

Lobbying

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The Experts

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C R L A S S O C I A T E S , I N C .

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LOBBYIST



What my friends
think I do.



What my parents
think I do.



What the other side
says I do.



What society thinks
I do.



What I think I
do.



What I actually do.

Questions?




Overview of Lobbying

▶ What we do:

- Assist with all types of legislation. In ‘land–use’ arenas:
 - Rezoning, planning (comp plans, etc.), historic designation, view planes, and other rules/regulations, ordinances
 - Finance – Urban renewal/tax–increment financing (TIF), grants, loans, etc.
 - Codes and policy – affordable housing, building/fire codes, etc.
- Manage and advise campaigns, initiatives and referenda
- Perform stakeholder outreach, coalition–building and support gathering
- Policy research and analysis
- Communications and media relations
- “Counting votes”
- Strategic advice and counsel: *Telling the client what they need to hear*

Overview of Lobbying

▶ How we do it?

- Knowledge of the issue, jurisdiction, process, stakeholders
 - Knowing the people, their relationships and priorities, and their likely approach to an issue
 - Knowing the “history” of the site, the context and prior plans & proposals
 - Working with staff
 - Hand-holding elected officials
 - Public meetings and outreach
 - Building grassroots support
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Outreach and Advocacy

Getting Through the Approval Process

- ▶ **Type of outreach & advocacy depends on the project/approval:**
 - Rezoning
 - Private vs. Legislative
 - Comp Plan
 - new or update/amendment
 - Site Development Plan
 - Permit expediting
 - Others boards and commissions:
 - Landmark Commission
 - Board of Adjustment
- ▶ **Each site is different**
 - Context/area, plan, economic situation, jurisdiction, history
- ▶ **Create your own/unique outreach /advocacy framework**



Land Use in Urban, Suburban, Exurban & Semi -Rural Settings

- Different cultures, economic pressures, development patterns, community motivations and aspirations

Denver

Lakewood

Aurora

Steamboat Springs

Montrose

Boulder County

Boulder

Louisville

Montrose

Jefferson County

Douglas County

Glendale

Longmont

Watkins

Castle Pines

Lone Tree

Aspen/Pitkin

. . .and more

Important Considerations

Outreach and Advocacy

- ▶ Meeting with public officials early
 - Pre-application, pre-public notification
- ▶ Informing neighborhood group(s) yourself
 - vs. neighbors finding out via local jurisdiction's standardized notification process
- ▶ Identifying, informing and securing potential allies
- ▶ Understanding quasi-judicial process
 - When it starts, and how to work within it
- ▶ Importance of working with staff
 - Importance of staff recommendation
 - Understanding city or county plans
- ▶ Don't just meet with the mayor or a district council member – *cast a large net*

Important Considerations

Outreach and Advocacy

- ▶ Utilizing your consultants
 - Architectural renderings
 - How much detail should you show?
 - Traffic studies
- ▶ Pulling off the public hearing
 - Testimony
 - Support letter packet
 - Residents, businesses, organizations
 - Knowing your votes
 - How to deal with the elected official who says:
“I’m going to wait to see how the public hearing goes...”

To do, or not to do?

- ▶ Ask for more than you need?
 - i.e. Height/density
- ▶ Present conceptual design, or full details?
- ▶ Scare tactics, ultimatums and realities
 - *“If you don’t approve this project, then lesser alternatives could get built.”*

Recent Trends in Land-Use/Development Conflict

- Yard Signs
- Lawsuits
- Campaigns
- Social media
- Protests
- Public Hearings



Understanding the Conflict

- ▶ **Conflict between development and adjacent neighborhoods/citizens is at a relative high point**
 - Plans, rezoning, even use-by-right
- ▶ **The issues haven't changed:**
 - Still about density, parking, traffic, views, character, etc.
- ▶ **Many anti-development groups/individuals are smart, educated and sophisticated**
 - Attorneys, architects, organizers, former elected officials and board/commission members
- ▶ **Some new tactics**
 - Not just public testimony and letters
 - Hiring consultants and attorneys:
 - *Legal*: appeals, Rule 106, TROs, injunctions, etc.
 - *Technical*: dueling studies—traffic studies, engineering/environmental reports
 - *Political*: lobbyists, PR firms and media campaigns
 - *Social media/other*: Twitter, Facebook, YouTube, etc.

