

SB151_MDSierraClub_fav - 25Jan2023.pdf

Uploaded by: Brian Ditzler

Position: FAV



P.O. Box 278
Riverdale, MD 20738

Committee: Budget and Taxation

Testimony on: SB 151 – “Equitable and Inclusive Transit-Oriented Development Enhancement Act”

Position: Support

Hearing Date: January 25, 2023

The Maryland Chapter of the Sierra Club supports SB 151 that would establish the Transit-Oriented Development Capital Grant and Revolving Loan Fund as a special, non-lapsing fund whose purpose is to promote the equitable and inclusive development of transit-oriented development (TOD) throughout the state. The Fund would receive an annual appropriation from the State sufficient to ensure it had a balance of at least \$10 million at the start of each fiscal year.

The Maryland Department of the Environment (MDOT) would be authorized to use the fund to provide financial assistance to counties and municipalities for TOD that meets equity goals established by MDOT. The equity goals would specify projects need to enhance access to transit for low-income and minority residents of the jurisdiction, enhance access to transit in areas with affordable housing and a diversity of job and educational opportunities, or encourage development around underdeveloped and underutilized transit stations in TODs.

Transportation is the largest source of climate-disrupting greenhouse gases in Maryland and our nation today. Tailpipe emissions from vehicles also are hazardous to human health, and are linked to cancers, heart disease, asthma, emphysema, and other respiratory diseases. Promoting increased development throughout the state within a half mile of transit stations would encourage greater use of transit vs. cars, increase revenue for transit, dramatically lessen the need to own a car, decrease sprawl, promote more walking and biking, and make effective use of land by creating more housing, employment opportunities and sustainable economic development near transit.

In summary, providing small, competitive grants and loans to support TOD planning and construction in an equitable manner would accelerate development around Maryland’s transit stations. This would be good for the environment, public health, the state’s economy, and the general well-being of Maryland residents and communities. We urge a favorable report on this bill.

Brian Ditzler
Transportation Chair
Brian.Ditzler@MDSierra.org

Josh Tulkin
Chapter Director
Josh.Tulkin@MDSierra.org

Founded in 1892, the Sierra Club is America’s oldest and largest grassroots environmental organization. The Maryland Chapter has over 70,000 members and supporters, and the Sierra Club nationwide has over 800,000 members and nearly four million supporters.

SB0151 Transit-Oriented Development.pdf

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR SB0151

Equitable and Inclusive Transit-Oriented Development Enhancement Act

Bill Sponsor: Senator Augustine

Committee: Budget and Tax

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of SB0151 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists and our Coalition supports well over 30,000 members.

It is really hard to get around Maryland. It limits all of our residents in that it is not easy to get to jobs, and it limits our businesses because they don't have ready access to applicants. Expanding our public transportation system is one way to alleviate that problem. Transit-oriented development is another.

In 2008, the Maryland General Assembly enabled an official transit-oriented development (TOD) state-designation process that allows development projects within a half-mile of designated TOD stations to be eligible to receive state support in advancing transit-oriented development around the station. Because this was a great idea with little funding or incentives, as of today, there are only 17 state-designated TOD sites throughout Maryland.

Developing around a transit station is often more expensive because of higher land costs, legacy developments, environmental hazards and the greater need for supportive infrastructure, including sidewalk networks, station parking and bus facilities. Though more expensive, building residences and businesses near transit stations allows more residents to access opportunities, especially low-income residents without cars who must rely on transit.

This bill would create a \$10 million competitive grant and revolving loan fund to provide financial assistance to local jurisdictions for design, planning, construction or gap funding and financing for public or private development within a state-designated TOD station area. The bill would also expand the tax credits that businesses receive for creating eligible jobs in Opportunity Zones to state-designated TOD sites and require the secretary of transportation to report annually on MDOT's efforts to increase TOD throughout the state.

Transit-oriented development is a really great idea that is languishing through lack of funding and incentives. We should make the investment in our residents and in the businesses in the state who

desperately need a better, more equitable, and more integrated transportation system. We support this bill and recommend a **FAVORABLE** report in committee.

Priority Amendments

Building electrification and efficiency:

- Climate Catalytic Capital Fund
 - Explicitly state that 40% of funds from the Climate Catalytic Capital Fund be spent in low and moderate-income neighborhoods and that funds can be spent on whole-structure retrofits (including multi-family buildings) including health, safety, weatherization, and electrification measures.

- The purpose of the funds should explicitly include “Facilitate the electrification of the building sector”.
- Explicitly state that funds cannot be used for installation of new equipment that uses fossil fuels
- Funds from alternative compliance payments should go to the Climate Catalytic fund to be spent on low-income whole-structure retrofits, including low-income multi-family buildings.
- On page 35, lines 2-3, strike “water and space heating” and substitute “on-site energy” and add on line 3, “except for kitchen appliances”.
- On page 35, following line 9, add energy efficiency provisions for buildings. Add:
 - D. For new covered buildings funded at least 25% by State funds
 - A 40% reduction in modeled energy use consumption over the 2018 International Energy Conservation Code for permit applications received between Jan 1 2023 and Dec 31 2025
 - A 60% reduction in modeled energy use consumption over the 2018 International Energy Conservation Code for permit applications received between Jan 1 2025 and Dec 31 2027
 - E. For all other new covered buildings
 - A 40% reduction in modeled energy use consumption over the 2018 International Energy Conservation Code for permit applications received between Jan 1 2025 and Dec 31 2027
 - A 60% reduction in modeled energy use consumption over the 2018 International Energy Conservation Code for permit applications received
- F. “Major Renovation” means a renovation project:
 - For which the total projected cost exceeds 50% of the assessed value of the existing building; or
 - Involving a change of use, if the change involves the application of different requirements of the standards.
- G. Except as provided in subsection () of this section, if a covered building is undergoing a major renovation, the building shall be renovated to achieve:
 - A 40% reduction in the building’s average annual energy use; or
 - A 20% reduction in modeled energy use consumption over the current Energy Code.
- H. A local jurisdiction may waive the requirements under subsection () of this section if the building owner demonstrates that the cost of the improvements necessary to achieve the required energy reductions would exceed projected operational and energy savings from the improvements over a certain payback period:
 - A 25–year period for all buildings funded at least 25% by the State.
 - A 15–year period for all other buildings.
- Provisions regarding “alternative compliance pathway” on page 47, lines 20 -23, and lines 27-29, should be sunsetted. We suggest a sunset of 12/1/2030
- Pages 47, delete lines 18-19 (“PROVIDE MAXIMUM FLEXIBILITY TO THE OWNERS OF COVERED BUILDINGS TO COMPLY WITH BUILDING EMISSIONS STANDARDS”)
- The Building Emission Performance Standards regulations directive under 2-1602 (C) should
 - require that the adopted regulations prioritize direct emission reductions from qualified buildings via electrification plans and pathways,
 - provide protection against financial cost pass-through and evictions for tenants in covered multi-family buildings, 3) require covered public buildings’ retrofits to be

