



The Maryland-National Capital Park and Planning Commission
Office of the General Counsel

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February 14, 2022

M E M O R A N D U M

TO: Montgomery County Planning Board

FROM: Emily J. Vaias, Principal Counsel *EM*

RE: Second Revised Planning Board Rules of Procedure

As described at the Planning Board's hearing on February 10, 2022, the Montgomery County Planning Board's Rules of Procedure ("Rules of Procedure") were last revised and adopted in 2007. At the hearing, we heard from the public and the Board regarding simplifying the Board's meeting process, eliminating some of the discretionary language, and including an attendance requirement and annual review. Accordingly, we have incorporated changes into a second revised version of the Rules of Procedure (a copy of which is attached hereto as Attachment A), and created a red-line comparing this version to the 2007 version (attached hereto as Attachment B), and a red-line comparing this version to the January 31, 2022 version reviewed on February 10, 2022 (attached hereto as Attachment C).

The changes made since the February 10, 2022 hearing include the following:

- 1) Table of Contents created.
- 2) Eliminated the Consent Agenda, Full Hearing, Summary Hearing and Regular Agenda definitions.
- 3) Added Preliminary Matters definition.
- 4) Modified the Ex Parte Policy to remove discretionary language and to send any ex parte communications to the Chair's office.
- 5) Added an Attendance requirement for voting, otherwise a Board member must abstain.
- 6) Added an Annual Review of the Rules of Procedure.

If adopted, these Rules of Procedure will require slight modifications to the Planning Board's website and sign up process so that the public can more easily participate, and will change the format of the Meeting Agendas to reflect the new language.