Case Example: Cherry Creek



Cherry Creek Area Plan

- ▶ 30-month long process
 - Jan. '10 – July '12
- ▶ Multiple delays and standstills
 - Disagreements over height/density
- ▶ City discussed ULI Panel (~\$100,000)
- ▶ Commissioned two local studies:
 - Kenneth Ho Economic Study
 - 5-member Urban Form Working Group
- ▶ Immense effort from owners, tenants, BID, CCABA, City.
- ▶ Result:
 - CCAP adopted
 - The White Paper (appendix)



Cherry Creek

Since the adoption of the CC Area Plan:

- ▶ Multiple rezoning applications:
 - 250 Columbine
 - Post Office
 - 1st & Steele – SE and NE corners
 - 1st and Fillmore
 - Alameda Triangle
- ▶ Use of “Regulating Plan” condition in rezoning applications
- ▶ Neighborhood request for moratorium on rezoning
- ▶ Lawsuit
- ▶ City initiated CCN District Rezoning (legislative)
- ▶ Neighborhood’s comprehensive traffic study

Example: CCN Neighbors' Traffic Study

Cumulative Traffic Study

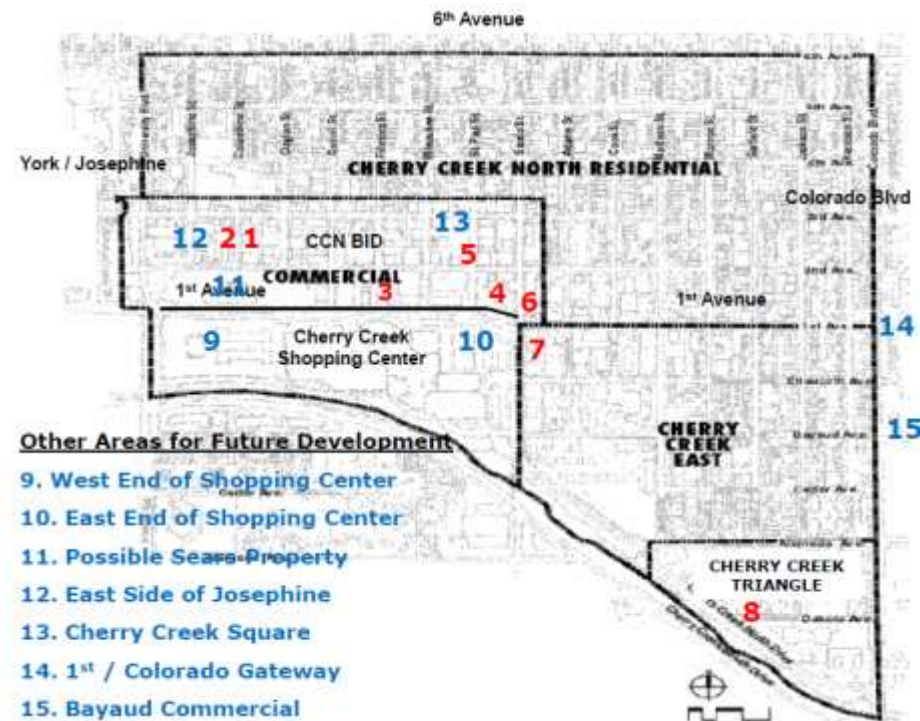
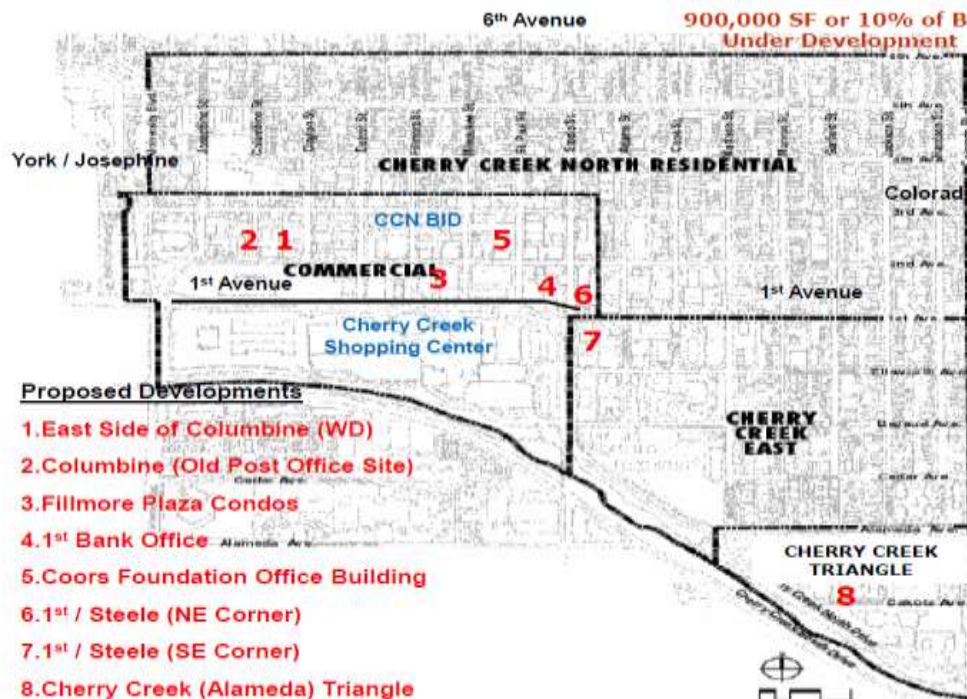
Study was funded by generous donations from CCN and Country Club RNOs and their residents.

