



Housing Diversity and Accessibility

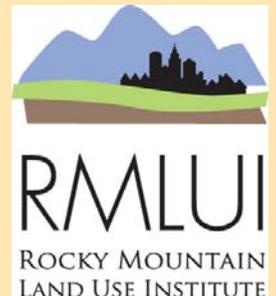
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The Rocky Mountain Land Use Institute

Sustainable Community Development Code

Research Monologue Series:

Healthy Neighborhoods, Housing, Food System



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About the Research Monologue Series

The Sustainable Community Development Code, an initiative of the Rocky Mountain Land Use Institute, represents the next generation of local government development codes. Environmental, social, and economic sustainability are the central guiding principles of the code. Supporting research for the code is represented by a series of research monologues commissioned, presented and discussed at a symposium held at the University of Denver in September of 2007. RMLUI and the University of Denver's Sturm College of Law extend its gratitude to the authors of the papers who have provided their talents and work pro bono in the service of the mission of RMLUI and the stewardship of the creation.

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INTRODUCTION

America's face is changing. The last few decades have seen an evolution in the demographic makeup of U.S. households that requires communities to address the type, location, and design of their housing. These households require a diversity of housing types to meet their basic needs, including access to public transportation, employment centers, and needed services. Moreover, recent research suggests that housing choices that provide an opportunity for interaction with persons of different backgrounds is advantageous for improving our quality of life.

Because housing is such a critical necessity, these dynamic housing issues must be addressed. Creating a sustainable future requires that the economical, environmental, and *social* needs of our communities be met while also ensuring the needs of future generations. Just as the economic and environmental health of our communities is important, so is providing opportunities for safe, healthy, accessible, and adequate housing to our diverse population.

THE NEED FOR HOUSING DIVERSITY AND ACCESSIBILITY

Aging Population

One of the most striking changes in our nation's demography is the distribution of age among our current population. We have moved from a society of mostly younger members, to one that has nearly equal numbers of children, young professionals, parents, young retirees, and senior citizens.¹ This increase in the older population is due to multiple factors, including the aging baby boomer generation and advances in health care. The 2000 U.S. Census indicated that 12% of Americans were over the age of 65, and that by 2030 the percentage of seniors could rise as high as 20-25% of the total population. With an increase in aging comes an increase in the number of disabled persons.² The 2000 Census showed that 41.9% of all seniors have some form of disability.

According to the National Association of Area Agencies on Aging, given the choice most Americans would choose to live in the same community where they have spent their lives. As most residential developments built under current standards are not designed for the needs of elderly and disabled persons, this makes it difficult for seniors to "age in place." The traditional single-family home with multiple bedrooms and bathrooms and a large lawn are often more than a senior citizen can adequately manage to maintain - both physically and financially. Similarly, simple obstacles like a step up to a front door, or traditionally designed kitchen cabinetry with high shelving can become impossible to negotiate for a person walking with a cane or using a wheelchair. Removing zoning obstacles to senior-style housing, such as permitting accessory dwelling units and elder cottages located proximate to needed services and facilities can address this housing need.³ To ensure that new homes are designed to provide for the long-term needs of their residents, some communities are implementing *visitability*⁴ and *universal design*⁵ standards that make aging in place possible. Incorporating these design techniques when a home is constructed is

much more affordable over the long-term rather than retrofitting an existing home. For example, a cost estimate of implementing visitability features at the time of construction is \$365. In contrast, adding a zero-step doorway to a pre-existing home is estimated at \$1,000 and the cost of widening a doorway is \$700.⁶

Many communities are moving forward to encourage or require development that includes accessibility features. Fort Collins, Colorado has adopted “Practical Housing for All” standards which encourage the use of universal design concepts in new home construction. Arvada, Colorado has taken this a step further and adopted a visitability ordinance.⁷ Virginia’s Transportation and Housing Alliance, a committee of the Virginia Association of Planning District Commission’s has developed a tool to assist local planners in evaluating community accessibility.