completed with a high-quality workforce (i.e. prevailing wage, insurance coverage, paid leave, etc.) (pg. 48)

Equity and Environmental Justice Provisions

- Strengthen the provisions on pages 9-12 by including language that requires 40% of investments go to overburdened communities and Rosenberg Justice 40 bill and/or the Boyce/Watson all agency climate, equity, and labor test language.
 - The language in the Boyce/Watson all agency climate, equity and labor test should be incorporated on page 22, lines 12-15 as well
 - The Interagency Commission on School Construction should be included as an agency required to consider climate in long-term planning

Net Zero Schools

- Explicitly state that the IAC state school construction funding process may cover planning, design, and engineering for net-zero schools.
- School buildings that are not net-zero should be net-zero ready Insert on Page 35, following line 6
(12-501(3)(I)(2)(A (under the provision requiring solar ready):
 - A. The Installation of Solar Energy Systems
 - To include a 40% roof set aside and necessary electrical panel and conduit requirements. if the building:
 - Will have 20,000 square feet or more of continuous roof space, excluding the parking area; and
 - Will be 20 stories or less in height, above grade plane.
 - B. Regulations adopted under this subsection may authorize a local jurisdiction to waive the solar-ready requirement for a building on a specific finding that:
 - incident solar radiation at the building site is less than 75% of incident solar radiation at an open site; or
 - shadow studies indicate that 25% of a building's roof area will be in shadow.
 - Clarify the definition of "Solar Ready" to include the 40% roof set aside and the necessary electrical panel and conduit requirements.
- Delete "subject to the availability of funding" on Page 8 Line 14 and replace that language with one of the options below -
- P. 8, line 9-13, (5-312(c)(2)(I), Delete para. "Except as Provided in . . . Delete 5-312 (c) (2) (I) of the Education Article that was inserted: except as provided in subparagraph (iii) of this paragraph, the net-zero energy requirements that apply for a building to meet the definition of a 'high performance building" under § 3-602.1 12 of the state finance and procurement article

OR

- Amend to read: Except as provided in Subparagraph III of this Paragraph, Public Schools shall be required to achieve a 40% reduction in modeled energy use consumption over the 2018 International Energy Conservation Code by 2023 and a 60% reduction in modeled energy use consumption over the 2018 International Energy Conservation Code by 2025.
- Pg 40 line 15-17. Remove having the Council develop guidelines and instead require them to provide an annual report on the status of meeting the high performance building requirements.
- Pg 8, line 25 – pg 9, line 2. If a school qualifies for a waiver because the Interagency Commission determines that either (I) or (II) is true, the school must be net-zero READY.

Buy Clean Maryland Act

- Consider adding To SB528 the **Buy Clean Maryland Act** provisions from HB806 - Del. Stein Public Buildings bill with one change related to the waiver provisions.

- Section 4-904 (E) **Strike** - ~~(4) RESULT IN ONLY ONE SOURCE OR MANUFACTURER BEING ABLE TO PROVIDE THE NECESSARY MATERIALS.~~
- **Add** - (F) IF ONLY ONE SOURCE OR MANUFACTURER IS ABLE TO PROVIDE THE NECESSARY MATERIALS, A SOLE SOURCE PROCUREMENT MAY BE ALLOWED, PROVIDED NONE OF THE OTHER WAIVER DETERMINATIONS ARE MADE.

CDN SB151 FAVORABLE.pdf

Uploaded by: Claudia Wilson Randall

Position: FAV



**Testimony SB 151
Budget & Taxation Committee
January 25, 2023
Position: FAVORABLE**

Dear Chairman Guzzone and Members of the Budget and Taxation Committee:

The Community Development Network of Maryland (CDN) is the voice for Maryland's community development sector and serves nearly 200 member organizations. CDN—focuses on small affordable housing developers, housing counseling agencies and community-based non-profits across the state of Maryland. The mission of CDN is to promote, strengthen and advocate for the community development sector throughout Maryland's urban, suburban and rural communities. CDN envisions a state in which all communities are thriving and where people of all incomes have abundant opportunities for themselves and their families.

SB 151 Would establish a \$10,000,000 Transit-Oriented Development Capital Grant and Revolving Loan Fund to promote the equitable and inclusive development of transit-oriented developments; requiring interest earnings of the Fund to be credited to the Fund; authorizing the Department of Transportation to use the Fund to provide financial assistance to local jurisdictions.

