

The Rocky Mountain Land Use Institute Presents
the 24th Annual RMLUI Conference

WESTERN PLACES

BUILDING FAIR & RESILIENT COMMUNITIES

WESTERN SPACES



MARCH 12-13, 2015

University of Denver Sturm College of Law • Denver, Colorado

PROGRAM GUIDE

Western Places

RMLUI
ROCKY MOUNTAIN
LAND USE INSTITUTE



UNIVERSITY of
DENVER

STURM COLLEGE OF LAW

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WESTERN PLACES/WESTERN SPACES BUILDING FAIR AND RESILIENT COMMUNITIES

Across the West, communities large and small are grappling with change. Our largest cities are thriving, but gentrification is making urban living unaffordable for many. As suburban communities transition towards more compact development and public transit, they are starting to lose the small town appeal that attracted so many. Rural communities struggle to balance their wild and rustic roots in the face of a changing economy. Set against a backdrop of increased risks associated with long-term drought, violent storms, flooding, and wildfire, the West is embracing its latest challenges.

The 2015 RMLUI Conference focuses on the innovative ways cities and towns across the West are building more resilient, equitable, and vital communities. The theme addresses how we can meet the many challenges of the future—including threats posed by climate change, a modern economy, and demographic shifts—while better addressing issues of social and environmental justice. The featured track focuses on resilience. In the wake of fires, flood, and on-going drought, communities across the West are thinking about resilience in many different contexts as they work both to rebuild and to mitigate future risks.

ABOUT THE ROCKY MOUNTAIN LAND USE INSTITUTE

The Rocky Mountain Land Use Institute seeks to elevate the law, policy and practice of sustainable development in the West to promote nature-friendly, prosperous and equitable communities. Through innovative research, education and professional development programs and its renowned annual conference, the Institute trains and connects students and professionals across disciplines, sectors and regions to build the sustainable development field while creating new possibilities for the future of the West's landscapes and livelihoods.

ABOUT THE STURM COLLEGE OF LAW

The University of Denver Sturm College of Law is a top 100 law school with nationally ranked programs in environmental and natural resources law, legal writing, clinical training, international law, trial advocacy and tax law. At the heart of the law school's mission is the integration of skills and professional identity with a balanced curriculum. Our goal is to graduate practice-ready, client-focused students who understand and embrace the responsibilities of legal practice, both as a representative of the client and as a professional committed to improvement of the law and the community.

WESTERN PLACES

As communities grow and demographics shift, issues of equity, health, and access become increasingly important. This track explores how we can use planning and land use tools to create equitable communities, as well as fair housing options.

RISING INTEREST (AND TEMPERS) AROUND INCLUSIONARY HOUSING ORDINANCES

DESCRIPTION

As the economy recovers from the Great Recession of 2008, the growing problem of affordable/workforce housing is back in the limelight. Over one half of renters now pay more than 30% of their income for rent, and a growing number of households with good jobs cannot find a way to buy a starter home of any kind. In light of these pressures, cities and counties around the Rocky Mountain West are struggling to find new affordable housing tools, and many of them are looking at Inclusionary Housing Ordinances (IHOs). This panel will discuss the evidence as to whether IHOs work, under what conditions, with what side effects on housing and development in general, whether the design of programs is changing, and whether we can expect to see more communities using IHOs in the future.

SPEAKER INFORMATION

MODERATOR:

Don Elliott

Director, Clarion Associates
Denver, CO

Don Elliott, FAICP, is a Director with Clarion Associates, a national consulting firm with offices in Denver, and Chapel Hill; and affiliate offices in Chicago, Philadelphia, and Cincinnati. Mr. Elliott's practice focuses on plan implementation, zoning, development regulations, and international urban development. He has also advised numerous local governments in Russia and Mongolia on land use issues, served as Democracy and Governance Advisor for USAID in Uganda, and completed research projects on planning and slum upgrading issues in India. He is the author of *A Better Way to Zone* (Island Press, 2008), and co-author of *The Rules That Shape Urban Form* (APA 2012) and *The Citizens Guide to Planning* (APA 2009).