Change in Households

America’s population is not only growing older, but its average household size is shrinking. There are now more households of married couples without children and single person households than any other types, including the traditional married couple with children (i.e., the nuclear family). In 1999, married couples with children represented 24% of all households, which is expected to decrease to 20% by 2020.⁸ The suburbs are no longer home to just the nuclear family. With growth over the last two decades, they have become home to more non-traditional households – young singles and elderly persons living alone – than married couples with children. Because the suburbs are still the location of choice for many of these households – non-traditional households included – the typical 3-bedroom home with a 2-car garage may be more house than they demand and require a higher mortgage than they can afford. Experts project that the future will see a higher demand for condominiums, townhomes, duplexes, accessory apartments, and one and two-bedroom single-family homes to meet the needs of these smaller, non-traditional households.⁹

Urban Units for Families

While it is important to provide housing fit for the non-traditional households of the new millenium, it is also important to continue to provide housing choices to our nation’s families. Some communities, such as Portland, Oregon, are finding a resurgence of young couples with children moving to urban areas. Many of these young families find it difficult to find adequate housing. Studios, one-bedrooms, or luxury units typically found in urban environments don’t fit the bill for these growing families.¹⁰ Changing zoning regulations to ensure that multi-family housing developments incorporate 2, 3, and maybe even 4-bedroom units could provide additional opportunities for downtown family living. Communities in Illinois, New Jersey, and Massachusetts are responding to the changing needs in housing by enacting what some have called “vasectomy zoning”. This type of zoning regulation actually limits the ability of families to move to an area by providing incentives to developers that minimize traffic, preserve open space, and provide housing for senior citizens. In Rowley, Massachusetts, developers have been allowed to build extra

units if they construct townhouses with no more than two bedrooms. While the intent may be to provide needed senior and singles housing, the development incentives effectively limit the number of children moving into the community by reducing the number of housing products fit for families.¹¹ Zoning regulations and development incentives should be written such that a diversity of housing can be developed in a community, ensuring that all needs of the community can be met.

Grandfamilies

Due to an inability or unwillingness for biological parents to care for their children, many grandparents and other family members are becoming caregivers to their grandchildren. According to the 2005 American Community Survey conducted by the U.S. Census Bureau, there are over 6 million children living in “grandfamily” or “kinship care” households in the United States, half of which are cared for solely by their grandparents. That equates to 6.3% of all the children under age 18 in the U.S. While the majority of these children are Caucasian, the percentage of minority children in grandfamily households is considerable. Thirteen percent of all African American children are living with grandparents, along with 8% of all Hispanic children.¹² These grandfamilies require a type of housing that can provide both for the needs of children and of their aging grandparents. Several cities, such as Chicago, New York City, and Cleveland are working to develop intergenerational housing projects that meet grandfamily needs. The Grandfamily Apartment Complex in the Bronx includes 2 and 3 bedroom apartments with safety features for young and old, a playroom, a teen retreat area, a room for holding tutoring services, and a community room for residents. To allow this type of development, ordinances will need to ensure that housing is available near services, schools, and community centers that provide the needed programs and services to these households.

Minority Housing and Segregation

It is a widely known fact that the United State’s minority population is growing significantly. In 2007, we saw the nation's minority population reach 100 million – approximately one third of the total U.S. population. The location of housing for minority households is a critical determinant for ensuring social cohesion between different races and the personal success of minorities. As history has shown us, the location of housing plays a vital role in the educational success of children. Research shows that African-Americans that go to integrated schools are much more likely to attend college. Results from analyses of several U.S. Department of Housing and Urban Development’s Hope VI housing projects show that interspersing housing for different races and socioeconomic groups can have positive effects on families and households and the greater community.¹³ Eliminating exclusionary housing policies, limiting sprawl development, and dispersing public housing are ways to reduce racial segregation.¹⁴

Unfortunately, many communities that were desegregated during the Civil Rights era are moving towards again being segregated. Southern and border states show high instances of resegregation of schools. This phenomena appears to be clearly related to the Supreme Court decisions in the 1990s permitting a return to segregated

neighborhood schools.¹⁵ While the idea of a walkable, neighborhood school is an ideal vision for any community, it has its price. Many of the nation's black and Hispanic households earn lower wages, limiting their ability to afford to live in wealthier communities and attend quality schools. School segregation has long been attributed to a lack of housing choices.¹⁶ Some scholars argue that integration of communities would likely work better to solve the problem of segregation rather than by bussing children from one community to another.¹⁷

Need for Choices

Many communities are recognizing the need to develop a diversity of housing that delivers the housing features demanded by these new households, in locations that provide access to needed transportation, medical, social, and educational services. Households are changing dramatically and if communities are to succeed in creating healthy environments that meet the needs of their citizenry, it will be important to lay the groundwork to provide for their needs. This awareness is illustrated in a quote from a Chicago Metropolis 2020 report on housing choice in Metro Milwaukee:

*"...in southeastern Wisconsin, as in metro Chicago, housing diversity may underlie our prosperity as a region, our quality of life in the long-run, and our role in the larger region that includes the Chicago metropolis."*¹⁸

Choice is a highly espoused American value. Our current housing options do not provide adequate choice for our population and its evolving needs. Planners have long promoted the use of tools to create communities that provide housing choice to the masses. The APA Policy Guide on Housing (1999) states the general policy that "Planners should promote, through Comprehensive Plans, Zoning Codes, and Subdivision Regulations, housing stock in a wide range of prices, with a variety of types and configurations, to offer choice in location, type, and affordability to all members of the community." It is time that we implement these tools to ensure our own sustainability.

