

TESTIMONY OF THE GREATER CAPITAL AREA ASSOCIATION OF REALTORS® BEFORE THE MONTGOMERY COUNTY COUNCIL

Regarding Expedited Bill 19-26, Buildings - Moratorium on Permits for Data Centers – Established, and Expedited Bill 24-26, Buildings - Building Permits - Data Center Moratorium

June 16, 2026

The Greater Capital Area Association of REALTORS® (GCAAR) and its 11,000 REALTORS®, property managers, title attorneys, and other real estate professionals wish to express our opposition to both Bill 19-26 and Bill 24-26.

Over the last four years, the legislative and executive branches in Montgomery County have rarely - if ever - worked together on legislative efforts. But in January the Council President Fani-Gonzalez, Council Vice-President Balcombe, and Councilmember Laurie-Anne Sayles, with the support of County Executive Elrich and the planning department, introduced ZTA 26-01 to update our community's development guidelines for data centers.

This legislation was not a back of the napkin attempt at squaring up this emerging new issue. It was crafted with great intent and research, looking at the positives and negatives in other jurisdictions' regulations and crafting a bold first step for Montgomery County. It marked a significant step forward in economic development, with a clear vision for tackling this growing issue.

In response to the outpouring of concern about data centers, the sponsors put forward amendments to the legislation. The ZTA was put on hold for the budget process – as it should be. But with that behind this Council, it is time to start the legislative process on that bill. If the Council deems it not ready to move forward, so be it. But much like the handling of Bill 4-26, the process should move forward.

Many of the biggest issues facing the infrastructure of data centers, including energy and water use, fall beyond the scope of local control. This was recognized and openly discussed, as the state legislature acted during the 2026 session and plans to continue its work to provide solutions through the Data Center Impact Analysis and Report ordered in 2025.

Moratoriums should be a last resort, as they have historically served as an effort to postpone what is necessary and inevitable. The Council righted a wrong when it unanimously removed the housing development moratorium policy in 2020. While the intent of the Subdivision Staging Policy was to ensure proper growth, the result was a decades long constraining of housing development. Policies like the SSP's moratorium contributed to the worsening housing crisis we face today.

As we all saw during last month's operating and CIP budget process, Montgomery County continues to face an unfavorable economic outlook. Putting off your duty to regulate this growing industry and cancelling projects already moving forward is not good faith governance. It is a signal that Montgomery County continues to encourage business and development go elsewhere, leaving our residents and taxpayers with fewer county services and higher tax bills to show for it.

We urge you to oppose these two bills in favor of moving forward with the legislative process surrounding ZTA 26-01. Thank you for your time, and please do not hesitate to reach out if myself or our association can be helpful in any way.