Maryland needs more affordable housing. According to the Maryland Housing Needs Assessment completed in 2021, the state needs 85,000 affordable housing units statewide to keep up with the demand. This investment is critical for human health, economic growth and education. Equitable policy solutions like transit-oriented development, have been proven to help residents access high-quality, affordable homes and enhance neighborhood stability.

Local jurisdictions throughout the state lack tools to adequately address the urgent need for capital for affordable housing development.

In order to build a state with increased opportunity, Maryland needs to invest in transit-oriented development that creates mixed-use, higher density communities that encourage people to live, work and shop near transit services and decrease their dependence on driving. More communities in Maryland need to have reliable transit service providing access to housing, employment and community amenities and services. Areas near public transit offer unique opportunities to cluster a mix of pedestrian oriented uses in close proximity to transit.

We ask your favorable report for HB 151.

Submitted by Claudia Wilson Randall, Executive Director

SB0151-BT_MACo_SUP.pdf

Uploaded by: Dominic Butchko

Position: FAV



Senate Bill 151

Equitable and Inclusive Transit-Oriented Development Enhancement Act

MACo Position: **SUPPORT**

To: Budget and Taxation Committee

Date: January 25, 2023

From: Dominic Butchko

The Maryland Association of Counties (MACo) **SUPPORTS** SB 151. This bill would provide additional resources for local jurisdictions looking to expand transit-oriented development.

Transit-oriented development creates dense, walkable, and mixed-use spaces near transit that support vibrant, sustainable, and equitable communities. Transit-oriented development provides an opportunity to leverage smart growth strategies to encourage economic development, reduce sprawl, and maximize the return on existing transit investment.

The Transit-Oriented Development Capital Grant and Revolving Loan Fund helps incentivize county governments to foster and maintain communities that can accommodate more density and have lesser reliance on car ownership. The provisions enabling county partnerships with the nonprofit sector serve as a force multiplier – allowing for additional effectiveness of public investment. Overall, this program incentivizes counties to encourage growth while preserving local autonomy to shape communities.

SB 151 would incentivize public and private investment in transit-oriented communities to encourage economic growth, create jobs, and promote environmental sustainability. As such, MACo urges the Committee to issue a **FAVORABLE** report on SB 151.

SB151_TODPlans_KennedyKriegerSupport.pdf

Uploaded by: Emily Arneson

Position: FAV



DATE: January 25, 2022

COMMITTEE: Budget and Transportation

BILL NO: Senate Bill 151

BILL TITLE: Equity in Transportation Sector - Guidelines and Analyses

POSITION: Support

Kennedy Krieger Institute supports Senate Bill 151 - Equitable and Inclusive Transit-Oriented Development Enhancement Act

Bill Summary:

SB151 establishes the Transit-Oriented Development (TOD) Capital Grant and Revolving Loan Fund. The bill requires the Secretary of Transportation to annually submit a report to the General Assembly on efforts to increase TOD throughout the State.

Background:

Kennedy Krieger's Neurodiversity at Work program takes a multi-faceted approach to hiring and retaining individuals of all abilities as part of the workforce. Neurodiversity at Work is a collective impact initiative designed to create and support gainful employment for individuals with disabilities, providing economic benefit for businesses and the larger community. The Neurodiversity at Work program fosters integrated workplace settings where all individuals can experience success and independence. Currently the program includes several specialty initiatives Project SEARCH, CORE Foundations a Developmental Disabilities Administration Licensed Agency, HR pathways hiring program, training and education services, legislative efforts, research, transition consultation services, and planning for a national conference and on-going events.

Kennedy Krieger Institute is an inclusive employer that believes that individuals with disabilities have the skills, talents, and drive to contribute significantly to the workforce and to the broader community. A neurodiverse workforce benefits all.

Rationale:

Prioritizing "transit-oriented development" will guarantee increased access to reliable and equitable transportation. This can have a profound impact on an individual with disabilities' ability to access their community and workplace. Transportation continues to be a barrier for individuals with disabilities when accessing their community and workplace due to inaccessible public transportation, limited cross-county transportation, financial implications of public transportation, and reliability of scheduled para-transit services. Developing transit proposals with intention would provide an opportunity to identify extant barriers and to develop innovative solutions to overcome those barriers, bringing economic benefit to Maryland and Maryland employers.

People with disabilities want the opportunity to join the workforce; accessing employment begins with accessible and reliable transportation. Transportation should not affect an employers' ability to build and maintain an inclusive workforce.

Kennedy Krieger Institute requests a favorable report on Senate Bill 151.

SB0151 - Equitable and Inclusive TOD Enhancement A

Uploaded by: Joe McAndrew

Position: FAV

January 24, 2023

The Honorable Guy Guzzone
Chair, Senate Budget and Taxation Committee
3 West, Miller Senate Office Building
Annapolis, MD 21401

Re: Support for Senate Bill 151 Equitable and Inclusive Transit-Oriented Development Enhancement Act

Dear Chair Guzzone and Committee Members,

On behalf of the Greater Washington Partnership (the Partnership), I am writing to express our support for Senate Bill 0151, which would enhance Maryland's existing Transit-Oriented Development (TOD) designation to help catalyze and create more equitable and inclusive communities along the state's existing transit and rail infrastructure.

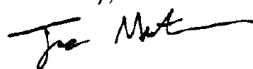
The Partnership is a civic alliance of leading employers in the Capital Region of Baltimore, Washington, and Richmond, who together employ more than 300,000 residents and are committed to making this region one of the best places to live, work, and build a business. Better transportation is central to that vision. In 2018, the Partnership released the [Blueprint for Regional Mobility](#), an action-oriented strategy to transform the Capital Region's transportation system into a world class asset that ensures our global competitiveness, which included prioritization to enhance equitable TOD throughout the region. In 2021, we explored [TOD opportunities in Prince George's and Anne Arundel counties](#). Most recently, we have partnered with the Greater Baltimore Committee on the [Baltimore's Transit Future](#) campaign aimed at advancing a world-class public transit system that creates shared economic prosperity and catalyzes inclusive growth in Greater Baltimore. The campaign is supported by more than 65 businesses, anchor institutions, non-profits and labor organizations ready to partner with the public sector to deliver big wins for the transit system.