SUSTAINABILITY MEASURES

Several sustainability measures have been used by communities to quantify the extent of housing diversity and accessibility. Such measurements include:

- Calculating the number of multi-family housing developments in urban areas;
- Calculating the number of Accessory Dwelling Units (ADUs) in a given area;
- Calculating the number of new homes implementing *visitability* and *universal design* standards;
- Calculating the number of intergenerational housing projects;
- Conducting a housing needs assessment; and
- Calculating the percentage of housing diversity in a given area.

The first four measurements are calculations of supply that can be compared with the number of households that may demand this type of housing to determine whether the stock is currently meeting community needs and whether it will be sustainable given projections for future populations. The latter two measurements –conducting a housing needs analysis and calculating housing diversity in a given area – are more sophisticated studies that provide a comprehensive snapshot of housing diversity and accessibility within a community.

Housing Needs Assessment

Conducting a housing needs assessment is a useful tool to quantify the amount and type of housing demand that exists within a community or sub-area, and provides a foundation for proposing solutions for meeting demand. Housing needs analyses commonly address affordability issues and mismatches between income levels and available units, but many take this further and specify types of housing that may be lacking relative to the demographics and subsequent needs in a community. The Vermont Housing Needs Assessment Guide, produced in 2003 by the Center for Rural Studies at the University of Vermont and the Vermont Housing Finance Agency, is an example framework for conducting a housing needs assessment.

A housing needs analysis may quantify the need for housing for the following *groups*:

- Seniors
- Special needs groups, such as
 - Homeless
 - Veterans
 - People with disabilities
 - Grandfamilies
- Families
- Single and two-person households
- Low-income households

A housing needs analysis may also quantify the need for the following *types* of housing:

- Single and multi-family
- Small lot versus large lot
- Rowhouses/townhouses
- Accessory Dwelling Units (ADUs)
- Group living
- Accessible units/universal design

LEED-ND Housing Diversity Measurement

The LEED Neighborhood Development program, currently in its pilot stage, has a number of excellent measures proposed to advance the goal of neighborhood location and design “based on the combined principles of smart growth, new urbanism, and green building.” One of the measures proposed relates to housing diversity in communities. A specific measure of housing diversity has been

developed, based on an extensive list of housing categories set forth in the LEED ND policies, and works as such:

- Housing categories are listed (detached residential, duplex, multi-family, live/work unit, ADU, etc.) and differentiated by size.
- An index score for a development is used, where points are earned based on the number of different housing categories included in the development.

$$\text{Score} = 1 - \sum (n/N)^2$$

n = the total number of dwellings in a single category, and
 N = the total number of dwellings in all categories.

Score in Diversity Index	Points Earned
≥ 0.5 and < 0.6	1
≥ 0.6 and < 0.7	2
≥ 0.7	3

REGULATORY CODE STRATEGIES

While they have lagged behind their European and Australian counterparts, many local governments in the United States have recognized the importance of creating sustainable communities through housing diversity policies and regulations. In many cases, the most powerful tools to further this goal are comprehensive plans and zoning codes. Many communities have policies and guidelines for housing diversity, and some have taken this a step further and mandated specific provisions and provided incentives within their zoning and subdivision ordinances to foster the development of specific types of housing that may be lacking. It is also important to note that many older neighborhoods and developments may already provide the type of housing diversity a community needs, and protection of this housing stock may be paramount.

Housing Types

Requiring a certain diversity of housing types for residential developments in zoning regulations and supported by comprehensive plan policies can help to ensure the housing stock does not get oversaturated with a particular type of housing – which can minimize the housing choices for individuals with different needs that may change throughout their lives. This may include requiring diversity of the following:

- Housing categories (single family, multi-family, ADUs, etc.)
- Lot sizes

- Lot configurations
- Clustering
- Mix of builders

Accessory dwelling units (ADU)

Accessory dwelling units are defined differently from community to community but essentially create separate residences on one property. These can take the form of converting all or part of a garage to a dwelling unit (carriage house), building a separate structure on the property, or converting a portion of a residence to another dwelling unit (e.g., mother-in-law unit). These units can provide multiple benefits. Rental revenues on these units can help landowners offset the cost of their mortgage and increase the affordability of the primary residence. Because the units are smaller and more modest, they are generally more affordable for tenants.

