



**Testimony of the Town of Garrett Park on SB36 “Starter and Silver Homes Act”
Before the
Senate Education, Energy, and the Environment Committee
February 17, 2026**

Garrett Park is a small residential town in Montgomery County, established in the 1880s, before the advent of automobiles. We will soon celebrate our 128th anniversary as an incorporated Maryland municipality. During this long period the Town has absorbed decades of compatible growth, which serves to strengthen and enhance our character. We have preserved and maintained the Town Plan in its original 19th century form with decades of homes situated harmoniously alongside each other and well back from our tree lined, curvilinear streets.

The Town has worked hard to maintain its historic character, including enactment of laws intended to preserve open space,¹ establishment of the entire Town as an Arboretum and, on its own initiative, the inclusion of Garrett Park on the National Register of Historic Places in 1975.

The Town is keenly aware of the major housing challenges facing Maryland today. We are sympathetic to the need for careful, well thought out solutions to difficult issues of housing availability and affordability. Just last year, with our sister municipalities and our State representatives, the Town of Garrett Park worked in good faith to support legislation that would clarify the municipalities’ core land use controls while permitting denser housing.²

The Town of Garrett Park does not believe that this bill is fit for its purpose. Without substantial amendments, the proposal would be counterproductive in achieving the stated goals of providing more housing at more moderate prices. In addition to our inherent skepticism with the proposal’s one-size-fits-all approach, we also object to this bill because it virtually eliminates all authority granted to municipalities and counties to determine building regulations within their jurisdictions. Our chief concerns with specifics of the bill are:

Substantial reduction of building setbacks: The proposed setback reductions would allow for significantly greater impervious surface coverage, increasing storm water run-off and permitting the removal of numerous canopy trees while not leaving enough space for planting replacements. It would lead over time to neighborhoods appearing jagged, with new homes extending much closer to the streets than older homes. Such a result is not

¹ The Town’s ordinances were passed with specified aims: To preserve and protect the lands and improvements within the Town by ensuring compatibility with the Town’s existing scale, natural topography, vegetation, trees, physical setting, and density of development. To preserve the unique park-like setting of the 19th century garden suburb, maintain the prevailing pattern of houses and open spaces, and retain the maximum amount of green area surrounding new or expanded houses. To encourage a compatible relationship between new or expanded houses and neighboring structures in scale, siting, and orientation on the lot. To maintain housing diversity and choice by retaining existing housing stock yet allowing a reasonable amount of expansion in living space.

² HB 1167/SB 36 (adopted 136-1 in the House; 44-0 in the Senate) and signed by Governor Moore.

consistent with standard urban and suburban planning practice. Our concern with looser setbacks is compounded by the proposed elimination of standards that set lot area coverage limits.

Permitting a row of three or more townhouses to be built by right. This sets a rigid one-size-fits-all model for “missing middle housing” that is inappropriate for our community, which was laid out in a 19th century pattern of predominantly small lots.

Prohibiting regulations that “indirectly” violate the provisions of the bill. The vague language of this provision creates uncertainty as to what subjects would be permissible to regulate; it invites contentious proceedings and possible litigation.

As a result of these provisions, the consequences of this bill are likely to counter the stated purpose of promoting more affordable housing because curtailing setbacks and eliminating lot area coverage limits will encourage larger single-family homes. Developers would be entitled to take advantage of the expanded building area to build much larger single-family detached houses or to greatly enlarge existing housing. This will defeat the stated purpose of the bill, which is to encourage homes of moderate size and price. Rather than discourage “mansionization,” which was expressly the basis for enactment of HB 1232 (2006), the Starter and Silver Homes Act would actually encourage this trend without any counterbalancing public benefit.

The Town of Garrett Park respectfully suggests that more data are necessary – hard facts to support the sweeping changes proposed here. Where is the evidence of a nexus between the specifics of the bill and generation of the sought-after increase in housing stock with moderation in prices? The Texas experience is *not* apposite because it does not incorporate the same level of restrictions on local governments; indeed, it specifically exempts smaller jurisdictions.

For the Starter and Silver Homes Act, we respectfully urge the Committee to exempt municipal corporations from the bill, consistent with the Maryland Municipal League's proposed amendments. We also recommend broader exemptions for those jurisdictions with substantial historic preservation protections.

In the event that municipalities are not exempted, we ask that you adopt the following amendments:

- Remove the word "indirectly" from the bill's prohibition language, which is overly broad and could unintentionally invalidate reasonable local regulations.
- Protect existing stormwater, tree canopy, and environmental regulations from preemption.
- Grandfather existing municipal design guidelines and development standards.
- Clarify limitations on setbacks and the elimination of lot coverage limits to avoid incentivizing the construction of oversized single-family homes rather than the moderately priced housing that the bill intends to encourage.
- Extend the effective date to October 1, 2027, to allow municipalities adequate time to align local codes.

We welcome the opportunity to work collaboratively to craft effective housing incentives and to explore other options that balance municipal authority with proven, practical, and equitable affordable housing policies.

Thank you,

Chris Keller
Mayor
Town of Garrett Park