SB 0151 is an opportunity for the state to advance the vision of a regional, world-class transportation network by increasing inclusive, economic development adjacent to its transit stations. The State of Maryland has invested significantly in its commuter rail and transit networks, but too many station areas lack the transit-supportive infrastructure, land use, and development that can provide the best return on investment for the state and its residents. In 2008, the Maryland legislature enabled an official TOD state-designation process whereby projects within official TOD sites could receive state support. However, the 2008 statute did not include tangible benefits or incentives to encourage more TOD around the state's transit investments.

Developing around a transit station is often more expensive due to a combination of higher land costs, legacy developments and environmental hazards, and the need for supportive infrastructure to complement the transit station including sidewalk networks, station parking, etc. This bill will support TOD development by creating small, competitive grants and loans to support TOD planning and construction, bringing more of TOD's benefits to Maryland residents and communities.

The Partnership encourages a favorable report to help expand access to opportunities for Maryland residents by encouraging more accessible, connected, and inclusive communities to grow near the state's transit investments.

Sincerely,



Joe McAndrew,
Vice President, Government Affairs & Infrastructure

Baltimore's Transit Future - SB0151 Equitable and I

Uploaded by: John Hillegass

Position: FAV

BALTIMORE'S TRANSIT FUTURE

January 24, 2023

To: The Honorable Guy Guzzone
Chair, Senate Budget and Taxation Committee

Re: ***Support for Senate Bill 0151
Equitable and Inclusive Transit-Oriented Development Enhancement Act***

Dear Chair Guzzone and Committee Members,

On behalf of the organizations listed below, we are writing to express our support for Senate Bill 0151, which would enhance Maryland's existing Transit-Oriented Development (TOD) designation to help catalyze and create more equitable and inclusive communities along the state's existing transit and rail infrastructure.

The State of Maryland has long recognized TOD as a preferred approach to development because of its many significant benefits, including increased transit ridership, reduced congestion, increased safety and convenience, adjacent economic development opportunities, environmental conservation, and better access to jobs, housing, and services. However, the state government has not adequately encouraged or facilitated equitable and smart development around its transit stations. Public incentives, and often direct support, are typically needed for such projects due to the complexities of TOD, including higher land costs, environmental conditions, and especially the need for critical supporting infrastructure, such as sidewalks and vehicle parking.

Despite a [long history of TOD as a central element of Maryland's smart growth strategy](#), too many station areas lack the adjacent economic development -- commercial and residential -- that would boost the return on our transit investments while also improving access to jobs and opportunities for Marylanders. Without public encouragement, incentives, and support, it remains easier for developers to build on "greenfield" sites that promote sprawl and contradict Maryland's smart growth and development law and policy.

In 2008, the Maryland legislature enabled an official TOD state-designation process whereby projects within official TOD sites could receive state support. However, the 2008 statute did not include sufficient tangible benefits or incentives to encourage more TOD around the state's transit investments. This bill strengthens the benefits of TOD designation by creating a state-run competitive grant and loan program for projects within TOD designated sites to support TOD planning and construction,

The undersigned organizations hope SB 151 receives a favorable report to help accelerate the development of TOD and bring its benefits to more Maryland residents and communities.

BALTIMORE'S TRANSIT FUTURE

Sincerely,

Associated Catholic Charities
Ballard Spahr
Baltimore MARC Riders
Baltimore Collegetown Network
The BWI Business Partnership
CareFirst BlueCross BlueShield
Central Maryland Transportation Alliance
Greater Baltimore Committee
Greater Washington Partnership

Howard County Chamber of Commerce
JBG Smith
Johns Hopkins University and Medicine
MedStar Health
PNC Bank
Transit Choices
University of Baltimore
VHB

About the Baltimore's Transit Future Campaign

The [Greater Baltimore Committee](#) and [Greater Washington Partnership](#) launched the Baltimore's Transit Future campaign to call attention to the urgent business imperative and need for the Greater Baltimore region to create a world-class public transit system that helps create shared economic prosperity and catalyzes inclusive growth. Since June 2022, more than 65 business, civic, and non-profit organizations, including many of the largest employers in the State, have joined the campaign encouraging regional focus on six priorities:

1. Address the transit system's repair backlog and operator shortage.
2. Establish frequent, reliable transit service to regional job centers.
3. Support regional coordination, decision making, and funding.
4. Implement a 10-year rapid transit expansion program.
5. Prioritize regional rail investment.
6. Catalyze equitable development at transit and rail stations.

The time for action is now. The residents and businesses of Maryland's largest city and surrounding suburbs deserve a world-class transit system. These six strategic priorities will set the course for a more equitable transportation system, making the Baltimore region a more attractive place to live, work, play, and build a business.

BaltimoreCounty_FAV_SB0151.pdf

Uploaded by: Joshua Greenberg

Position: FAV



JOHN A. OLSZEWSKI, JR.
County Executive

JENNIFER AIOSA
Director of Government Affairs

AMANDA KONTZ CARR
Legislative Officer

JOSHUA M. GREENBERG
Associate Director of Government Affairs

BILL NO.: **SB 151**

TITLE: Equitable and Inclusive Transit-Oriented Development
Enhancement Act

SPONSOR: Senator Augustine

COMMITTEE: Budget and Taxation

POSITION: **SUPPORT**

DATE: January 25, 2023

Baltimore County **SUPPORTS** Senate Bill 151 - Equitable and Inclusive Transit-Oriented Development Enhancement Act. This legislation would establish the TOD Capital Grant and Revolving Loan Fund.

