

Sample DRAFT (NOT for Adoption)

A RESOLUTION OF THE PLANNING BOARD/COMMISSION ON DISABILITY ISSUES RECOMMENDING THAT THE CITY COUNCIL AMEND THE ALAMEDA MUNICIPAL CODE TO INCLUDE A UNIVERSAL DESIGN ORDINANCE

WHEREAS, on _____, 2017, the Planning Board/Commission on Disability Issues held a duly noticed public hearing to review the proposed amendments to the Alameda Municipal Code (AMC).

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that:

1. The amendment maintains the integrity of the General Plan.

The proposed zoning text amendment is necessary to implement the City of Alameda General Plan Housing Element policies that require that the City “Provide housing that meets the City’s diverse housing needs, specifically including affordable housing, special needs housing, and senior housing.”; and “Encourage and support residential opportunities for senior citizens, including senior housing projects, multifamily housing projects with accessible and small housing units, assisted living projects, and in-law projects”, and “Consider amendments to the Zoning Ordinance to require universal design elements in all new housing projects of five or more units.

2. The amendment will support the general welfare of the community.

The proposed zoning amendment supports the general welfare and housing needs of people within the community with mobility issues. Whether due to disability or age, individuals with mobility difficulties or other functional limitations or access needs often require special accommodations to their homes to allow for continued independent living. Research shows that over the lifespan of a new, typical housing unit, that 25-60% of those units will house a disabled person. Additionally, 53-91% will have a disabled visitor over the course of the unit’s lifetime.¹ Those numbers do not include people with temporary disabilities, such as a broken leg or healing from surgery, which would greatly increase the numbers.

Approximately nineteen percent (19%) of the population of the United States had a disability in 2010, according to a broad definition of disability, with more than half of respondents reporting the disability was severe.² Approximately 12.6 percent of Americans aged 15 years and older have limitations associated with ambulatory activities of the lower body including difficulty walking, climbing stairs, or using a wheelchair, cane, crutches, or walker. Approximately 22.3 million Americans (9.2 percent) had difficulty climbing a flight of stairs, including 7.7 million who were unable to perform this activity. Among individuals aged 65 and older, about 15.2 million people (39.4 percent) had difficulty with ambulatory activities, of which 11.2 million had severe difficulty;³ About 3.6 million Americans (1.5 percent) used a wheelchair and 11.6 million (4.8 percent) used a cane, crutches, or walker to assist with mobility. Among those aged 65 and older, roughly 2 million people used a wheelchair and

¹ Smith et. al, 2008. <http://www.tandfonline.com/doi/pdf/10.1080/01944360802197132>. p. 300. Journal of the American Planning Association, Summer 2008, Vol. 74, No. 3.

² U.S. Census Bureau July 2012 report *Americans with Disabilities: 2010*.

³ U.S. Census Bureau July 2012 report *Americans with Disabilities: 2010*.

7million used a cane, crutches, or walker; ⁴ People 80 and older are about eight times more likely to have a disability as those in the youngest group — younger than 15 (71 percent compared with 8 percent). The probability of having a severe disability is one in four (25%) for those 65 to 69. Roughly 30.6 million had difficulty walking or climbing stairs, or used a wheelchair, cane, crutches or walker. ⁵

Seventeen percent (17%) of Alameda's present population are seniors, and 11.4 percent are persons with disabilities. These numbers are higher than the national averages for either population.⁶ Sixteen percent of respondents to the City of Alameda's Social Service and Human Relations Board's 2012 Community Needs Assessment identified themselves or a family member as a person with a disability, and thirty-two (32) percent of respondents believe that services for people with disabilities are the highest need.⁷ Furthermore, the number of respondents to this survey represents a statistically significant percentage of the City's total population.

The population of seniors is growing locally as well as nationally, and is expected to double within Alameda County between 1990 and 2020. Persons over sixty five (65) comprise eleven (11) percent of the County's population and represent its fastest growing segment.⁸

According to a 2000 AARP survey, more than ninety (90) percent of persons age sixty-five (65) and older would prefer to stay in their current residence as long as possible. One key method to promote continuing independence in the home is to build and incorporate a number of architecturally friendly design features into new homes as they are built.

Research consistently shows that mandatory requirements are most likely to have an impact and the desired outcome. For example, as of 2008, there were an estimated 33 mandatory and 24 voluntary programs that have been established in the US. To date, 30,000 visitable homes have been built with mandatory programs vs. less than 1,300 visitable homes with voluntary programs.⁹

Pursuant to Health and Safety Code Section 17959, the City Council of the City of Alameda hereby finds that the provisions of this ordinance are in accord with the State's model universal design local ordinance adopted by the California Department of Housing and Community Development.

3. The amendments are equitable.

The proposed zoning amendment will enhance the full life cycle use of housing, without regard to the functional limitations or disabilities of a home's occupants or guests, in order to accommodate a wide range of individual preferences and abilities, in all new residential

⁴ U.S. Census Bureau July 2012 report *Americans with Disabilities: 2010*.

⁵ U.S. Census Bureau July 2012 report *Americans with Disabilities: 2010*.

⁶ Jess Anderson, "Homes for seniors, disabled made safer through city program," *The Alamedan*, 3/5/2013. <http://thealamedan.org/news/homes-seniors-disabled-made-safer-through-city-program>.

⁷ Report from Special Joint Meeting of the City Council and Social Service Human Relations Board, Agenda Item 1.A., 10/2/2012, p. 27.

⁸ Report & Presentation from County Supervisor Wilma Chan and Office of the County Administrator, Alameda County Human Impacts Budget Report Hearing, Alameda Boys & Girls Club, 3/21/2012. Note that the city's senior population exceeds the county's average as well.

⁹ Smith et. al, 2008. <http://www.tandfonline.com/doi/pdf/10.1080/01944360802197132>. p. 300. Journal of the American Planning Association, Summer 2008, Vol. 74, No. 3.

development projects within the City of Alameda. The amendment facilitates the development of residential dwelling units that are usable and safe for occupancy by persons with disabilities and that support aging in place. The amendment enhances residents' ability to remain in their homes during periods of temporary, developing, or permanent disabilities or frailties and accommodates a wide range of individual preferences and functional abilities while not significantly impacting housing costs and affordability.

4. **California Environmental Quality Act.** The proposed amendment is categorically exempt under California Environmental Quality Act Section 15305 – Minor Amendments to Land Use Limitations.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Board/Commission on Disability Issues recommend that City Council amend AMC Section 30 to include new Section 30-18 Universal Design Ordinance.