

## POSITION STATEMENT

**Bill:** HB 464 Maryland-National Capital Park and Planning Commission -  
Mandatory Referral Review - MC/PG 101-21

**Position:** Support **Date:** March 2, 2021

**Contact:** Adrian R. Gardner, General Counsel

**What The Bill Does:** The bill establishes the basic standard of reasonableness in the public disclosure process known as “mandatory referral.” It also establishes that the statutory deadline for completing the mandatory referral review is not triggered until a complete submittal is accepted for review.

**Why We Support:** Government development projects are normally exempt from zoning approvals and requirements.

The Maryland-National Capital Park and Planning Commission (“Commission”) supports this bill because the mandatory referral process is the only opportunity for public disclosure, analysis and comment on development projects undertaken by state and local government agencies. Any fair process requires disclosing enough information for residents to understand the nature of the project; specifically how the proposed location, character, grade, and extent of activity resulting from the government project will affect them and their community. Even though mandatory referral results in recommendations that are non-binding, it provides an opportunity for the public to address their concerns in an open public forum.

This bill clarifies that many such public projects are complex with multiple stages in their development and implementation – from change in use of an existing facility or site selection for a new facility, and later to design and construction. Additionally, the bill assures that all the necessary information from the public body is included in each submission before the Commission is required to review and present to the public so that the Commission’s comments are thorough, comprehensive, and appropriately address all issues and regulatory requirements prior to implementation of the project.

For this reason, the Commission urges your favorable report of this bill.

# # #

---

**Office of the General Counsel**  
221 Prince George Street, First Floor, Annapolis, Maryland 21401  
410.263.1930 tel. • 410.263.3745 fax

6611 Kenilworth Avenue, Suite 200, Riverdale, Maryland 20737  
301.454.1670 tel. • 301.454.1674 fax