



WESTERN PLACES / WESTERN SPACES

DESIGNING FOR *the* FUTURE:

BUILDING ENDURING VALUE

RMLUI 2019 HOME STUDY COURSES
ETHICS



MARCH 7-8, 2019

BONUS WORKSHOP / MARCH 6 / AFFORDABLE HOUSING 101

RMLUI
ROCKY MOUNTAIN
LAND USE INSTITUTE



2019 Western Places/Western Spaces: Designing for the Future: Building Enduring Value

Imagine your ideal community. What makes a place of enduring value? Does it preserve and appreciate its local history or is it a high-tech, future-oriented, master-planned development? Is it dense, urban, walkable, and transit-oriented or is it rural in nature, producing food, providing habitat, or protecting our natural heritage? Is it welcoming to all, regardless of income, ethnicity, ability, or age? Is it accessible, easy to navigate, and comfortable? Is it resilient and sustainable, able to cushion the impacts of climate change and reduce our impacts on the environment? And what is the role of art and beauty in creating places of enduring value? How important is it to create spaces that inspire awe, that promote civic engagement, that provide a respite, or that encourage recreation?

As economic recovery has spread across the West, the demands of rapid growth threaten to undermine our ability to plan for and design places of lasting value. And yet, good design ensures that what we build works for the communities now and into the future. High quality design can transform a mundane block of apartments into a vibrant community; it can help revitalize a struggling Main Street; and it can promote sustainability by ensuring that our investments are durable.

For RMLUI's 28th Western Places/Western Spaces conference, we looked at the ways in which the quality of design informs and shapes our communities. What works and what doesn't? How are small towns using design to encourage growth and economic opportunities? How are cities ensuring that their focus on affordability doesn't come at the expense of quality infrastructure? How are suburban areas re-designing spaces to meet changing market demands amid a retail revolution? How are regions using design to ensure that communities build on their diversity, leverage their collective resources, improve their connectivity, and preserve their natural assets? What design disasters should we learn from and avoid in the future? And what tools can we use to promote more thoughtful, more effective, and more beautiful design?

Sessions from the conference are recorded for use in RMLUI's Home Study Program. The ethics courses are specifically designed to give lawyers and planners the ethics credits they need. The *Ethics for Lawyers* course provides an overview of the four stages of land use approvals and addresses various ethical issues and how they are resolved through the application of the Colorado Rules of Professional Conduct. *So You Think You Have Ethics* presents several scenarios that include a range of situations relevant to planners and achieve broad coverage of the AICP Code of Ethics.

ETHICS FOR LAWYERS

The practice of land use law presents many ethical conundrums because of the very local, and often informal, nature of the work. This session will examine the four stages of land use approval process and then present some scenarios to explore the ethical considerations involved at each stage.

SPEAKER INFORMATION

SPEAKERS:

Jerry Dahl

Partner, Murray Dahl Kuechenmeister and Renaud
Lakewood, CO

Gerald Dahl is a local government law attorney, representing municipalities and counties statewide. His practice specializes in land use, annexation, conflicts of interest and public officials' roles and responsibilities. He is a past general counsel to the Colorado Municipal League. He is city attorney for Wheat Ridge and town attorney for Georgetown, Morrison and Poncha Springs, Colorado.

Eli Wald

Charles W. Delaney Jr. Professor, University of Denver Sturm College of Law

Eli Wald is the Charles W. Delaney Jr. Professor of Law at the University of Denver Sturm College of Law. A legal ethics and legal profession scholar, Mr. Wald has written on topics such as diversity and inclusiveness, lawyer mobility, challenges facing lawyers representing clients in the emerging marijuana industry, lawyers and cybersecurity, and the structure and organization of large law firms. His work has appeared in leading journals such as the *Fordham*, *Stanford*, *University of Colorado*, and *Wisconsin* law reviews, and the *Georgetown Journal of Legal Ethics*. Mr. Wald is a member of the Colorado Supreme Court Standing Committee on the Rules of Professional Conduct and the Colorado State Bar Association's Ethics Committee. He holds SJD and LL.M. degrees from Harvard Law School and LL.B. and B.A. degrees from Tel-Aviv University.

