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HB 538 Land Use – Affordable Housing – Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024)
House Environment and Transportation Committee
FAVORABLE
February 20, 2024

Good afternoon Chair Korman, Vice Chair Boyce and members of the House Environment and Transportation Committee. I am Priscilla Kania, AARP volunteer lead advocate and resident of Anne Arundel County. On behalf of over 850,000 members, we thank you for the opportunity to speak in support of HB 538 Affordable Housing – Zoning Density and Permitting. We thank Governor Moore for initiating such important legislation.

This bill defines “Affordable” as using less than 30% of household income for housing and applies to households earning 60% or less of area median income. Older Marylanders, families, service workers and many other groups on fixed or limited income will benefit from this legislation and be able to use the remainder of their income for life’s necessities such as food and medical care.

I am speaking to you today to emphasize the importance of expanding the availability of affordable housing. Affordable housing is being discussed throughout the state. Currently zoning restrictions and the permitting processes currently in place are a major factor in limiting the availability of affordable housing. Across the United States, there is a mismatch between the available housing stock and what the market wants and needs. This is partly due to shifting demographics, such as a rapidly growing aging population and shrinking household sizes, partly due to the growing demand for communities that are walkable.

Communities and builders recognize the need for a shift in the way American homes are designed, regulated, and developed. So-called Missing Middle Housing is a critical to the solution. Such residences are described as missing because very few have been built since the early 1940s due to regulatory constraints, the shift to auto-related patterns of development and financing challenges.

Where the structures do exist, they often go unnoticed because — and this is a good thing — they blend right in. Missing middle-style buildings such as modular homes are compatible in look and feel with surrounding homes but are much more affordable. “Missing middle housing types are a great way to deliver affordable housing choices by design since they’re of a scale that most communities would support. But they can also hit higher-value niche markets,” says Daniel Parolek, founder of Opticos Design and the architect who coined the missing middle terminology.

The missing middle concept also enables housing conversations — even in communities that bristle at words like “density” or “multi-family.” Discussions develop around questions such as “Where will your children live if they move back to the area after college?” “Where will downsizing empty nesters move when they need to be in a less car-dependent community?” “Where will new teachers or police officers who have moderate incomes be able to live?” The answer is missing middle housing.

Cincinnati, Ohio; Flagstaff and Mesa, Arizona; Kauai County, Hawaii; Beaufort County, South Carolina; and Decatur, Georgia, are among the communities that have identified their zoning codes as a barrier and are either modifying the largely use-based codes or replacing them with a form-based, place-based approach that will allow a mix of housing types and land uses. That way, for instance, a neighborhood or street can contain single-family modular homes and multifamily homes as well as, say, a small market within walking distance — so buying a gallon of milk won’t require a drive to the supermarket.

AARP Maryland is committed to working with you to effectively address Maryland’s housing options for older adults. We ask the Committee to issue a favorable report on HB 538. If you have any questions, please feel free to contact Tammy Bresnahan at tbresnahan@arp.org or by calling 410-302-8451.