Many residents who cannot afford personal transportation struggle to access reliable and varied modes of public transit. Transit-Oriented Developments (TODs) can be a critical tool to center transportation accessibility for individuals without personal transportation.

Senate Bill 151 expands and enhances incentives to develop and locate what within TODs by establishing the TOD Capital Grant and Revolving Loan Fund. These funds would make crucial capital available to local jurisdictions which seek to establish equitable and inclusive processes to develop TODs. The TOD Capital Grant and Revolving Loan Fund would provide local jurisdictions funding for the design or improvement of a TOD, as well as gap funding for development within a TOD. This vital investment in our communities will further the County's efforts to promote accessible development for all residents.

Accordingly, Baltimore County requests a **FAVORABLE** report on SB 151. For more information, please contact Jenn Aiosa, Director of Government Affairs at jaiosa@baltimorecountymd.gov.

FAVORABLE_ SB151 - Equitable and Inclusive TOD Enh

Uploaded by: Kristen Harbeson

Position: FAV



January 23, 2023

Kim Coble
Executive Director

2023 Board of
Directors

Lynn Heller, Chair
The Hon. Nancy Kopp,
Treasurer
Kimberly Armstrong
Mike Davis
Candace Dodson-Reed
Verna Harrison
Melanie Hartwig-Davis
The Hon. Steve Lafferty
Patrick Miller
Bonnie L. Norman
Katherine (Kitty)
Thomas

SUPPORT: SB151 -Equitable and Inclusive Transit-Oriented Development Enhancement Act

Chairman Guzzone and Members of the Committee:

Maryland LCV supports SB151: Equitable and Inclusive Transit-Oriented Development Enhancement Act, and we thank Senator Augustine for his leadership on this issue.

Maryland LCV works at the intersection of strong climate policy and environmental justice. This bill supports both of those interests.

In order to confront the climate crisis and reach the emission reduction goals set forth in the Climate Solutions Now Act of 2022, Maryland must take aggressive action in the transportation sector, which remains the single largest contributor to our state's greenhouse gas emissions. This year, the General Assembly has the opportunity to take action to address transportation pollution, including efforts to electrify cars and trucks, and incentives to citizens to move away from traditional gas-powered automobiles.

SB151 is an important component of this suite of legislation, aimed to incentivize the creation of new jobs in transit-oriented development sites, similar to the current focus on new jobs in designated opportunity zones.

SB151 directs resources to strengthen the economic opportunities around our transit hubs, encouraging Marylanders to reduce their reliance on privately owned automobiles, and in turn, reducing both traffic congestion and emissions. Importantly, it will also expand job opportunities for lower-income Marylanders who rely solely on public transit to get to work, school, medical appointments, and groceries.

Maryland LCV strongly urges a favorable report on this important bill.

SB151-Budget and Tax-CJW-fav.pdf

Uploaded by: Laurie McGilvray

Position: FAV



Committee: Budget and Taxation

Testimony on: SB151 – Equitable and Inclusive Transit–Oriented Development Enhancement Act

Organization: Climate Justice Wing of the Maryland Legislative Coalition

Submitting: Laurie McGilvray, Co-Chair

Position: Favorable

Hearing Date: January 25, 2023

Dear Mr. Chairman and Committee Members:

Thank you for allowing our testimony today in support of SB151. The Maryland Legislative Coalition (MLC) Climate Justice Wing, a statewide coalition of over 50 grassroots and professional organizations, urges you to vote favorably on SB151.

SB151 establishes a Transit–Oriented Development Capital Grant and Revolving Loan Fund (Fund) to provide financial assistance to local jurisdictions to be used for: 1) design plans for a transit–oriented development, provided the development meets equity goals; 2) public infrastructure improvements within a transit–oriented development; or 3) gap funding for public or private development within a transit–oriented development.

Transit-oriented development is a key policy in reducing the State’s greenhouse gases because it reduces the need for people to drive to get to work and other activities. As a coalition that cares about both climate and equity, we strongly support the intent of this bill which addresses the equity aspects of transit-oriented development. The bill accomplishes this goal in three ways. First, it directs the Secretary of the Department of Transportation (DOT) to collect and report data on the State’s efforts to increase transit-oriented development, and in particular: 1) the demographic and socioeconomic indicators present in the transit–oriented development and the surrounding areas; 2) development activity occurring in the transit–oriented development during the report period; and 3) transit station utilization rates for the transit–oriented development. Second, it directs the DOT to consider these results in updating scoring standards for applications for financial assistance from the Fund. Third, it allows DOT to establish different funding and eligibility scoring standards, including preferences for projects that will: 1) enhance access to transit for low–income and minority residents of the jurisdiction; 2) enhance access to transit in areas with affordable housing and a diversity of job and educational opportunities; or 3) encourage development around underdeveloped and underutilized transit stations in transit–oriented developments.

For these reasons, we support SB151 and recommend a **FAVORABLE** report in Committee.

SB151 HB12 Favorable Transit Oriented Development

Uploaded by: Michael Huber

Position: FAV

TO: The Honorable Guy Guzzone
Chair, Senate Budget and Taxation Committee

FROM: Michael Huber
Director, State Affairs

DATE: January 24, 2023

RE: SB151/HB12 Equitable and Inclusive Transit – Oriented Development (TOD)
Enhancement Act

Johns Hopkins University and Medicine urges a favorable report on **Senate Bill 151 – Equitable and Inclusive Transit-Oriented Development (TOD) Enhancement Act**. This bill would establish a capital grant and revolving loan fund to promote the equitable and inclusive development around State-designated TOD sites helping to bring more of TOD benefits to communities around Maryland.

