



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

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July 10, 2025

MEMORANDUM

TO: Montgomery County Planning Board

FROM: Emily J. Vaias, Principal Counsel

RE: Revised Planning Board Rules of Procedure

The Montgomery County Planning Board's Rules of Procedure include a provision that requires staff to conduct an annual review to determine whether any updates are needed. For this year, the following changes are proposed:

- Clarify what constitutes a majority vote in the case of recusal, abstention, or absence of a Board member (Sections 4.11.3 and 5.4)
- Clarify the rules for participation in reconsideration matters in the case of recusal, abstention, or absence of a Board member (Section 4.12.3)
- Clarify the rules for participation on the vote to adopt a resolution in the case of recusal, abstention, or absence of a Board member (Section 4.13.2)

During last year's annual review, the Board approved revisions to the Rules of Procedure that changed the deadlines for witness sign-ups and submission of testimony to two business days (instead of one day) before the public hearing in order to allow Staff in the Commissioners' Office to compile and distribute materials to Board members. In consultation with the Commissioners' Office, Staff believes this change has allowed for a more efficient processing of communications and has not reduced the quantity of submissions overall or negatively affected the public's ability to participate. For any requests to testify or written submissions received after the deadline, the Rules of Procedure continue to allow the Chair to accept the testimony or submissions at their discretion. Therefore, no further changes are proposed as part of this annual review.

We are happy to address any questions or concerns.