

**Department of Legislative Services**  
Maryland General Assembly  
2023 Session

**FISCAL AND POLICY NOTE**  
**Third Reader**

House Bill 819

(Montgomery County Delegation and Prince George's  
County Delegation)

Environment and Transportation

Judicial Proceedings

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**Montgomery County - Off-Street Parking Requirements Near Mass Transit  
Stations**  
**MC/PG 106-23**

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This bill prohibits the district council of Montgomery County from adopting or enforcing a local law that requires the creation of new off-street parking for a residential development that is located within a 0.25-mile radius of a present or planned Metro or Purple Line station. The bill defines the “Purple Line” as the 16-mile light rail transit line between Bethesda in Montgomery County and New Carrollton in Prince George’s County.

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**Fiscal Summary**

**State Effect:** The bill does not directly affect State finances.

**Local Effect:** The bill is not expected to directly affect local government finances.

**Small Business Effect:** Potential meaningful.

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**Analysis**

**Current Law:** The Montgomery County district council has the authority to adopt and amend the zoning law and any map for the portion of the Metropolitan-Washington Regional District (discussed below) within the county. Accordingly, it may regulate such issues as (1) the location, height, bulk, and size of buildings; (2) building lines; (3) frontages; (4) size of lots; (5) density and distribution of population; (6) the location and uses of buildings and structures, and any units in those buildings and structures, for trade, industry, residential purposes, recreation, agriculture, public activities, and other

purposes; and (7) the uses of land, including surface, subsurface, and air rights for the land, for building or for any of the aforementioned purposes.

The county councils of Montgomery and Prince George's counties are the district councils for the portion of the Metropolitan-Washington Regional District located in the respective counties. The Metropolitan-Washington Regional District consists of (1) the entire area of Montgomery County, subject to certain limitations (relating to certain municipalities not subject to the planning and zoning authority of the county, unless by agreement, and other municipalities that have certain, limited planning and zoning authority) and (2) the entire area of Prince George's County, except for the City of Laurel as it existed on July 1, 2013.

**Small Business Effect:** The bill may have a meaningful impact on any small business developers in Montgomery County that develop residential buildings within a 0.25-mile radius of a present or planned Metro or Purple Line station. The Maryland Department of Planning indicates that not mandating off-street parking has the potential to reduce the cost of development near those transit stations.

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### **Additional Information**

**Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Montgomery County; Maryland-National Capital Park and Planning Commission; Maryland Department of Planning; Maryland Department of Transportation; Department of Legislative Services

**Fiscal Note History:** First Reader - March 8, 2023  
km/sdk Third Reader - March 20, 2023

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Analysis by: Joanne Tetlow

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510