Creating more allowances for, and even encouraging the creation of such units in development codes have proven to be valuable in increasing the supply of affordable, attainable housing units. With dramatically increasing housing prices, the City of Santa Cruz's Accessory Dwelling Unit Program has aimed to create more housing opportunities by making it easier for homeowners to build accessory units.¹⁹ The highlights of the program (implemented in 2003) include the following:

- The city revised its zoning ordinance to eliminate covered parking requirements for single-family homes, thus freeing up space for accessory units.
- Architects were retained to design accessory unit prototypes (500 square feet) that address a variety of site needs. These plans have been pre-approved by city departments so selecting one of these designs reduces time and fees for homeowners wishing to add an accessory unit to their property.
- In 2001 (before the program was implemented), 8 accessory dwelling units were built. In 2003, the programs first full year, 35 units were built.
- The EPA awarded the program the Policies and Regulations Smart Growth Achievement Award in 2005.

In 2005, the State of Vermont adopted a law that requires all jurisdictions in the state to allow all homeowners the right to add one ADU with the following conditions:

1. The property has the capacity to handle the additional demand for septic (wastewater) disposal.
2. The size of the ADU is no more than 30% of the total habitable square footage of the house. Towns can adopt less restrictive regulations.
3. The property must meet all applicable setback, coverage, and parking requirements in the jurisdiction.

ECHO Housing

Similar to ADUs, ECHO housing is another option for accommodating our nation’s elderly, and does so proximate to family members. “ECHO” stands for Elder Cottage Housing Opportunity. These are portable, fully accessible cottages that are placed on the lot of a residence to provide accommodations for an older person. Despite their popularity in Australia and Canada and strong promotion by the AARP (American Association of Retired Persons), they have not caught on as a housing alternative.²⁰ Nevertheless, they are allowed in communities like Fort Kent, Maine. In Fort Kent’s code, they are defined as follows:

“A small detached temporary residential structure placed or constructed to the side or rear of an existing single family dwelling to be occupied by one or two people who are: (a) 62 years of age or older or disabled, (b) who are related by birth, marriage, or adoption to the occupants of the principal residence, and who benefit from living close to family.”

“Adaptable” Dwelling Units

The Parramatta (Australia) local government area, a suburb of Sydney, Australia, has adopted some progressive regulations to require a diversity of housing units in their community, including a mix of bedrooms and “adaptable” housing units. Adaptable dwelling units are differentiated from accessible dwelling units in that they have design features that are easily adapted at a later date to flex with the changing needs of the occupants. For instance, tiling the kitchen floor before fitting the cupboards, so that if a cupboard needs to be removed to provide knee-space under a bench later on, the floor remains intact. According to Jane Bringolf of the Independent Living Centre of New South Wales, this construction method only costs about 5% more on average in Australia. The following summarizes the Parramatta regulation for diversity of housing relating to adaptable units and number of bedrooms:

For residential high-density housing, the residential component must include the following diversity of units: ²¹

- 3 bedroom – 10% - 20%
- 2 bedroom – 60%-75%
- 1 bedroom – 10% - 20%

Adaptable units must be provided as follows:

Total number of dwellings in development	Number of adaptable dwellings required
Less than 10	1
10 – 20	2
More than 20	10%

Urban Families

Many regions have recognized that a key component to curbing sprawl is encouraging reinvestment in urban core areas and downtowns. Specifically, residential development in areas that have seen decades of population decline while

cities continued to expand outward. Cities like Portland, Oregon and Vancouver, British Columbia have made great progress in achieving this goal. But one key component missing is the presence of families in these areas. Unfortunately, planners have for many years operated under the assumption that families do not want to live in the central city, which means that downtown neighborhoods often lack the necessary child-friendly amenities that would support a family lifestyle.²² A study by the Portland (OR) Development Commission found that out of 5,300 residential units in one of the cities' downtown districts, 68 percent are studios or one-bedroom units, 28 percent are two bedroom units, and just four percent are three bedroom units²³ - not exactly a family-friendly residential market.

There are a number of factors involved that may be outside the scope of a development code such as quality of schools and safety concerns, but a development code can be a powerful tool to encourage more families to locate in the urban core and downtown areas. Vancouver, British Columbia, has implemented a "*Living First*" program²⁴ that includes design guidelines for high-density housing aimed at families and children:

- 25% of units must have at least two bedrooms, and
- Developers must contribute to public amenities such as child care facilities and parks.

