

Written Testimony (Oppose / Amend HB 239 – Starter and Silver Homes Act of 2026)

Chair Delegate Valderrama, Vice Chair Delegate Charkodian, and Members of the Committee:

I am a Howard County resident (Ellicott City/Columbia), writing to urge an **unfavorable report or major amendments** to HB 239.

Maryland does need more housing. But HB 239 does not simply promote housing production—it **centralizes residential zoning authority at the state level to a degree that goes well beyond what any other state has adopted**, while simultaneously stripping away many of the local tools used to manage neighborhood compatibility and infrastructure impacts.

States such as California, Oregon, and Washington have pursued aggressive housing reforms. But even those states—often cited as models—have taken **narrower approaches**: legalizing duplexes or small multifamily housing, allowing lot splits, or streamlining approvals, while **retaining meaningful local authority over setbacks, lot coverage, building form, and design standards**. None has imposed statewide numeric caps on setbacks and lot size while also barring local design or aesthetic controls across all single-family zones.

HB 239 goes further. In areas where detached single-family homes are allowed, it would prohibit local governments from enforcing lot sizes above 5,000 square feet (in sewerred areas), setbacks above 10 feet front/rear and 5 feet side, minimum home dimensions, lot-coverage limits, or even “design, architectural, or aesthetic” standards. It would also make townhouses effectively mandatory in single-family zones and significantly limit local authority over lot subdivision.

Supporters sometimes point to Japan as a justification for this level of state control. But Japan’s success rests on a **very different model**: nationally standardized zoning categories combined with **clear, predictable form and volume controls**—such as floor-area ratios, building-coverage limits, and light-and-air rules. Japan centralizes *use*, but relies heavily on **form regulation** to ensure livable outcomes. HB 239 centralizes power while **eliminating many of the very form-based tools that make growth publicly acceptable**.

In older, sewerred suburbs like mine, this bill would predictably accelerate teardown-and-infill and lot splitting, while sharply limiting local ability to manage impacts on stormwater, tree canopy, walkability, traffic safety, and school capacity. It also risks inequity: neighborhoods with private covenants or strong HOAs will preserve character, while covenant-light neighborhoods absorb disproportionate change.

If the General Assembly wishes to enact statewide housing reform, it should do so with precision rather than preemption by default. At minimum, HB 239 should be amended to:

1. preserve reasonable local authority over form-based standards tied to infrastructure, safety, and environmental management;
2. allow calibration based on infrastructure capacity and adopted local plans; and

3. focus mandatory upzoning on transit corridors and activity centers rather than blanket overrides of single-family zoning statewide.

For these reasons, I respectfully request an **unfavorable report or substantial amendments** to HB 239.

Sincerely,
John O. Roberts
Ellicott City / Columbia