

OPPOSE House Bill 239 ~ Land Use - Zoning - Limitations (Starter and Silver Homes Act of 2026)

Testimony by Brigitta Mullican, Rockville, MD 20852 ~ LD-17 2/10/26

The Starter and Silver Homes Act is deeply flawed. It undermines local decision-making, threatens infrastructure and environmental sustainability, and fails to ensure affordability. I respectfully urge you to reject the current version of this legislation and instead pursue housing policies that emphasize partnership, flexibility, and genuine affordability.

The proposed Starter and Silver Homes Act (Senate Bill 36 / House Bill 239) is detrimental to Maryland's communities and will not meaningfully increase housing affordability. I strongly oppose this legislation in its current form and urge the General Assembly to pursue policies in which the state works collaboratively with local governments rather than imposing mandates to increase housing supply statewide. This issue is important to me, and it will be on top of voter's mind in the 2026 elections.

As a Maryland resident, I am committed to expanding genuine housing affordability across our state. There are many constructive pathways to achieve this goal, including:

1) Statewide preemption of local zoning

The bill broadly overrides local zoning for single-family neighborhoods, eliminating community input, neighborhood-scale planning, and decisions by locally elected officials. Maryland's counties and municipalities differ widely in infrastructure, housing stock, environmental conditions, and community priorities; statewide zoning mandates ignore this diversity.

Other states, including Connecticut and New Jersey, allow local governments flexibility in meeting housing needs through various compliance pathways such as mixed-income construction or rehabilitation of existing affordable housing. Maryland should adopt a similarly collaborative approach rather than imposing sweeping zoning overrides.

2) Infrastructure and environmental impacts

Existing single-family neighborhoods were engineered for low-density development. Roads, water systems, sewers, and stormwater infrastructure many already aging are ill-equipped to accommodate townhouse-scale density. This bill risks accelerating infrastructure deterioration, resulting in significant taxpayer costs.

In addition, statewide density increases in low-transit areas could worsen stormwater runoff, tree canopy loss, heat islands, and traffic-related emissions. These outcomes run counter to Maryland's environmental and climate goals.

3) Failure to deliver affordability

The Starter and Silver Homes Act contain no affordability requirements. Evidence suggests that newly built, unsubsidized townhomes frequently cost more than existing single-family homes.

A recent comparison by CCCFH, a Maryland land-use advocacy group, examined 121 new townhomes across seven counties and found higher median prices in five of them: Baltimore (+21%), Charles (+13%), Dorchester (+18%), Montgomery (+41%), and Prince George's (+9%).

Without affordability mandates or subsidies, the bill is unlikely to improve housing access in existing neighborhoods and may instead raise prices.

4) Risk of displacement and gentrification

An October 2025 analysis by Montgomery County's Office of Legislative Oversight found that similar upzoning proposals along major roads could negatively affect racial equity and social justice, potentially displacing Black and Latinx homeowners in favor of market-rate development that disproportionately benefits higher-income residents.

Mandated statewide upzoning could produce similar effects throughout Maryland by replacing smaller, older homes with more expensive units—placing moderate-income homeowners and homeowners of color at increased risk of displacement.