There are a variety of ways to incorporate housing diversity goals into a zoning ordinance, a few of which are described above. A comprehensive list of implementation options includes:

Removing Obstacles

- Remove barriers for constructing ADUs and ECHOs in residential districts.
- Remove large minimum lot size regulations to allow for small lot residential development.
- Permit duplex and multi-family development in more districts, or as conditional/special uses in all residential districts.
- Revise the definition of family if it is an obstacle to allowing non-traditional families.

Providing Incentives

- Density bonuses when incorporating a variety of housing products in a development.
- Reduction in mandatory development standards (landscaping, parking, setbacks).
- Expedited review and waiver of fees.

Regulations

- Allow ADUs and ECHOs by-right in residential zone districts with conditions.
- Allow for development of group homes and co-housing by-right or with conditions.

- Require mix of housing types for residential development.
 - Codify LEED ND formula (or adapt for community).
 - Adopt a matrix with housing types (single-family, multi-family, rowhouse, etc.) corresponding to number of overall units to determine required number of housing types.
 - Require variations in lot sizes and densities.
 - Require certain number of units to be “adaptable,” ADA accessible, or include visitability or universal design standards.
- Require residential units in urban areas (downtown) to include family-friendly amenities.
 - Certain percentage of units to include 3+ bedrooms.
 - Require contributions to child-friendly parks/open space amenities or construction on site.
 - Require park space/playgrounds to be adjacent to interior living space in urban areas (“eyes” on the park for children.) Other standards may include assurances for well-lit, visible areas that incorporate safety features.
- Implement a points system for incorporating community objectives.
 - Siting of senior housing near walkable areas.
 - Family/child-friendly amenities in urban core areas (downtown).
 - Meeting or exceeding housing diversity standards.

Endnotes

¹ Martha Farnsworth Riche, *The Implications for Changing U.S. Demographics for Housing Choice and Location in Cities*. (The Brookings Institution Center on Urban and Metropolitan Policy, March 2001).

² Joel Casselman, *Visitability: A New Direction for Changing Demographics*, Practicing Planner. (American Planning Association: Winter 2004).

³ *A Blueprint for Action: Developing a Livable Community for All Ages*. National Association of Area Agencies on Aging and Partners for Livable Communities.

⁴ Visitability is a design approach which charges that all new homes of all types should be designed and built with basic level access. The intent is for the disabled to be able to “visit” and access the homes of their non-disabled peers and for disabled persons to be given the capacity to continue residing in their own homes. Basic features of visitability include one-level, no-step entrances; accessible doorways; and a bathroom on the entry-level floor. It does not entail comprehensive accessibility within the residence. Joel Casselman, *Visitability: A New Direction for Changing Demographics*, Practicing Planner. (American Planning Association: Winter 2004).

⁵ Universal Design, like Visitability, is a design approach. Its driving tenant is that the design of the home should accommodate the physical, sensory, and psychological abilities and limitations of all its occupants, and their visitors, over a lifetime. In contrast to visitability, universal design incorporates a more comprehensive approach to home design that includes entrances, interior circulation, vertical circulation, bathrooms, kitchens, laundry areas, etc. *Universal Design in Housing*. (The Center for Universal Design, N.C. State University, January 2006).

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¹⁵ Gary Orfield and ChungMei Lee, *Racial Transformation and the Changing Nature of Segregation*. (The Civil Rights Project, Harvard University, January 2006).

¹⁶ Gary Orfield and Susan E. Eaton, *Dismantling Desegregation: The Quiet reversal of Brown vs. Board of Education*. The Harvard Project on School Desegregation. (News Press, 1996).

¹⁷ Ibid.

¹⁸ *Housing, Diversity, and Choices: A Metro Milwaukee Opinion Survey*. Regional Report Volume 1, Number 1. (Public Policy Forum, September 2004).

¹⁹ Smart Growth Online “Smart Growth in Action: Accessory Dwelling Unit Development Program, Santa Cruz, California” www.smartgrowth.org/library/articles.asp?art=1828

²⁰ Funders Network for Smart Growth and Livable Communities “Aging and Smart Growth: Building Age-Sensitive Communities” http://www.fundersnetwork.org/info-url_nocat2778/info-url_nocat_show.htm?doc_id=98175

²¹ Parramatta City Council “Parramatta Development Control Plan” http://www.parracity.nsw.gov.au/data/assets/pdf_file/0014/2228/DCP2001.pdf

²² Groc, Isabelle, *Family Friendly*, Planning (June 2007).

²³ Groc, Isabelle, *Family Friendly*, Planning (June 2007).

²⁴ Beasly, Larry, "Living First" in Downtown Vancouver, Zoning News (American Planning Association, April 2000).