The State of Maryland has long recognized TOD as a preferred approach to development because of its many significant benefits, including increased transit ridership, reduced congestion on roads, increased safety and convenience, adjacent economic development opportunities, environmental conservation, and better access to jobs, housing, and services. However, the state government has not adequately encouraged or facilitated equitable and smart development around its transit stations. Public incentives, and often direct support, are typically needed for such projects due to the complexities of TOD, including higher land costs, environmental conditions, and especially the need for critical supporting infrastructure, such as sidewalks and parking.

As the State's largest private employer, with more than 53,000 Marylanders in our employ, Johns Hopkins knows that adequate investments in Maryland's transportation system are critical to the economic competitiveness and livelihood of our state and region. Supporting more development around transit stations will also enhance the lives of our employees, students, patients, and visitors, especially those that rely on the transit system to get to work or school, to access healthcare, or to meet their needs. This bill will help enhance Maryland's ability to invest in its transportation system over the long-term by expanding development opportunities, and tax revenues, around transit.

Johns Hopkins is a member of both the Greater Baltimore Committee and the Greater Washington Partnership, who are leading a campaign to advance [Baltimore's Transit Future](#). Equitable development at transit and rail stations is one of the six priority pillars of the campaign and is addressed and supported by **SB 151**. Johns Hopkins is a supporter and signatory of the Baltimore's Transit Future campaign's efforts to advance a world-class public transit system for the Baltimore region that creates shared economic prosperity and catalyzes inclusive growth.

Johns Hopkins urges the Budget and Taxation Committee to take action to advance Baltimore and the State of Maryland's transit future by issuing a **favorable report on SB 151**.

MD Catholic Conference_FAV_SB0151.pdf

Uploaded by: MJ Kraska

Position: FAV



MARYLAND
CATHOLIC
CONFERENCE

January 25, 2023

SB 151

Equitable and Inclusive Transit-Oriented Development Enhancement Act

Senate Budget & Taxation Committee

Position: Support

The Catholic Conference is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals, and numerous charities combine to form our state's second largest social service provider network, behind only our state government.

Senate Bill 151 establishes the Transit-Oriented Development (TOD) Capital Grant and Revolving Loan Fund and its purpose, funding sources, and authorized uses. For each fiscal year, the Governor must include in the annual budget bill an appropriation sufficient to ensure a fund balance of at least \$10.0 million at the start of the fiscal year. The bill also requires the Secretary of Transportation to annually submit a report to the General Assembly on efforts to increase TOD throughout the State.

The Conference supports legislation that recognizes the dignity of the human person in pursuit of the common good. Transit-oriented plans that help create a sustainable and economically viable region while assisting the transportation needs of the community, especially the vulnerable and marginalized, can be beneficial. Public transportation plays a key role by providing health and education solutions for families while realizing cost savings that, at times, can be significant. As stated in *Economic Justice for All: A Pastoral Letter on Catholic Social Teaching and the U.S. Economy* "Government should assume a positive role in generating employment and establishing fair labor practices, in guaranteeing the provision and maintenance of the economy's infrastructure, such as roads, bridges, harbors, public means of communication, and transport." Senate Bill 151 seeks to identify the need for more equitable public transportation in Maryland by analyzing the needs of our most vulnerable and marginalized communities.

The Conference appreciates your consideration and, for these reasons, respectfully requests a **favorable** report on Senate Bill 151.

SB151_IndivisibleHoCoMD_FAV_RichardDeutschmann.pdf

Uploaded by: Richard Deutschmann

Position: FAV



SB151 – Equitable and Inclusive Transit–Oriented Development Enhancement Act

Testimony before

Senate Budget & Taxation Committee

January 25, 2023

Position: Favorable

Mr. Chair, Mr. Vice Chair and members of the committee, my name is Richard Deutschmann, and I represent the 750+ members of Indivisible Howard County. We are providing written testimony today in **support of SB151**, to encourage and incentivize more equitable Transit Oriented Development within the state. Indivisible Howard County is an active member of the Maryland Legislative Coalition (with 30,000+ members). We appreciate the leadership of Sen. Augustine for sponsoring this important legislation.

This bill creates a Capital Grant and Revolving Loan Fund, the purpose of which is to promote equitable and inclusive Transit-Oriented Development in Maryland. The fund will provide financial assistance to local jurisdictions for design planning, infrastructure improvements within a Transit-Oriented Development, or gap funding to make up the difference in available funding for a suitable development. All of this is predicated on meeting certain critical goals around access to affordable housing within the development, for Low/Moderate Income (LMI) and minority residents. The bill attempts to bridge the gap to address the serious lack of housing options for LMI residents, especially in areas that are close to available transit options that are crucial for residents to access employment, medical care, and nearby amenities.

Thank you for your consideration of this important legislation.

We respectfully urge a favorable committee report.

Richard Deutschmann
Columbia, MD 21045

SB 151 HB 12 - Equitable and Inclusive TOD Enhance

Uploaded by: Sarah Peters

Position: FAV



Bill: SB 151/HB 12- Equitable and Inclusive Transit-Oriented Development Enhancement Act

Position: Support

Dear Chair, Vice-Chair, and Members of the Committee:

The City of Gaithersburg, a municipality of Montgomery County, with a population of almost 70,000 at the time of the 2020 Census is the third-largest city in the State. With an increasing population and our proximity to Washington, D.C., we continue to prioritize transit and the many benefits that transit-oriented development (TOD) can bring to our City and the region.

The Fund outlined in this bill may be used by the Maryland Department of Transportation to provide financial assistance to local jurisdictions for TOD design plans, as specified, public infrastructure improvements within a TOD, or gap funding for public or private development within a TOD. It also allows a private entity, including a nonprofit entity, participating in the development of a TOD may partner with a local jurisdiction to apply for specified financial assistance.

