

Creating Senior-healthy Communities: Removing Regulatory Barriers



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Executive Summary

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Background

This project, funded through a \$25,000 U.S. EPA Smart Growth and Aging grant, was to research and recommend ways that local jurisdictions can change zoning and other codes to allow development patterns that embrace smart-growth techniques and promote a healthy environment for older adults. Specifically, this study examined the regulatory barriers to senior-friendly development in the Denver region.

Zoning codes are often cited as an impediment to innovative and environmentally beneficial development patterns. More flexible zoning codes enable development patterns that improve air and water quality by reducing the consumption of natural land, the need to drive, and water pollutants. A senior-healthy environment can be achieved when smart-growth development techniques are well represented in local regulatory codes.

Housing choices for seniors is another aspect of this research. Given the rapid growth in the age 60 and over population in the Denver region, communities will be faced with more requests for senior-oriented community developments and other housing options like “granny flats” and elder co-housing.

National Research Center (NRC) was selected by DRCOG to assist with the project. NRC and DRCOG pursued a three-pronged approach, which included:

- ♦ Research and synthesis of information about local communities (case studies) in the U.S. that have adjusted land use regulatory codes to better meet the needs of seniors;
- ♦ Facilitation and documentation of a discussion session with members of the Denver Metro Home Builders Association (HBA) who related their experiences with older adult housing and active living communities; and
- ♦ Facilitation and documentation of a public sector focus group session held with staff members, planning commissioners, and elected officials to: a) ascertain their knowledge of senior-healthy issues and approaches; and b) gain greater insight into the politics/culture that may exist that create impediments to implementing innovative development approaches that would be make communities more senior-healthy.

Senior-friendly Development and Smart Growth

DRCOG’s Metro Vision 2030 Plan (the Plan) outlines the fundamental aspects of senior-friendly development. The central goal identified in the Plan is to “create senior-friendly communities by promoting development patterns and urban design features that meet the needs of older adults.” The ideal senior-friendly community provides easy connections to neighbors, recreation, public transit, healthy food and health care. Many of these characteristics are consistent with Smart Growth principles.

Smart Growth is a philosophy of urban planning that encourages developers to plan communities around people rather than cars. While Smart Growth is not specifically focused on seniors, its design principles can lead to more senior-friendly development. This is accomplished by creating spaces where it is easy to walk, bike or use public transit or where narrow streets are built on a grid pattern with safe pedestrian crossings and walkways. A more senior-friendly community should also contain a range of housing types that can help seniors transition from a single-family housing unit to a multi-family housing unit but remain living in their chosen neighborhood.

However, barriers to Smart Growth and senior-friendly development exist in many communities. For instance, zoning and subdivision controls may limit the type of houses that can be built, or they may not recognize assisted living senior housing as an allowable land use. Also, street design criteria can make pedestrian access difficult. Likewise, road impact fee assessments may not account for fewer commuters among the retired population.

Case Studies

NRC reviewed the available literature and conducted internet research on specific land use and zoning regulations related to active adult and older adult community development in Colorado and across the United States. Additional information was sought related to Smart Growth and its applicability to older adult housing.

Recent literature has cited the merits of “universal design,” a design philosophy that promotes the use of products, spaces or features by individuals with or without a disability. Within the housing market, a goal of universal design is to increase and prolong the independence and comfort of individuals within their homes. In 2002, the City of Fort Collins, Colorado, adopted “Practical Housing for All” (PHA) standards, which encourage the voluntary incorporation of universal design concepts in new home construction.

“Visitability” is a concept related to universal design stipulating that all housing be accessible to people with disabilities; that those with disabilities can easily visit homes of others who are not disabled. Basic requirements for visitability include a no-step entry, doorways of at least 32 inches wide and at least a half-bath on the first floor. In 2005, the City of Arvada, Colorado passed a visitability ordinance.

Another strategy used by communities to retain older adults in a community involves participation in a home sharing program. While home sharing programs offer the economic and social support many older adults need, often local zoning codes will need to be adjusted to accommodate such programs. Specifically, many municipalities limit the number of unrelated individuals that can live in a residence.

Co-housing, or cooperative housing, is a form of community living where residents live in their private homes and share common areas or buildings such as playgrounds, open

space and a common house. In recent years the concept of cooperative housing has been applied to the 55-plus age group (often termed “elder cohousing”). Cooperative housing can benefit seniors by controlling costs, allowing seniors to maintain equity in their homes and providing a supportive environment in which to age.

Older adults (as well as any home owner) can also seek financial and social support through the addition of an accessory dwelling unit (ADU). ADUs are independent living quarters that are located either within a single-family home or on its lot.

Older adults who may be more financially independent may choose to live in an active adult or age-targeted community. Active adult communities explicitly restrict who can live there based on age, while age-targeted communities do not explicitly restrict by age, but tend to attract older buyers due to housing design and/or amenities.

Growing in popularity are continuing care retirement communities (CCRC) or life care communities. These retirement communities are designed to allow the senior to “age in community” by offering a “continuum of care.”

Developer Discussion Group Session

The senior-healthy development experiences of the developers and builders who participated in the discussion group varied. While some had not yet built a community targeted to older adults, others had over 20 years experience building in this market segment. Many had built communities (not necessarily limited to older adults) in the Denver metro area, as well as in other parts of the country including Arizona and Illinois. The types of communities varied from multi-family high-rises to mixed-use, age-qualified independent living and rental communities.