SPEAKERS:

Diane Barrett

Denver Mayor's Office, City of Denver
Denver, CO

Diane Barrett's portfolio comprises all of the development and redevelopment projects in Denver, Colorado, including the region-wide FasTracks projects and related transit-oriented development. A lawyer for nearly twenty-five years, Ms. Barrett practices primarily in the areas of project finance, public finance and land use/development. Denver's mayor, Michael B. Hancock, created the position of Chief Projects Officer when he took office in 2011 and appointed Ms. Barrett to fill it. She currently oversees more than 40 active projects, a number of which are valued at between \$500 million and \$1 billion.

Peter Pollock

Ronald Smith Fellow
Lincoln Institute of Land Policy
Boulder, CO

Peter Pollock, FAICP, is the Ronald Smith Fellow at the Lincoln Institute of Land Policy. For almost 25 years he worked at the Boulder, Colorado Planning Department, acting as director from 1999 to 2006. During 1997-98,

Mr. Pollock was a Harvard Loeb Fellow and a Lincoln Institute visiting fellow. Mr. Pollock began his career as the staff urban planner for the National Renewable Energy Lab in Golden, Colorado. He received his Masters in Landscape Architecture at UC Berkeley in 1978 and Bachelor in Environmental Planning at UC Santa Cruz in 1976. He lives in Boulder, Colorado.

Kirsten Whetstone

Senior Planner, Park City Municipal Corporation
Park City, UT

Kirsten Whetstone received an MS degree from Utah State University in Town and Regional Planning, and a BS in Civil Engineering from Stanford University. Her work experience includes twenty years in the Planning Department in Park City, UT and ten years in the Fort Collins, CO Planning Department. Currently, Ms. Whetstone works primarily with larger developments and redevelopment projects, code revisions, annexations, historic preservation, environmental issues (water, soil, sensitive lands), affordable housing, and other typical small town planning issues in Park City, UT. She enjoys running, skiing, camping, gardening, and other outdoor pursuits.

THE PROBLEM OF AMENITY MIGRANTS IN NORTH AMERICA

DESCRIPTION

Throughout North America, economically well-off homebuyers, known as “amenity migrants,” often seek permanent or part time residence in attractive areas away from their homes where they can gain access to high-quality natural and cultural resources. Not coincidentally, such locations also often are popular tourist destinations. These second “vacation” homes, which sometimes can become “trophy homes,” can have serious consequences on housing prices and housing availability for local residents, as well as local government land use resources. They may also affect the quality of the natural environment that first attracted amenity migrants to the area. The session discusses how local governments have coped with, and are now addressing, this influx of amenity migrants.

SPEAKER INFORMATION

MODERATOR:

Jan Laitos

John A. Carver Jr. Professor of Law, University of Denver Sturm College of Law
Denver, CO

Jan Laitos is a Professor of Law and the John A. Carver, Jr. Chair at the University of Denver Sturm College of Law. He has published extensively with Oxford University Press, Cambridge University Press, West Academic, Foundation Press, and Aspen Law and Business. His article - "The Problem of Amenity Migrants in North America and Europe" - published by The Urban Lawyer, the National Journal on State and Local Government Law for the American Bar Association, is the topic of his presentation to the 2015 Rocky Mountain Land Use Institute. This presentation was originally part of the Proceedings of the European Network on Housing Research annual conference in Tarragona, Spain in 2013. Both the article and the 2013 presentation in Spain was with his co-author, Heidi Ruckreigle.

SPEAKERS:

Dan Gibbs

County Commissioner, Summit County Government
Breckenridge, CO

Dan Gibbs was elected as Summit County Commissioner during the 2010 November elections. He was re-elected for another term in the 2014 Elections. Prior to being elected County Commissioner, Gibbs served in the Colorado State Senate for District 16, which includes Summit, Grand, Gilpin, Clear Creek, and western parts of

Jefferson and Boulder counties. Prior to his service in the State Senate, Mr. Gibbs served in the Colorado House of Representatives for House District 56, which includes Summit, Eagle, and Lake counties.

