



Senate Bill 779

Land Use – Proposed Development Project – Transit and Traffic Adequacy Studies

MACo Position: **OPPOSE**

To: Education, Health, and
Environmental Affairs Committee

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From: Leslie Knapp, Jr. & Natasha Mehu

The Maryland Association of Counties (MACo) **OPPOSES** SB 779. The bill would impose a new transit adequacy study requirement to jurisdictions where it may not even be relevant and increase costs for affected local governments and project developers.

Under SB 779, a local jurisdiction that requires a traffic adequacy study to be done by a proposed development project must also require a transit adequacy study. Currently, 14 counties and 26 municipalities have adequate public facility ordinances (APFOs) for roads. The 14 counties include: Anne Arundel, Baltimore, Calvert, Caroline, Carroll, Charles, Frederick, Harford, Howard, Montgomery, Prince George’s, Queen Anne’s, St. Mary’s, and Washington. There are areas in most of these jurisdictions where transit is minimal or nonexistent. The bill’s linkage of traffic adequacy requirements and transit adequacy requirements is illogical.

The transit adequacy study makes no sense in county and municipal areas where transit does not exist. Outside of several densely populated cores, including the DC-metropolitan and Baltimore-metropolitan regions, most areas of the state lack a functioning transit system that would justify an adequacy study. Where transit does exist, it does so in extremely limited forms, such as downtown trolleys, and is not a primary transportation mode.

The bill would also impose new costs on both project developers (who must pay to prepare the studies) and local governments (who must bear the costs to review the studies or hire outside experts to review the studies). As the bill’s fiscal note indicates, these costs may be significant. The net costs of a study could hamper proper and needed development in economically depressed areas of the state.

SB 779 would impose a “one size fits all” transit adequacy study requirement that lacks a logical connection to traffic adequacy study requirements for many areas of the state and would increase costs for both affected local governments and project developers. Accordingly, MACo urges the Committee to give SB 779 an **UNFAVORABLE** report.