Study Leaders

TDA Colorado

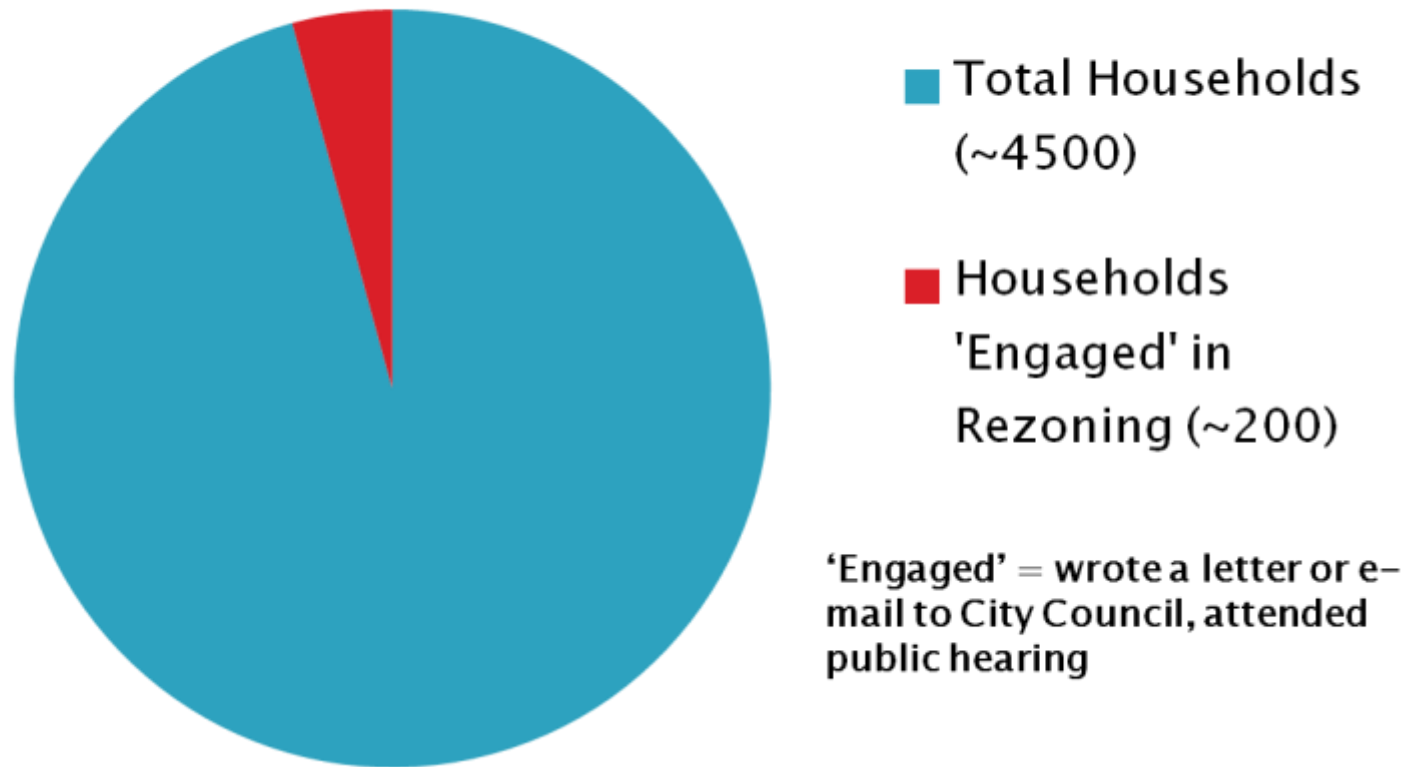
CCNNA

Country Club Historic




Opponents, Supporters. . .and “Everyone Else”

Cherry Creek Neighborhoods



Conclusions

- ▶ Rise in development/neighborhood controversies
 - ▶ Neighborhood/citizen groups are employing some newer/more sophisticated tactics
 - ▶ Whether you are doing a use-by-right site plan development or a rezoning, you should develop a plan for outreach, advocacy and communication
 - Meet early, inform people & yourself; know the land-use history; identify potential allies; respect quasi-judicial; “inform” everyone; utilize consultants; build support packet
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Questions

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