He is a certified Wildland Firefighter and is affiliated with the ROSS system in which he is on-call to fight wildfires throughout the U.S.

Heidi Ruckriegle

Law Clerk to the Honorable Justice Hobbs, Colorado Supreme Court
Denver, CO

Heidi Ruckriegle is a graduate of the University of Denver Sturm College of Law with both a JD and LLM in Environmental and Natural Resources Law. She currently serves as a law clerk to the Honorable Justice Gregory J. Hobbs, Jr., and looks forward to working in Natural Resources and Land Use law next year as an associate at Welborn, Sullivan, Meck and Tooley.

CREATING AN ENVIRONMENT FOR AFFORDABLE HOUSING: THE RIGHT NUMBERS, THE RIGHT REGULATIONS, THE RIGHT FORM

DESCRIPTION

This is a session on getting affordable housing implemented. It deals with the issue of how much affordable housing can be built locally before infringing on a climate of acceptance. It also deals with how do you calculate affordable housing need at the local level? The session deals with reducing regulatory barriers to affordable housing and the necessary subsidies that must accompany it. The session deals finally with affordable housing location (urban, suburban) and affordable housing form. What types of affordable housing can be built, where? Do we build significant amounts of new affordable housing in gentrifying areas?

SPEAKER INFORMATION

MODERATOR:

Robert W. Burchell

Professor & Chair, Rutgers University Center for Urban Policy Research
New Brunswick, NJ

Robert W. Burchell is chair of the Program of Planning in the Bloustein School at Rutgers University. He is also a distinguished professor and co-director of the Center for Urban Policy Research. He is the author of 30 books and more than 50 peer-reviewed articles. He is an expert on fiscal impact analysis, land-use development and regulation, and housing policy. Dr. Burchell co-authored the Development Impact Assessment Handbook for The Urban Land Institute. His major publications include The Fiscal Impact Handbook, The New Practitioner's Guide to Fiscal Impact Analysis, The Adaptive Reuse Handbook, and the Environmental Impact Handbook.

SPEAKERS:

Edward G. Goetz

Professor & Director, University of Minnesota Center for Urban & Regional Affairs
Minneapolis, MN

Edward G. Goetz is a professor of urban and regional planning and Director of the Center for Urban and Regional Affairs at the University of Minnesota. His research expertise is in local and federal housing policy, including local regulatory barriers to affordable housing development.

Anton C. Nelessen

Professor and Director, Rutgers University Edward J. Bloustein School of Planning and Public Policy
New Brunswick, NJ

Professor Tony Nelessen has emerged as one of the nations most respected urban design visionaries. He has more than 47 years of professional experience as a professor, author practitioner and media producer in the fields of visioning, planning and urban design. He is a national pioneer in community planning and urban design through a public participation visioning process using his trademarked Visual Preference Survey and Vision Translation Workshop. This process has been used in 168 cities across the United States. The results have been used to generate Vision Plans, Master Plans, specific Urban Design, Rehabilitation and Redevelopment Plans and form based codes. He is a planning and urban design consultant to developers, municipalities and architectural firms. In the past years he has completed projects that focus on sustainable urban infill that includes affordable housing. Dr. Nelessen is an avid videographer of cities and has completed over three hundred presentation and movies.

MAKING THE CASE: EMPOWERING PEOPLE AND COMMUNITIES TO ADDRESS A CHANGING REGION

DESCRIPTION

The Denver Regional Council of Governments has partnered with AARP Colorado and Mile High Connects to develop innovative and replicable web-based tools allowing an array of stakeholders to explore issues, effectively putting the power to make more informed policy and programming decisions in the hands of more people. As in many areas of the country, our region faces a series of complex challenges and opportunities as it grows and evolves, including how to leverage transit system expansion and prepare for unprecedented growth in the older adult population. We strive to provide access to opportunity for all ages, incomes and abilities.

