



Maryland Municipal League
The Association of Maryland's Cities and Towns

TESTIMONY

March 27, 2025

Committee: Senate Budget & Taxation

Bill: HB 80 - Land Use - Transit-Oriented Development - Alterations

Position: Oppose

Reason for Position:

The Maryland Municipal League (MML) respectfully opposes House Bill 80. We appreciate the Maryland Department of Transportation's (MDOT) efforts to collaborate with local governments and recognize that several amendments to the original bill were accepted that meet some of our original concerns. However, the current version includes several new points that concern our members.

The amended version includes a provision preempting local governments from holding a certain number of public hearings. Local governments are concerned with this limitation: our members face zoning challenges as diverse as our membership itself and constructively engaging the public empowers local leaders to better respond to community needs, ensure transparency, and make well-informed decisions. Retaining flexible control over public hearings allows our members to tailor processes to their and their communities' unique needs rather than following rigid, state-mandated rules.

The proposal also includes state-imposed parking requirements, which have been reduced but are still present in the bill. Again, state preemption reduces the ability of local governments to tailor zoning and development policies to the specific needs of their communities.

HB 80 also includes language requiring local government to allow mixed-use development in residential zones, or appropriate commercial use for mixed-use development, within 0.5 miles of a rail transit station. This imposes an affirmative duty on local governments to actively allow such development, which is substantively different from the original bill. The original language prohibited local governments from outright banning mixed-use development within 0.5 miles of a rail transit station, but did not necessarily require them to affirmatively allow it in all cases. Local governments could still impose restrictions or conditions necessary to meet community needs.

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Finally, the amended version requires local governments to prioritize the processing and approval of any site plan or permit for a Transit-Oriented Development (TOD). Mandating prioritization removes local governments' discretion to manage their own planning and permitting processes, which could delay or disadvantage other important project like affordable housing, infrastructure improvements, or small business developments that also require timely approvals.

The League is committed to working with the state to address Maryland's housing shortage, and recognizes that TODs can be beneficial for transit accessibility and smart growth; however, HB 80 in its current form undermines local governments' ability to manage development in a way that best serves their communities. For these reasons, we respectfully request an unfavorable Committee report on House Bill 80.

For more information, please contact Angelica Bailey Thupari, Director of Advocacy & Public Affairs, at angelicab@mdmunicipal.org or (443) 756-0071. Thank you in advance for your consideration.

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