



Senator Brian J. Feldman, Chair  
Senator Cheryl C. Kagan, Vice-Chair  
Senate Education, Energy, and Environment Committee  
2 West Miller Senate Office Building  
Annapolis, Maryland 21401

**Re: Senate Bill 36/ House Bill 239: Land Use - Zoning - Limitations (Starter and Silver Homes Act of 2026) – OPPOSED**

**February 17, 2026**

Dear Chairman Feldman, Vice-Chair Kagan, and Committee Members:

On behalf of our clients, the City of Cumberland and the City Frostburg, we write this letter in opposition to *Senate Bill 36/ House Bill 239: Land Use - Zoning - Limitations (Starter and Silver Homes Act of 2026)*.

If you were to ask people across the country the question, “What is the American Dream?”, the most common response would be “home ownership”. Homeownership is widely regarded as a cornerstone of the American dream, symbolizing prosperity, stability, and personal achievement, though it faces significant challenges in today's economy. In fact, a survey conducted Realtor.com, in late 2024, found that “75% of Americans believe that homeownership is part of the American dream”. The survey also revealed that nearly “2 out of 3 respondents consider homeownership one of their life goals, while half are convinced that owning a home is necessary to attaining long-term wealth.”

Housing is not only considered to be *the* American dream, but it is also a critical component to the nation's economy. However, after decades of underbuilding following the Great Recession combined with an imbalance between supply and demand have been contributing causation factors to the country's pervasive housing shortage. The U.S Chamber of Commerce issued a 2025 report titled, “*The State of Housing in America*” where is stated that the United States has a housing shortage of over [4.7 million homes](#). High mortgage rates and soaring rents have been major contributors to this crisis, which now impacts the broader economy by reducing consumer spending, increasing employee turnover, and hindering businesses' ability to attract and retain talent.

Addressing this shortage is essential for stabilizing the market and supporting long-term economic resilience – this is also true for the State of Maryland. And while we applaud the laudable efforts of Governor Moore making this a priority of his Administration, Senate Bill 36/ House Bill 239 is *not* the policy solution that Maryland should invoke.

As proposed, this legislation prohibits local jurisdictions from adopting or enforcing certain zoning provisions relating to lot size, dimensions, setback requirements, lot coverage, and design or architectural elements for certain single-family homes with certain exceptions. The bill further preempts local jurisdictions from prohibiting certain housing types in certain zones subdivisions of certain lot types.

More specifically, if enacted SB36/HB239 would impede local zoning authority in the following ways:

- a. Minimum Lot Sizes - Local governments may not require lots larger than 5,000 square feet for single-family homes in areas connected.
- b. No Minimum House Size Requirements - Localities would be prohibited from setting minimum square footage for homes and minimum exterior dimensions.
- c. Setback restrictions - Caps how far local governments can go with setback and coverage requirements:
- d. Local governments would no longer be allowed to impose architectural style requirements, design standards, or exterior material mandates.
- e. Local jurisdictions may not prohibit townhouses in areas zoned for single-family residential use.

For both municipalities, these restrictions would create significant and negative impacts to existing neighborhoods and infrastructure.

*Minimum lot size cap & subdividing lots:* One of the housing challenges currently facing the cities are an aging housing stock, many of which, particularly in neighborhoods surrounding the University, has been altered into student rentals. As enrollment has declined, some of these properties are now vacant or not fully rented. While this has resulted in more available housing, it is not necessarily the type of housing that potential Cumberland and Frostburg residents and families are looking for.

Permitting the subdivision of lots could increase neighborhood density and significantly alter the neighborhoods character. Additionally, making newly subdivided lots available for development in more desirable neighborhoods may be more appealing to developers than renovating older houses. This could lead to an increase in blighted or vacant properties.

Both Cumberland and Frostburg have also struggled with properties having appropriate off-street parking in many neighborhoods and this could exacerbate the problem.

*No limits to townhomes:* This may alter the density and style of neighborhoods. This could encourage development companies to buy up single-family properties as they become available for townhouse projects which would reduce the availability of larger homes/lots for families.

*No lot coverage maximum limit and cap on set-backs:* For smaller lots that cannot be subdivided, the removal of lot coverage maximums and setting caps on setbacks requirements could allow for the construction of accessory dwelling units (in-law suites, tiny homes, small standalone structures, etc.) at the rear of properties. While this may increase housing supply, it would also contribute to higher residential density and a reduction in green space within established neighborhoods.

In some cases, it may make more financial sense for property owners to focus on the accessory dwelling units instead of reinvesting in the existing structure, potentially leading to blighted houses.

*Reduced setback requirements could cause a host of other issues.* Many streets lack sidewalks and have aging water and sewer infrastructure. Building closer to the public right-of-way may complicate future infrastructure projects, repairs, or sidewalk installation and could substantially increase the cost of these projects. It is for these reasons that the City of Cumberland and Frostburg, oppose this legislation and respectfully seek this committee to give Senate Bill 36/ House Bill 239 an UNFAVORABLE report.

Thank you for your consideration.

Sincerely,

*Richard J. Reinhardt, II*

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