

State of Maryland
HOUSE ENVIRONMENTAL MATTERS COMMITTEE

Testimony in Support of
HB 1195 - Land Use - Rail Station Overlay Districts

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by

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I strongly support HB 1195, the proposed Rail Station Overlay Districts (RSOD) legislation to be considered by the Maryland General Assembly. The laudable RSOD goals, principles and implementation strategies would constructively supersede out-of-date, obstructive zoning concepts and regulations, justifiably replacing them with a much-needed, 21st century land use ordinance. Appropriately higher densities, diversified land uses and a well-designed public realm could be developed in areas within walking distance of Maryland's urban, suburban and exurban rail stations. This would contribute greatly toward achieving smart, sustainable growth, improving the health, safety and welfare for all.

In 1989 planners and architects talked about "growth management" but subsequently embraced the broader concept of "smart growth," a term first coined in the State of Maryland. Smart growth implies wiser land use and infrastructure planning, multiple transportation modes, transit-oriented development, improved urban design, and more effective regulation of growth. It entails specific goals and principles that planners today universally advocate:

- Concentrating much new growth in existing communities to take advantage of existing infrastructure and other public facilities;
- Creating compact, dense, walkable neighborhoods with safe, rational street-block patterns and a strong sense of place;
- Mixing rather than segregating land uses, including housing and especially workforce housing;
- Providing a full range of travel choices - walking, biking and transit, as well as driving;
- Preserving historic buildings and, if feasible, saving and renovating and adaptively re-using otherwise obsolete buildings;
- Preserving agricultural land and sensitive environmental areas;
- Reducing water pollution by properly managing storm-water, natural watersheds and Maryland's streams, rivers, lakes and bays;
- Reducing carbon emissions and air pollution by making walking functional and enjoyable for many more people;
- Making the planning and development process predictable, fair and cost-effective;
- Ensuring constructive and efficient citizen and stakeholder participation in the planning and development process;

- Putting in place equitable, economically feasible methods for both public and private sector financing of infrastructure, public facilities and affordable housing.

The proposed RSOD legislation clearly embodies these principles and most importantly, it offers innovative, powerful and efficient means to achieving Maryland's smart growth goals that have eluded us for the past 20 years.

Citizens inhabiting or working in denser, more coherent development centered on existing rail stations could leave cars at home and walk, ride bicycles, or use rail transit when they travel. Fewer cars on the road would reduce congestion, save energy and reduce greenhouse gas emissions. Likewise, property damage, injuries and deaths resulting from traffic accidents, as well as burdensome public-sector first responder costs, would be reduced. And the RSOD legislation would serve as an antidote and environmentally sustainable alternative to costly sprawl that persistently threatens Maryland's valuable open space, parkland and the Chesapeake Bay.

Maryland jurisdictions would prepare and implement RSOD plans to transform automobile-based patterns of land use to a pedestrian-friendly public realm using the RSOD ToolKit that will be developed by a team of experts under the auspices of the National Center for Smart Growth at the University of Maryland following passage of HB 1195.

The ToolKit will include urban and architectural design guidelines ensuring creation of aesthetically, functionally and economically desirable rail station district communities. In the interest of achieving a well-designed public realm, the RSOD legislation also calls for each jurisdiction to be responsible for and diligently undertake design review. Qualified, public sector planning officials and design professionals would evaluate the aesthetic, functional and technical quality of specific building proposals.

Thus rational discussion, rigorous analysis and informed value judgments about urban design and architecture, in an appropriate, functional context, would determine what is built, not arbitrary, inflexible and often obsolete dysfunctional formulas and limitations typical of most existing zoning ordinances.

Finally, the RSOD legislation wisely integrates cooperative planning with fair allocation of development and investment responsibilities. It envisions and enables a coordinated, non-adversarial process of collaboration between all concerned parties: state, county and municipal officials; public planning agencies; property owners and private developers; and individual citizens and civic organizations. Without such collaboration, innovative land use and redevelopment legislation, no matter how visionary, cannot succeed.

For all of the above reasons, I encourage adoption of the RSOD legislation.

Biographical Note

A practicing architect and planner with degrees from MIT, Professor Emeritus Roger K. Lewis, FAIA, was a founding faculty member of the University of Maryland School of Architecture, where he taught design from 1968 to 2006 and helped launch UMCP's National Center for Smart Growth. He is a design and urban planning consultant to federal, state, county and municipal agencies, as well as private sector institutions, and co-authored the *Growth Management Handbook*. Since 1984, *The Washington Post* has published "Shaping the City," his thematic, bi-weekly column on architecture, planning and urban development.