



Maryland Department of Planning

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HEARING DATE: February 23, 2012
BILL NO: HB1195
COMMITTEE: Environmental Matters
POSITION: Support
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TITLE:

Land Use – Rail Station Overlay Districts

BILL ANALYSIS:

HB1195 authorizes a local jurisdiction to establish a rail station overlay district adjacent to a railroad station, metro station, or light rail station based on guidelines and standards established by the Maryland Department of Planning (MDP) in consultation with Maryland Department of Transportation (MDOT). The bill directs MDP and MDOT to create standards and guidelines as well as a model ordinance for establishing a rail station overlay district and lists those elements that should be addressed within the standards and guidelines. The bill also empowers a local jurisdiction that establishes a rail station overlay district to create special taxing districts that coincide with the boundaries of the overlay district.

POSITION AND RATIONALE:

MDP supports this bill. The bill provides an innovative way to create incentives, through State and local collaboration, to more effectively utilize land in and around rail stations. Development or redevelopment of land in and around rail stations could help spur economic development and revitalization of underutilized sites, and enhance community development in these areas. Such development and redevelopment is consistent with many of the State's 12 statutory land use policies, otherwise known as the Planning Visions, specifically those that address concentrating growth in existing population and business centers (Vision 3), creating compact, mixed use, walkable design consistent with community character (Vision 4), creating growth in centers that have infrastructure to accommodate population and business expansion (Vision 5), having a well maintained, multimodal transportation systems that facilitates the safe, convenient, affordable, and efficient movement of people (Vision 6), and providing economic development that promotes employment opportunities (Vision 7).

Maryland has historically promoted and supported Transit Oriented Development (TOD). In the past two decades, local jurisdictions where rail stations are located have been planning and developing TODs near transit station areas. The development around the Bethesda Metro Station is one example; the Rockville Town Center development near the Rockville Metro Station is another. There are 106 rail transit stations in Maryland located in Baltimore City and County, Anne Arundel, Harford, Howard, Montgomery, Prince George's, and Frederick Counties.

TOD has been one the key Smart Growth policies of the current administration, which has supported local jurisdictions' TOD efforts to make the State's transit investment more cost-effective, and maximize the transportation, economic, and social and environmental benefits of TOD. In 2008, the Maryland General Assembly passed TOD legislation that clearly defined TOD and insured TOD as a transportation purpose, established the process for designation of TODs, and enhanced the State's ability to help to finance and promote TOD in transit station areas. In 2009, Maryland expanded the 2008 TOD legislation by increasing local government authority to finance TOD projects and greatly facilitating cooperative projects and funding arrangements among State and local government entities.

Local jurisdictions have identified their areas for growth through the Priority Funding Area (PFA) process. Within the PFAs, there are some areas that are more suitable than others for growth, redevelopment and revitalization. Some of these are where current state funding is directed through programs such as community legacy, neighborhood business works, and main streets. The Sustainable Communities Act of 2010 includes these areas as well as state designated TOD's so they could be eligible for and benefit from state funds for redevelopment.

This bill is the logical next step in providing clear guidelines to local jurisdictions to create additional incentives to take advantage of rail station locations for economic development, redevelopment, and revitalization. MDP, in consultation with MDOT, would develop guidelines that promote TOD and take into account historic resources and districts that may be around the rail station locations.