SPEAKER INFORMATION

MODERATOR:

Brad Calvert

Metro Vision Manager, Denver Regional Council of Governments
Denver, CO

Brad Calvert is the Metro Vision Manager with the Denver Regional Council of Governments (DRCOG). Brad leads the effort to develop and implement Metro Vision, the region's long-range plan to guide growth and protect the region's environmental quality. While Metro Vision promotes regional collaboration and shared goals by focusing attention on key issues, the ultimate success of Metro Vision depends on implementation efforts by DRCOG's many partners, particularly local governments. Brad also serves as a liaison between DRCOG's planning staff and the Area Agency on Aging (AAA). In this capacity, he collaborates with partners from around the region to assess, evaluate and implement strategies to support healthy, successful aging in communities throughout the Denver region. Mr. Calvert has eighteen years of professional planning experience with a variety of organizations including regional planning agencies, environmental non-profits, a local government and a university.

SPEAKERS:

Jennifer Newcomer

Director of Research, The Piton Foundation at Gary Community Investments
Denver, CO

Jennifer Newcomer is the Director of Research at Gary Community Investments, which includes The Piton Foundation. She manages the team that provides data and research to support investment decisions. She also directs Piton's Data Initiative, which focuses on providing neighborhood level data and research for organizations working to support positive community change. Ms. Newcomer holds a Master's in Urban and Regional Planning from the University of Colorado at Denver, and a Bachelor's in Environmental Design from the University of New Mexico.

Ashley Kaade

Outreach Specialist, Denver Regional Council of Governments
Denver, CO

Ashley Kaade, AICP, is a Planner II with a focus on stakeholder engagement for the Denver Regional Council of Governments (DRCOG). Her current projects include working on the Metro Vision 2040 update, the region's long-range plan for growth and development; the Sustainable Communities Initiative (SCI), a \$4.5 million from the U.S. Department of Housing and Urban Development to support planning and implementation activities throughout the region; and the Boomer Bond, an initiative helping local governments around the region create age-friendly physical and social environments allowing older adults to age in place.

ASSESSING THE HEALTH IMPACTS OF LAND USE DECISIONS

DESCRIPTION

The nexus between health and planning is gaining momentum. We know that how we build our communities has a significant impact on the health outcomes on those who live, work and play in them. For some communities, healthy and sustainable community design is what draws people there. In other communities, incorporating health into the planning process is a social justice issue for which policy tools and program strategies are needed. This session will address how different urban, suburban and rural communities are working to engage people in creating healthier places.

SPEAKER INFORMATION

MODERATOR:

Josh Radoff

Principal & Co-Founder, YR&G
Denver, CO

Josh Radoff is Co-Founder and Principal of YR&G. He oversees a range of projects, from neighborhood master planning to design, construction, and ongoing performance and operations of individual buildings and portfolios. He supports the implementation of a variety of client goals, including LEED and other certifications, net-zero energy and water, and health positive design. He also provides strategy development, creation of management frameworks, and ongoing implementation of sustainability initiatives for YR&G's corporate clients.

Mr. Radoff is an adjunct professor at the University of Colorado Denver, teaching classes on Sustainable Infrastructure and Sustainable Energy Systems. He co-chairs the ULI Colorado Healthy Places Committee, is a Board Member for the Denver Regional Council of Governments' Sustainable Communities Initiative Executive Committee, and is a current member of USGBC's Market Advisory Committee. He is a former board member of USGBC CO, a co-founder of GreenHomeNYC (a resource and advocacy group for green building in New York City), and a regular writer and speaker on a variety of sustainability topics.

