



Testimony in SUPPORT WITH AMENDMENTS of HB0239 – Silver and Starter Homes Act of 2026

Economic Matters
February 12, 2026

Dear Chair Valderrama and members of the Committee,

On behalf of the undersigned organizations, we thank you for the opportunity to submit testimony in **SUPPORT WITH AMENDMENTS of HB0239**.

We know that clean water policy begins with land use policy, and how we choose to develop and conserve our lands has lasting impacts to our environment and the Chesapeake Bay.

While we strongly support the underlying goal of increasing affordable housing supply across the State of Maryland, HB0239, as written, makes significant changes to land use policy that could inadvertently incentivize the kind of sprawling development of rural and natural landscapes that we have long known is harmful to our environment, our land conservation goals, and our Chesapeake Bay restoration goals. As written, the bill would:

- 1) “Upzone” all acres of land within existing or planned sewer and water service areas, including agricultural and rural low-density lands, upon which houses may be built to the equivalent of R8 - a zoning category allowing for eight dwelling units per acre. There are many lots within both urban and rural areas across Maryland that have zoning below eight dwelling units per acre because local authorities have determined that the highest and best use of the underlying land is to remain predominantly undeveloped because of sensitive natural resources like forests or wetlands or prime agricultural soils;
- 2) Remove impervious surface area limits (lot coverage maximums) on all acres of land that could contain dwelling units across Maryland, regardless of whether the lands are inside or outside of a planned or existing sewer and water service area; and
- 3) Not require any of the new housing developed under the bill to be offered at affordable rates.

For these reasons, we urge the Committee to consider amending HB0239 in the following ways in order to adequately protect sensitive natural resources in both our urban and rural areas across Maryland:

Amendment 1: On page 8, line 26, after “ARTICLE”, strike the period and insert, “;

(IV) LAND WITHIN THE CHESAPEAKE AND ATLANTIC COASTAL BAYS CRITICAL AREA, AS DEFINED UNDER § 8-1802 OF THE NATURAL RESOURCES ARTICLE;

(V) FORESTED LAND SUITABLE FOR FOREST INTERIOR DWELLING SPECIES; OR

(VI) AREAS THAT ARE NOT CURRENTLY CONNECTED TO PUBLIC WATER AND SEWER.

-This amendment ensures that our most sensitive areas, such as the Critical Area, the largest forests with prescribed protections in the Forest Conservation Act (typically greater than 50 or even 100 acres in size), and areas outside of current public water and sewer service will not be unintentionally targeted for development as a result of this bill. Local jurisdictions can still add sewer and water service in future years, thus opening up additional lands to this bill’s provisions if they choose.

*****If the above are adopted, then references to water and sewer in the remainder of the bill should be struck.*****

Amendment 2: On page 9, line 6, strike in its entirety lines 6 and 7.

-This amendment strikes the bill’s prohibition on counties setting maximum lot coverage limits. These coverage limits have always formed a key component of land use regulations that limits the proliferation of impervious surfaces, thus limiting land disturbance, avoiding future stormwater flooding from development, and avoiding future pollution to our rivers and the Chesapeake Bay.

Thank you for considering these amendments and working toward our shared goal of delivering land use solutions that work for our communities, our lands, our rivers, and our Chesapeake Bay.

Sincerely,

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Riverkeeper
Arundel Rivers Federation

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