Carolynne White

Shareholder, Brownstein Hyatt Farber Schreck

Carolynne White is a land use and public policy attorney, with strong state and local government relationships, and cutting-edge expertise. She focuses on the zoning and entitlement process, complex projects involving redevelopment, infill, brownfields, urban renewal, eminent domain, mixed use, transit-oriented development, PIFs and other public financing tools.

SESSION INFORMATION

OUTLINE:

This session will provide various scenarios pertinent to land use law and the four stages of land use approvals (pre-application, review and referral, public hearing, and post-hearing). Attendees will be encouraged to engage in a discussion of what issues should be considered, what advice should be given, appropriate behavior and actions, the legal basis for decisions, and how to apply that knowledge in a variety of situations. This session will use the framework of the progress of a land use case through the various stages of the consideration and approval process to address various ethical issues and how they are resolved through the application of the Colorado Rules of Professional Conduct, including communications with represented parties, conflicts of interest, confidentiality and allocation of authority in the attorney/client relationship.

LEARNING OBJECTIVES:

This session will provide various scenarios pertinent to land use law. Attendees will be encouraged to engage in a discussion of what issues should be considered, what advice should be given, appropriate behavior and actions, the legal basis for decisions, and how to apply that knowledge in a variety of situations.

SO YOU THINK YOU HAVE ETHICS

Join us for an interactive discussion of ethics scenarios of the cases from *The Ethical Planning Practitioner* by Jerry Weitz. Each scenario has been chosen to be relevant to the daily jobs that planners do. The session will cover 8–10 scenarios, include a range of situations and achieve broad coverage of the AICP Code of Ethics. After each scenario is presented, session participants will be asked what course of action should ensue and what ethical guidelines and principles from the AICP Code of Ethics apply.

SPEAKER INFORMATION

SPEAKERS:

Allison Crump

Transportation Planner, City of Boulder
Boulder, CO

Allison Crump, AICP is a Transportation Planner with the City of Boulder, Colorado. She works on a wide range of projects and programs, specializing in transportation demand management and providing transit access for all community members. Allison is the Professional Development Officer for the American Planning Association, Colorado Chapter and in that role leads AICP exam trainings for planners throughout the state. She received her master's degree in Urban and Regional Planning from UC Irvine and her bachelor's degree in Landscape Architecture from Cal Poly San Luis Obispo.

Mary Kay Peck

Principal, MKPeck Associates
Clearwater, FL

Mary Kay Peck, FAICP, is the founding principal of MKPeck Associates. She has developed and managed award winning planning projects, put into action strategic plans and implemented organization-wide improvement systems. Her expertise is in leadership, management, planning and facilitation. Peck serves as an adjunct professor at Saint Petersburg College, teaching an introductory planning course. She is past national president of the American Planning Association and currently serves as President of the APA Foundation Board. For her work in community service and leadership, she has been honored as a Fellow of the American Institute of Certified Planners.

SESSION INFORMATION

OUTLINE:

1. Introductions of Presenters
2. Review AICP code of Ethics
 - a. Purpose
 - b. Aspirational Principles
 - c. Rules of Conduct
 - d. Illegal Conduct
3. Ethical Scenarios
 - a. Scenario 1 - Discussion re: Facts and Ethical Issues
 - b. Scenario 2 - Discussion re: Facts and Ethical Issues
 - c. Scenario 3 - Discussion re: Facts and Ethical Issues
 - d. Scenario 4 - Discussion re: Facts and Ethical Issues
 - e. Scenario 5 - Discussion re: Facts and Ethical Issues
 - f. Scenario 6 - Discussion re: Facts and Ethical Issues
 - g. Scenario 7 - Discussion re: Facts and Ethical Issues
 - h. Scenario 8 - Discussion re: Facts and Ethical Issues

- i. Scenario 9 - Discussion re: Facts and Ethical Issues
 - j. Scenario 10 - Discussion re: Facts and Ethical Issues
4. Questions and Answers

LEARNING OBJECTIVES:

- AICP members will receive 1.5 Certification Maintenance Credits in Ethics, which meets the ethics requirement for a two-year reporting period. (Approval pending).
- Because the session is based on the types of scenarios that planners can face in their daily work, attendees will be better prepared when real life ethical dilemmas occur.
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