SPEAKERS:

Sheila Lynch

Land Use Program Coordinator, Tri-County Health Department
Greenwood Village, CO

Sheila Lynch, MCP, AICP is the Land Use Program Manager for the Tri-County Health Department (TCHD), where she works closely with local communities to incorporate health considerations in planning decisions and development projects. Ms. Lynch began her career as a community organizer learning the fundamentals of community engagement. After completing her masters of City Planning degree at the University of Pennsylvania, she applied her community organizing roots and planning education developing neighborhood plans and small area plans in Minneapolis and St. Paul. Ms. Lynch has led numerous planning initiatives

addressing issues of equitable development, safe walkable streets, adequate open space accommodation and life-cycle housing. One of the most rewarding professional experiences was leading the City of Lakewood's effort to rewrite the Zoning Ordinance. During this experience, she became passionate about the impact that planning and building regulations have on the health of our communities.

Gretchen Armijo

Built Environment Administrator, Denver Department of Environmental Health
Denver, CO

Gretchen Armijo, AICP, is the first Built Environment Administrator for the City of Denver, working to improve public health through community design with tools such as Health Impact Assessment (HIA). Previously, she worked at the Colorado Department of Public Health and Environment and the City of Aurora. Ms. Armijo is a faculty member in the Leadership for Healthy Community Design program at the Regional Institute for Health and Environmental Leadership (RIHEL), and also lectures at the University of Colorado Denver. She has a Master of Urban and Regional Planning from the University of Colorado and is a LEED accredited professional.

Lisa Malde

Director, LiveWell Chaffee County
Salida, CO

Lisa Malde has a proven track record of implementing creative solutions, building relationships and achieving community support on community planning, healthy eating and active transportation projects over the past thirteen years. She has worked in Planning and Transportation Planning in both public and private sectors, has served on the Salida Planning Commission for over five years and has been Director of LiveWell Chaffee County since December 2009. Ms. Malde holds a B.S. in Public Planning and Masters in both Urban and Regional Planning and Urban Design.

THE NEW “COTTAGE” INDUSTRY: THE RELATIONSHIP OF THE SHARING ECONOMY'S RENTAL MARKETS TO LAND USE AND TAX REGULATION

DESCRIPTION

The new sharing economy has greatly expanded the availability of private short-term rental properties. Web-based clearinghouses for short-term rentals, like VRBO and AirBnB, have changed the economic and regulatory landscape of short-term rental markets. The negative and positive social and economic impacts of these changes are felt in municipalities of all sizes. This session will explore the relationship of the short-term rental sector of the sharing economy to land use and tax regulation, and the social and economic impacts of this new sector on rural destination communities and metropolitan areas.

SPEAKER INFORMATION

MODERATOR:

Phillip Supino

Planner II, City of Durango
Durango, CO

Phillip Supino is a land use and community development planner in Western Colorado Mr. Supino has additional expertise in sustainability and environmental policy.

SPEAKERS:

Jessica Garrow

Long-Range Planner
City of Aspen

Aspen, CO

Jessica Garrow is the City of Aspen's Long Range Planner specializing in policy planning, public participation, and land use development. She holds a Master's Degree in City and Regional Planning from the Ohio State University and has over eight years of experience in the planning field. Prior to joining the City of Aspen, she worked for the MPO in Columbus, Ohio. Ms. Garrow serves as the Vice Chair for Conferences and Programs in APA's Small Town and Rural Division. She has presented at state and national planning conferences on affordable housing regulations, comprehensive planning, and transportation mitigation.

Brian Duffany

Vice President

Economic Planning Systems

Denver, CO

Brian Duffany is a Vice President with Economic & Planning Systems, an urban economics consulting firm with offices in Denver, CO; and Oakland, Sacramento, and Los Angeles, CA. Mr. Duffany is a land economist and planner with 12 years of experience in market analysis, economic analysis, real estate financial analysis, and financial and economic modeling for public and private sector clients. He is a practice leader for the firm's resort economics work, evaluating socioeconomic, community development, and resort real estate projects and issues. Mr. Duffany also has expertise in the economics of transportation planning, public-private real estate development, and economic and fiscal impact analysis. He has a Master of Urban and Regional Planning degree from Cornell University.