While these communities may look like “traditional” communities, the characteristics that attract older adults and Baby Boomers can be in conflict with local ordinances. Regulations related to street widths and design criteria set forth by public works departments and fire departments that present barriers to active adult development were frequently encountered by the participants.

The developers also believed there was a lack of awareness about active adult communities on the part of Denver-area elected and appointed officials and staff. Many participants believed that if jurisdictions were more aware of the requirements of active adult communities, staff might be more likely to be proponents of local code revisions. The developers agreed that they need to take an active role in educating municipal officials about the needs of older adults and the types of communities in which they wish to live. They requested that DRCOG assist with this effort.

Public Sector Focus Group Session

The participants in the public sector focus group session (elected officials, planning directors, public works directors, city engineers, building and fire code officials, and community development agency staff, among others) represented a range of jurisdictions and expertise. They stressed the importance of visitability and universal design when creating senior-friendly housing, and noted the visitability ordinance adopted on 9/19/05 by the City of Arvada. They suggested a set of design standards be developed that would highlight not just senior-friendly housing, but healthy communities overall.

The participants agreed with the developers that there was a need for more education, but believed it was the general public and elected officials who would benefit most. They noted that United States culture focuses on perpetuating youth, and that the public needs to become more sensitive and accepting of its own aging population and more aware of older adult needs.

Participants felt that DRCOG could play a key role in helping to formulate a region-wide solution to the housing and community design issues facing older adults. Through its Area Agency on Aging, DRCOG has the wherewithal to collect and distribute important data related to older adults and healthy communities.

Dissemination of Preliminary Findings

During the course of the grant period, DRCOG staff made five presentations of the EPA grant-funded project's preliminary findings to both local and national audiences:

Local Government Audience

- ♦ At a DRCOG-sponsored workshop at the DRCOG Offices in Denver, CO, August 11, 2006. The presentation was entitled "Senior-healthy Regulatory Guidelines."
- ♦ At an "Active Living for the Aging: How the Built Environment Can Help" forum at Tri-County Health in Greenwood Village, CO, August 29, 2006, sponsored by the Active Community Environment (ACE) Task Force of the Colorado Physical Activity and Nutrition (COPAN) Program. The presentation was entitled "Regional Planning for Senior-friendly Development."
- ♦ At a DRCOG-sponsored Planning Commissioners Workshop at the University of Denver, Sturm College of Law, Denver, CO, March 10, 2007. The session presentation was entitled "Senior-friendly Development Regulatory Barriers: EPA-funded Study Findings."

National Audience

- ♦ At the 2006 Association of Metropolitan Planning Organizations (AMPO) Annual Conference in Fort Lauderdale, October 31 - November 3, 2006. The session presentation was entitled "Regional Planning for Senior-friendly Development:

Making the Land Use, Transportation, and Public Health/Safety Connection" (given as a part of the "Serving Every Population" session).

- ◆ With EPA Senior Advisor – Aging Initiative, Kathy Sykes, at the March 2007 Joint meeting of the American Society on Aging - National Council on the Aging in Chicago. The session presentation was entitled "Smart Growth and Aging in Community: Does it Matter?"

Environmental Results

While DRCOG staff has presented the preliminary findings of the EPA-funded project in five different venues, we have yet to fully implement specific actions to monitor and report the public/environmental health results in terms of the number of local government development code and design guideline amendments.

When local governments implement Smart Growth policies, many positive public/environmental outcomes occur. The American Planning Association Planning Advisory Service Report No. 539/540 entitled "Integrating Planning and Public Health: Tools and Strategies to Create Healthy Places" cites "five strategic points of intervention and collaboration between planning and public health," one of which is "implementation tools" (Morris (editor), 2006). The tools noted for creating health places include "smart code reforms of zoning and subdivision regulations" and "mobility, transportation, and traffic circulation reforms." The specific barriers to both of these reform movements and recommendations for removing these barriers have been identified in this report.

In the coming months, DRCOG staff will use the findings of this report to help local jurisdictions in the Denver region to:

- ◆ Become more aware of the relationship of the built environment to public/environmental health.
- ◆ Adopt changes to their development codes and design criteria.

Research Findings

As a result of the case study research and the two group sessions, the following general findings were noted:

- ◆ In addition to zoning codes administered by planning departments, the codes and design criteria applied by public works, water and fire departments also offer regulatory challenges;
- ◆ Public-sector departments must work together to overcome regulatory and process challenges, including keeping codes and ordinances up-to-date with changing demographics;
- ◆ Developers must educate local officials and staff on the unique requirements of active adult communities and older adult housing;
- ◆ Increase the public's awareness of older adult housing options, including the unique requirements of active adult communities; and

- ♦ All participant groups would like DRCOG to have a continued presence in this arena.

Future Action Steps

Based on the findings noted above, DRCOG staff has identified the following future action steps:

- ♦ Further explore the effectiveness of ordinances and zoning codes in the Denver Metro Area related to senior-healthy development;
- ♦ Hold a joint discussion group meeting with members of the developer/home builder/real estate community and public sector representatives to discuss action steps that could benefit both groups;
- ♦ Develop a glossary of terms to provide a “common language” related to senior-healthy development;
- ♦ Formulate a comprehensive outreach program to raise awareness of the future demographic shift in the senior population and how DRCOG members in the region can make their communities more senior-friendly/healthy; and
- ♦ Develop a local government self-assessment tool that determines whether local comprehensive plan elements (land use, community design, transportation, parks and recreation, community facilities, housing, health and social services, etc.) include appropriate healthy aging policies and design guidance.

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