the date of this order, the Department of Permitting Services must refrain from accepting, considering, and processing any permit application related to a Data Center. This order may be extended by further Executive Order for an additional period of six (6) months. This order expires at the earlier of: (1) the date that is six (6) months from the effective date of this order; or (2) such time as the County Executive rescinds this order.

This order takes effect upon the date signed by the County Executive.

_____ _____

Marc Elrich
County Executive

Date

Approved as to Form and Legality
Office of the County Attorney

By: _____

Corey E. Talcott, Chief, Division of Zoning, Land Use & Economic Development, OCA

Date: ***June 11, 2026***