



WESTERN PLACES / WESTERN SPACES

DISRUPTION, INNOVATION, AND PROGRESS:

PLANNING FOR AN UNCERTAIN FUTURE

MARCH 8-9, 2018

BONUS WORKSHOP / MARCH 7
The Real Estate Law For Planners



RMLUI
ROCKY MOUNTAIN
LAND USE INSTITUTE

 **UNIVERSITY of
DENVER**
STURM COLLEGE OF LAW

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RMLUI 2018

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RMLUI 2018
LAND USE CONFERENCE

How do we plan for the future when we don't know what it holds? This is a common dilemma for planners and land use practitioners everywhere. Despite the best-laid plans, new practices or technology can disrupt the entire process. The sharing economy—with the advent of Uber, Lyft, Airbnb, and others—has already made an impact on transportation and housing. Cities are exploring how to become smarter through the use of responsive infrastructure, but question how to integrate this model into the existing city-scape. And with fleets of driverless cars on the horizon, what will this mean for our mobility networks and parking structures?

Disruptive influences impact more than just cities. Landscape managers can now track livestock and grazing, map remote areas, and monitor plant and animal species using drones and GIS mapping. The rise of e-commerce is disrupting both big-box stores and Main Street shops. What additional impacts will drone delivery have on brick-and-mortar retail? And how can rural communities improve their communication and data networks so their residents can also benefit from the smart economy?

In addition to all the changes being brought about by technology and innovation, communities also have to contend with the disruptions brought on by natural processes. How do communities embed resilience and adaptation in their long-range planning to address potential impacts caused by climate change, for example, including prolonged droughts, heat waves, and extreme weather events? What adaptive strategies can cities employ to protect public health and safety in the face of extreme weather? How do rural communities manage the risk of wildfire at the wildland-urban interface?

In a world full of disruptions, how do we build infrastructure and craft policies that not only meet our present-day needs, but also have the flexibility to adapt to future scenarios? These questions will help frame our discussions at the 2018 Western Places/Western Spaces conference.

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.

2018 SESSION TRACKS



DISRUPTION

Across the Rocky Mountain region, creating spaces that work for diverse populations—rich and poor, young and old, newcomers and natives—is a central challenge of our times. These sessions focus on the challenges and strategies available to cities—large and small—to plan for and build communities in which everyone can find their place.



WESTERN PLACES

The explosion in population growth across the West has pushed many communities—from large cities to sprawling suburbs—to adopt greater density, which has many land use benefits, but also has created congestion and revealed some downsides of density, triggering political backlash and neighborhood opposition to redevelopment.



WESTERN SPACES

Not only is the region experiencing a major influx of people moving in, but the cost of housing is pricing many people out of the market. These sessions will present a range of topics, including affordable housing, the fair housing law, housing equity, and accessory dwelling units.



HOUSING

An annual feature of the conference, this track covers new programs and emerging topics. This year, sessions will include the smart cities, energy development, climate change, and more.



LEGAL DEVELOPMENTS

This track addresses recent legal changes in land use development and regulation. These sessions will discuss how these changes may impact future growth and development and the preservation of our land and natural resources.



PLANNING TOOLS

These sessions will present the tools and innovations that planners are using today to shape their communities. From model codes to community engagement, this session provides planning professionals with opportunities to learn from other practitioners.

The 2018 RMLUI Western Places / Western Spaces Conference has credits pending for AICP, CLE, and CRE continuing education credits.

The Fundamentals of Real Estate Law Workshop has been approved for 8.0 CLE credits

E: Ethics Credits

L: AICP Legal Credits

R: CLE Credits

— 2018 CONFERENCE SCHEDULE —

WEDNESDAY, MARCH 7TH

The Fundamentals of Real Estate Law

This full-day workshop designed for young professionals provides an introduction to how real estate transactions work, from basic property law and covenants to the role of government and planners in the transactions. A team of panelists will cover a range of topics designed to give both planners and lawyers a strong understanding of basic real estate law.

8:00 am –
8:15 am

Introductions

Bryan Connolly, Otten Johnson Robinson Neff + Ragonetti

8:15 am –
10:00 am

Property Law Basics

Keirstin Beck, Foster Graham Milstein & Calisher
Cory Rutz, Otten Johnson Robinson Neff + Ragonetti
Evan Seeman, Robinson + Cole

10:00 - 10:15 am

BREAK

10:15 am –
11:15 am

Covenants & Servitudes

Bryan Connolly, Otten Johnson Robinson Neff + Ragonetti
Chris Pacetti, Ken Caryl Ranch Master Association

11:15 am –
12:00 am

The Planner's Role in Real Estate Transactions

Steve Ferris, Real Estate Garage
Jason Morris, Withey Morris

12:00 pm - 1:00 pm

LUNCH

1:00 pm –
2:15 pm

Government Interests in Land

Evan Seeman, Robinson + Cole
David Silverman, Ancel Glink

2:15 pm –
3:00 pm

Drafting & Negotiating the Purchase and Sale Agreements

David Silverman, Ancel Glink
Brian Smith, Robinson + Cole

3:00 pm - 3:15 pm

BREAK

3:15 pm –
4:00 pm

Title Basics

Amanda Greenberg, Otten Johnson Robinson Neff + Ragonetti
David Knapp, Land Title Guarantee Company

