



129th MAINE LEGISLATURE

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Legislative Document

No. 301

H.P. 225

House of Representatives, January 22, 2019

An Act To Help Older Adults Age in Place through Comprehensive Planning

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BABBIDGE of Kennebunk.
Cosponsored by Senator CLAXTON of Androscoggin and
Representatives: EVANGELOS of Friendship, FECTEAU of Biddeford, HIGGINS of Dover-
Foxcroft, McCREA of Fort Fairfield, PICKETT of Dixfield, STEWART of Presque Isle,
Senators: MOORE of Washington, ROSEN of Hancock.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 30-A MRSA §4301, sub-§1-B** is enacted to read:

3 **1-B. Age-friendly community.** "Age-friendly community" means a community
4 where policies, services, settings and structures support and enable people to actively age
5 in place and that recognizes the capabilities, resources and needs of older adults, plans to
6 meet the needs of older adults in flexible ways that support healthy and active aging
7 across a person's lifespan, promotes the inclusion and contributions of older adults in all
8 areas of community life, respects the self-determination and independence of older adults
9 and protects those older adults who are most vulnerable.

10 **Sec. 2. 30-A MRSA §4312, sub-§3, ¶J,** as amended by PL 2015, c. 349, §1, is
11 further amended to read:

12 J. To promote and protect the availability of outdoor recreation opportunities for all
13 Maine citizens, including access to surface waters; ~~and~~

14 **Sec. 3. 30-A MRSA §4312, sub-§3, ¶K,** as enacted by PL 2015, c. 349, §2, is
15 amended to read:

16 K. To encourage municipalities to develop policies that assess community needs and
17 environmental effects of municipal regulations, lessen the effect of excessive parking
18 requirements for buildings in downtowns and on main streets and provide for
19 alternative approaches for compliance relating to the reuse of upper floors of
20 buildings in downtowns and on main streets; and

21 **Sec. 4. 30-A MRSA §4312, sub-§3, ¶L** is enacted to read:

22 L. To encourage municipalities to develop policies that accommodate older adults
23 with aging in place and that encourage the creation of age-friendly communities.

24 **Sec. 5. 30-A MRSA §4326, sub-§1, ¶H-1** is enacted to read:

25 H-1. Housing that meets the needs of older residents, including housing that is
26 rehabilitated, adapted or newly constructed to help older adults age in place;

27 **Sec. 6. 30-A MRSA §4326, sub-§3-A, ¶G,** as amended by PL 2015, c. 349, §4,
28 is further amended to read:

29 G. Ensure that the municipality's or multimunicipal region's land use policies and
30 ordinances encourage the siting and construction of affordable housing within the
31 community and comply with the requirements of section 4358 pertaining to
32 individual mobile home and mobile home park siting and design requirements. The
33 municipality or multimunicipal region shall seek to achieve a level of at least 10% of
34 new residential development, based on a 5-year historical average of residential
35 development in the municipality or multimunicipal region, that meets the definition
36 of affordable housing. A municipality or multimunicipal region is encouraged to
37 seek creative approaches to assist in the development of affordable housing and
38 housing that meets the needs of older residents, including, but not limited to, cluster
39 housing, reduced minimum lot and frontage sizes, increased residential densities,

1 adaptation, rehabilitation and construction of housing that helps older adults age in
2 place, use of municipally owned land and establishment of policies that assess
3 community needs and environmental effects of municipal regulations, lessen the
4 effect of excessive parking requirements for buildings in downtowns and on main
5 streets and provide for alternative approaches for compliance relating to the reuse of
6 upper floors of buildings in downtowns and on main streets;

7 **Sec. 7. 30-A MRSA §4326, sub-§3-A, ¶J,** as amended by PL 2015, c. 349, §5,
8 is further amended to read:

9 J. Develop management goals for great ponds pertaining to the type of shoreline
10 character, intensity of surface water use, protection of resources of state significance
11 and type of public access appropriate for the intensity of use of great ponds within the
12 municipality's or multimunicipal region's jurisdiction; ~~and~~

13 **Sec. 8. 30-A MRSA §4326, sub-§3-A, ¶K,** as enacted by PL 2015, c. 349, §6, is
14 amended to read:

15 K. Encourage policies that assess community needs and environmental effects of
16 municipal regulations, lessen the effect of excessive parking requirements for
17 buildings in downtowns and on main streets and provide for alternative approaches
18 for compliance relating to the reuse of upper floors of buildings in downtowns and on
19 main streets; and

20 **Sec. 9. 30-A MRSA §4326, sub-§3-A, ¶L** is enacted to read:

21 L. Ensure that land use policies encourage aging in place and appropriate housing
22 options for older residents and address issues of special concern to older adults,
23 including transportation to and accessibility and availability of needed services.

24 SUMMARY

25 This bill encourages municipalities to develop policies that assist older adults with
26 aging in place and that create age-friendly communities. It amends the law governing
27 comprehensive plans by encouraging municipalities to plan for the needs of older adults
28 in their communities.