



Senate Bill 190

Land Use - Transit-Oriented Development - Alterations

MACo Position: **SUPPORT**
WITH AMENDMENTS

To: Budget & Taxation Committee

Date: January 29, 2025

From: Dominic J. Butchko and Kevin Kinnally

The Maryland Association of Counties (MACo) **SUPPORTS SB 190 WITH AMENDMENTS**. This bill preempts counties from imposing minimum off-street parking requirements within 0.5 miles of a rail transit station and makes certain changes to special taxing districts around transit-oriented developments (TODs). MACo suggests clarifying amendments to better align intentions with implementation.

Maryland is currently facing several challenges to growth resulting from both the pandemic and greater national economic headwinds. One of the most perplexing issues for both counties and the State has been shifts in daily life which have seen the use of public transit systems significantly diminish. In response to this, SB 190 attempts to spur future development by eliminating parking minimums and adjusting requirements for certain TOD special taxing districts.

On the parking elements, counties are concerned with unintended consequences if the current language were to be implemented. Several counties, including Frederick, Harford, and Cecil, have “rail transit stations,” which only receive very limited service and lack the necessary ancillary public transit infrastructure to support no parking requirements. Counties offer the following amendment which recognizes this practical reality:

On Page 3, after line 9, insert,

“(A-1) IN THIS SECTION, “RAIL TRANSIT STATION” MEANS A RAIL TRANSPORTATION OPERATION GENERALLY CHARACTERIZED BY FREQUENT SERVICE OVER SHORTER DISTANCES THAN PROVIDED BY COMMUTER RAIL SERVICE AND OPERATING ON A RAIL LINE WITHOUT ANY RAIL FREIGHT SERVICE.”

On the special taxing district element, MACo has been in contact with the Maryland Department of Transportation (MDOT) related to their intent for this section. As drafted, it is difficult to discern what the impact of this language would be. One interpretation would give MDOT new authority over revenues generated from these special taxing districts. MDOT has indicated that their intent was to allow local jurisdictions to pool together special taxing districts to support funding and financing corridor-level TOD initiatives. **Counties would support clear and useful local-option tools to help support costs of transit-oriented development, but would oppose a mandated State redirection of these local finances.** MACo is continuing to work with MDOT on clarifying language to reflect this intent.

As drafted, counties have significant concerns around how SB 190 would be implemented. Clarifying amendments referenced above would better align the bill language with the intentions of MDOT and better reflect on-the-ground realities related to sufficient infrastructure. Accordingly, MACo urges the Committee to issue a **FAVORABLE WITH AMENDMENTS** report for SB 190.