While there are no TODs currently designated within City limits, the 100-acre site of the soon-to-be former Lakeforest Mall is being looked upon as a potential TOD site given what may likely become a dense mix of commercial, residential, and open space alongside a new transit station. While this project is still in the preliminary stages of consideration and planning, we are hopeful that TOD-specific funds may be available to encourage projects like this one.

For these reasons, the City of Gaithersburg supports SB 151/HB 12.

Should you have any questions, please feel free to contact me at 301-466-5350 or our government relations consultant, Sarah Peters, at speters@hbstrategies.us. We appreciate your support.

Respectfully submitted,

Jud Ashman
Mayor
City of Gaithersburg

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301-258-6300 • FAX 301-948-6149 • cityhall@gaitthersburgmd.gov • gaitthersburgmd.gov

MAYOR
Jud Ashman

COUNCIL MEMBERS
Neil Harris
Lisa Henderson
Jim McNulty
Ryan Spiegel
Robert Wu

CITY MANAGER
Tanisha R. Briley

Anne Arundel County _FAV_SB 151.pdf

Uploaded by: Steuart Pittman

Position: FAV



January 25, 2023

Senate Bill 151

Equitable and Inclusive Transit-Oriented Development Enhancement Act

Senate Budget and Taxation Committee

Position: FAVORABLE

Anne Arundel County **SUPPORTS** Senate Bill 151 – Equitable and Inclusive Transit-Oriented Development Enhancement Act. This bill will establish the TOD Capital Grant and Revolving Loan Fund to promote the equitable and inclusive development of TODs throughout the state. The bill further requires that the Governor must include in the annual budget bill an appropriation sufficient to ensure a fund balance of at least \$10.0 million at the start of the fiscal year.

Anne Arundel County’s award winning General Development Plan, Plan2040, sets the policy framework to protect the natural environment, shape development of the built environment, provide public services to promote healthy communities, and support a diverse, resilient economy. Plan2040 recognizes the need for mixed use and economic development around existing or planned transit stations in order to implement sustainable growth, and identifies potential for TOD at several MARC and light rail stations throughout the County. The County currently has one state-designated TOD at the Odenton MARC station near Fort Meade, and has identified potential future TOD locations, including BWI, Laurel, and Cromwell.

In partnership with the state, and with the support of our federal delegation, Anne Arundel County has made great progress over the past year towards building capacity for TOD at the Odenton MARC station by constructing a parking garage. As we near the beginning of construction, we look forward to the next step of continued partnership with the state in order to establish a public private partnership for development. Our vision is to transform the site into a desirable, walkable community centered around community-serving amenities and retail.

However, development near transit stations tends to be more expensive due to higher land costs, legacy developments, environmental hazards, and a greater need for supportive infrastructure. A December 2020 report from the Greater Washington Partnership made several recommendations to resolve barriers to TOD in Anne Arundel County. The competitive grant and revolving loan fund in this bill will provide financial incentive for TOD in order to assist local governments with TOD design plans, public infrastructure improvements within a TOD, and gap funding for public or private development within a TOD.

Promoting TOD will encourage sustainable and equitable communities. For all of these reasons, I respectfully request a **FAVORABLE** report on Senate Bill 151.

A handwritten signature in blue ink, appearing to read "Stuart Pittman".

Stuart Pittman
County Executive

2023.01.25 MD SB151 (Housing TOD).pdf

Uploaded by: Thomas Maloney

Position: FAV



January 25, 2023

Testimony on SB 151 (Favorable)
Maryland Senate Budget & Taxation Committee

Chairman Guzzone, Vice Chair Rosapepe, and members of the committee, thank you for the opportunity to submit testimony in support of SB 151, the *Equitable and Inclusive Transit-Oriented Development Enhancement Act* (Senator Augustine).

Amazon has created more than 25,000 jobs and invested more than \$9.5 billion in infrastructure and employee compensation in Maryland since 2010. We recognize that success and scale bring broad responsibility. Amazon's Housing Equity Fund is a more than \$2 billion commitment to help preserve and create affordable, inclusive housing developments through low-rate loans and grants to housing partners, traditional and non-traditional public agencies, and minority-led organizations. All people should have access to housing they can afford. While only the government can solve the affordability shortage, private industry has a role to play. The Fund was created with the goal of growing and protecting the stock of housing for low- to moderate-income families in Washington state's Puget Sound region; Arlington, Virginia-Washington D.C. region; and the Nashville, Tennessee region.

To date, the Fund has invested over \$130 million to create more than 1,300 new long-term affordable housing units in Maryland. Over 60% of the units supported by the Fund in Maryland are located at Metro-adjacent sites in transit-oriented, mixed used developments. This includes projects developed in partnership with WMATA at Metro's College Park, Grosvenor-Strathmore, and New Carrollton stations, plus an additional project within walking distance of Capitol Heights station. Transit-oriented development (TOD) is a unique approach to preserving and creating affordable housing options so low-to-moderate income families can afford to live near—and benefit from—quality public transit. Amazon's TOD commitments also focus on promoting equity across racial and economic lines and offer a double benefit to low-to-moderate income families by providing easy access to quality transit that connects them to the rest of the region.

For these reasons we support SB 151. Please feel free to contact me or visit www.amazonhousingequity.com for more information.

Thomas J. Maloney
Senior Manager, Public Policy
thosmlny@amazon.com

DEI.pdf

Uploaded by: Dana Schulze

Position: UNF

Marylanders need equal opportunities. Work to stop crime and looting which causes food deserts. STOP the equal outcomes which only serve to race to the bottom for everyone. All people end up at the absolute bottom. Socialism is equal outcomes which equal poverty for everyone. Socialism is the stage of transition prior to communism and characterized by the imperfect implementation of collectivist principles. STOP the march toward communism NOW.

