Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE
Revised

House Bill 373 (The Speaker, *et al.*) (By Request – Administration)

Environmental Matters   Finance

Maryland Transit Administration - Transit-Oriented Development

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This Administration bill defines "transit-oriented development" (TOD) and establishes TOD as a transportation purpose.

Fiscal Summary

State Effect: None. The bill generally codifies current practice.

Local Effect: None. The bill generally codifies current practice.

Small Business Effect: The Administration has determined that this bill has a meaningful impact on small business (attached). Legislative Services disagrees with this assessment because the bill generally codifies current practice. (The attached assessment does not reflect amendments to the bill.)

Analysis

Bill Summary: "Transit-oriented development" means a mix of private or public parking facilities; commercial and residential structures; and uses, improvements, and facilities customarily appurtenant to such facilities and uses, that ● is part of a deliberate development plan or strategy involving property that is located within one-half mile of the passenger boarding and alighting location of a planned or existing transit station; ● is planned to maximize the use of transit, walking, and bicycling by residents and employees; and ● is designated as a TOD by the Secretary of Transportation in consultation with other specified State agencies and the local government or multicounty agency with land use and planning responsibility for the relevant area.

The establishment of TOD as a transportation purpose may not be construed to limit the authority of local governments to govern land use or grant the State or a department of the State with additional authority to supersede local land use and planning authority.

It is the intent of the General Assembly that in order for areas with planned transit stations to be considered for designation as a TOD, local governments must coordinate with MTA on land-use planning elements

Current Law: MTA is responsible for public transportation. MTA • constructs, operates, and maintains the Baltimore metropolitan area transit system (light rail, bus, Baltimore metro subway); • contracts commuter services from suburban areas to the District of Columbia and Baltimore City (Maryland Rail commuter, commuter bus); and • provides technical and financial assistance to local transit systems throughout the State.

MDOT is tasked with examining alternative approaches to design an integrated transportation network that provides for motorists, air travelers, pedestrians, bicyclists and public transit users. With respect to the State's Smart Growth initiative, MDOT is required to strengthen coordination between land use and transportation planning. Infrastructure investments are therefore managed with a focus on highway access management, congestion management, and corridor planning. Investments are targeted towards enhanced transit access, bicycle and pedestrian amenities, and the promotion of transit-oriented development.

Background: TOD is a development style that leverages transit stations as the foundation for vibrant communities with a dense mix of commercial, residential, and retail development. By clustering development around transit sites, TOD seeks to maximize the State's investment in transit by promoting increased ridership and enhanced opportunities for pedestrian and bicycle mobility. According to the Administration, the benefits of TOD include easing congestion on our roadways, curbing of greenhouse gas emissions, reducing pollution, and providing a viable alternative to sprawl.

MDOT is partnering with local agencies to identify and implement land use regulations that support transit and pedestrian-friendly development in proximity to major transit facilities. MDOT has also been conducting analysis and planning to identify station area needs and opportunities. MDOT also undertakes mixed-use, transit focused, and pedestrian-friendly developments with private partners, and leverages available federal funds to facilitate TOD development.

To identify station areas with the greatest TOD potential, MDOT evaluates existing land uses and physical characteristics, the perspective of surrounding communities,

regulations, market strength, and other issues. Maryland's TOD strategy is built around several goals:

- ensuring that adjacent station areas are economically ready for development;
- building State agencies' and local jurisdictions' understanding of TOD and their ability to carry out TOD projects;
- strengthening public support for TOD throughout the Baltimore and Washington metropolitan areas; and
- enhancing the potential for federal funding to expand transit in the Baltimore area by showing that development patterns can support transit.

MDOT has over 70 sites that are potential TOD projects. TOD opportunities exist along the Baltimore Metrorail system, the Baltimore Central Light Rail Line, and the Maryland Rail Commuter Lines throughout the Baltimore and Washington regions. Several additional opportunities will be created with the expansion of the existing transit network to include such projects as the WMATA Purple Line and the Baltimore Region Red and Green Lines. In Maryland, several sites are being considered or are under development in accordance with TOD principles. These include the Laurel MARC station, the Odenton MARC station, the Owings Mills metro station, the Reisterstown Plaza metro station, the Savage MARC station, and the State Center in Baltimore.

Additional Information

Prior Introductions: None.

Cross File: SB 204 (The President, *et al.*) (By Request − Administration) − Finance.

Information Source(s): Maryland Department of Planning, Maryland Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - February 5, 2008
mam/lgc   Revised - House Third Reader - March 19, 2008
                       Revised - Enrolled Bill - April 24, 2008

Analysis by: Michael P. Lee   Direct Inquiries to:
                                       (410) 946-5510
                                       (301) 970-5510