TOD, Senate Bill 151.pdf

Uploaded by: Eric Rockel

Position: UNF

1610 Riderwood Drive, Lutherville, MD 21093

January 25, 2023

Hon. Senator Guy Guzzone, Chair
Budget & Taxation Committee
Maryland State Senate

Re: Senate Bill 151
Equitable and Inclusive Transit Oriented Development
Enhancement Act

Position: Unfavorable

Dear Committee Members:

Transit-Oriented Development should not be a prioritized type of development within a free-market landscape if the development is being undertaken by private developers hoping to realize profits from that activity. If the Transit Oriented Development is being undertaken by a municipality, a locality or a not-for-profit organization, I can see where this legislation may have benefits, but not by private development or benefiting private development. Under a private development framework, Transit Oriented Development should compete on its own merits so that it succeeds based upon its own inherent strengths, not on its ability to use a moniker, like TOD.

It is not appropriate to use Transportation Trust Funds to underwrite private development as this bill allows. Nor should the proceeds of General Obligation Bonds be used to fund private development activities. There are many pressing needs within the state, such as funding the landmark Blueprint for Education or meeting the needs for restoration of Chesapeake Bay. Why would taxpayers want to see public money go to funding private development activity?

I urge the committee to vote against this bill as currently written.

Eric Rockel

SB0151 - TSO - TOD Act_LOI_FINAL.pdf

Uploaded by: Patricia Westervelt

Position: INFO

January 25, 2023

The Honorable Guy Guzzone
Chair, Senate Budget and Taxation Committee
3 West, Miller Senate Office Building
Annapolis, MD 21401

Re: *Letter of Information – Senate Bill 151 – Equitable and Inclusive Transit-Oriented Development Enhancement Act*

Dear Chair Guzzone and Committee Members:

The Maryland Department of Transportation (MDOT) takes no position on Senate Bill 151 but offers the following information for the Committee’s consideration.

Senate Bill 151 proposes changes to programs and agency functions in the interest of supporting State involvement in equitable and inclusive Transit-Oriented Development (TOD). The MDOT actively supports these goals and works closely with State and local partners to promote TOD as an approach to increase transit ridership and support economic development, while maximizing the efficient use of transportation infrastructure.

Proposed changes from Senate Bill 151 include a stated intent to ensure that “the Department make all reasonable attempts to include TOD as part of the preferred plan for development in areas served by transit services.” The MDOT is engaged in several ongoing efforts that currently align with this intent. The MDOT manages several State and federal programs for planning and infrastructure development and consistently seeks opportunities to leverage such programs in support of TOD. By closely coordinating with the Department of Housing and Community Development and other key agencies of the Smart Growth Subcabinet (including Planning, Commerce, and Natural Resources), the MDOT has been able to leverage broader expertise and programs to support affordable housing and other non-transportation elements. MDOT’s Office of Real Estate and Economic Development manages the State TOD program and coordinates with the various local jurisdictions and key agencies on the potential for State TOD designations. Additionally, the MDOT has partnered with many other State agencies to develop an interactive website, the State TOD Hub, that is a springboard for local jurisdictions, planners, elected officials, non-profit organizations, educational institutions, real estate professionals, and the general public. The website provides access to the “Transit Station Area Profile Tool” which provides interactive access to the most recent demographic, socio-economic, and ridership data for all of Maryland’s fixed rail stations.

Senate Bill 151 would require the MDOT to create and manage a new TOD Capital Grant and Revolving Loan Fund to promote TODs throughout the State. The bill requires an appropriation in the State budget in an amount sufficient to ensure a fund balance of \$10M at the start of each year, and the upfront capitalization of the Fund is \$10M. It is unclear in the current bill if that funding is expected to come from the Transportation Trust Fund or another source of funding.

The amount and pace at which these funds would have to be replenished is difficult to estimate and would vary depending on the interest and utilization of the Fund, whether these are provided as grants or loans, the payback period and rate for loans, the size of grants/loans provided, and the availability of funding from other sources. These uncertainties may pose challenges for the MDOT, not only in terms of projecting potential fiscal impacts, but also in managing cash flows and strategic investment to support the objectives of the program. By limiting eligibility to areas already served by transit, the fund could also inadvertently hinder efforts to also expand transit into currently underserved areas. Additionally, it is important to note that the TOD process begins with a local jurisdiction requesting TOD Designation from the MDOT; all zoning and economic development is controlled by the local jurisdiction.

The TOD Capital Grant and Revolving Loan Fund described in Senate Bill 151 would also require the MDOT to exercise responsibility for areas of expertise that are not currently in our purview. Whereas the MDOT's current collaborative approach for investing in TODs benefits from expertise in affordable housing and small business lending of our partner State agencies, the bill charges the MDOT directly with responsibility for developing scoring and assessment protocols in these areas. Creation of such a program would predictably also result in a major expansion of requests for TOD Designation and require major revisions to the process and criteria by which these decisions are made. To safeguard the State's financial interests, while meeting demands associated with the broad range of financial assistance described, the MDOT would need to re-evaluate how it handles TOD Designations (including creating means to terminate designations), while developing expertise in vetting private sector land development partners and creating a new mechanism to select and provide ongoing management of the funded projects. It is estimated that additional positions would be needed to address such specific needs, and to provide for the extensive financial accounting required of the Fund. The establishment of the program and management may potentially require additional positions and consultant support.

The MDOT looks forward to continued collaboration to ensure that our efforts to provide safe transportation infrastructure are also leveraged to support broader goals of economic development and equity in the State, and respectfully requests that the Committee consider this information when deliberating Senate Bill 151.

Respectfully submitted,

Pilar Helm
Director of Government Affairs
Maryland Department of Transportation
419-865-1090