4:00 pm –
4:45 pm

Environmental Issues in Real Estate Transactions

Polly Jessen, Kaplan Kirsch

— 2018 CONFERENCE SCHEDULE —

THURSDAY, MARCH 8TH

7:30 am - 9:00 am

REGISTRATION & BREAKFAST — LAW Forum

sponsored by 

8:30 am - 10:00 am

WELCOME & KEYNOTE — Davis Auditorium

10:00 am - 10:15 am

BREAK — LAW Forum

sponsored by 

10:15 am - 11:45 am

ETHICS

What Were They Thinking? AICP Ethics Case of the Year

 LAW 165

Incorporating Water Concerns into Comp Plans

 LAW 190

Living Alone Is Hazardous to Your Health

 LAW 170

Making Do with Dial-Up in a High-Speed World

 LAW 290

Regulating Air Quality Around Energy Development

 LAW 270



11:45 pm - 1:15 pm — DRISCOLL BALLROOM **Must have RSVP'd to attend.*

PLENARY LUNCH: Federalism & Land Use in the West: A Conversation with Colorado Governor Hickenlooper

GENERAL LUNCH — LAW Forum



1:00pm - 4:30pm — OFFSITE

OFF CAMPUS TOUR*: Ditch the Ditch? The Central Interstate 70 Reconstruction Project in Denver


**Must have RSVP'd to attend. Meet in the LAW Forum at 1:00 pm. The group will depart promptly at 1:15 pm.*

1:15 pm - 2:45 pm

Planning for Uncertainty: An Overview of Exploratory Scenario Planning

 Driscoll 135

The New Mobility Trifecta: Avs, Evs, and Sharing

 LAW 165

Housing Market Disruptors: Adapting to Speculation and Sharing

 LAW 180

Collaborative Conservation & Sage Grouse: Innovating to Disrupt Federal Intervention

 LAW 280

TIF for Tat: Urban Renewal after the Urban Development Fairness Act

 LAW 290

2:45 pm - 3:00 pm

BREAK — LAW Forum

sponsored by 

3:00 pm - 4:30 pm

Planning for Uncertainty Part II: A Demonstration of Exploratory Scenario Planning

 Driscoll 135

Pricing Out of Cities: Where Are Millennials Going to Live/Work/Play?

 LAW 280

Can You Hear Me Now? Innovative Wireless Regulations and Best Practices

 LAW 270

Disruptive Responses to Housing Affordability

 LAW 165

Federal Lands in the Trump Era

 LAW 370

4:30 pm - 7:00 pm

NETWORKING RECEPTION — LAW Forum

— 2018 CONFERENCE SCHEDULE —

FRIDAY, MARCH 9TH

7:30 am - 8:30 am

REGISTRATION & BREAKFAST — LAW Forum



8:30 am - 10:00 am

ETHICS

Hard Choices:
The Ethics of Big
Data in Land Use
Decision-Making

LAW 165

Relevant Parcel
Analysis and Murr:
Understanding the
Supreme Court's
Latest Takings Case

LAW 280

The Great Recession
at 10: Why We Need
Demand-Based
Planning

LAW 290

Not My Job: The
Evolution of the
Housing Planner
Position

LAW 180

Eyes in the Sky:
Local Regulation of
Unmanned Aerial
Systems

LAW 170

Where The Wild
Things Want
To Be: Wildlife
Habitat Protection
Regulations

LAW 155

10:00 am - 10:15 am

BREAK — LAW Forum

sponsored by LINCOLN INSTITUTE
OF LAND POLICY

10:15 am - 11:45 am

Disruptions in the
Force: How the
Energy Sector is
Changing

LAW 155

Recent Land Use
Decisions in the
Rocky Mountain
West

LAW 290

Unheard Voices
of Youth: How
Photovoice Creates
Meaningful
Engagement

LAW 280

Smart Cities
2.0: Innovations
that are Driving
Transformational
Change

LAW 165

Building Sustainable
Communities in the
Anthropocene

LAW 170

Post-Disaster Long-
Term Recovery:
Considerations for
Creating Resilient
Communities

LAW 190



11:45 pm - 1:15 pm — DRISCOLL BALLROOM *Must have RSVP'd to attend.

PLENARY LUNCH: Blockchain: The Next Innovation to Make Communities Smarter and Safer

GENERAL LUNCH — LAW Forum



12:00 pm - 4:30 pm — OFFSITE

OFF CAMPUS TOUR*: Planes, Trains, and Bison: Wildlife as a Real Estate Amenity

*Must have RSVP'd to attend. Meet in the LAW Forum at 12:00 pm. Get a lunch to eat on the bus, which will depart promptly at 12:15 pm.

1:15 pm - 2:45 pm

What's New with
Planning on the
Front Range?

LAW 165

Breathing New Life
into Old Buildings

LAW 125

A Shot of Vitamin N:
Planning for Nature
in Urban
Environments

LAW 280

Evaluating New
Technology Tools
for Your Planning
Toolbox

LAW 155

Moving Beyond
"Loving Our Parks to
Death"

LAW 170

Conservation
Opinions in the
Rockies: Trump
Era Disruption or
Consistency?

LAW 255

2:45 pm - 3:00 pm

BREAK — LAW Forum

sponsored by LINCOLN INSTITUTE
OF LAND POLICY

3:00 pm - 4:30 pm

Land Use
Lessons from
the Land of
Pot

LAW 165

The Evolution of
the Bike-Share
Industry

LAW 155

Building Resilience
to Hazards: Concrete
Steps for Planners
to Safeguard their
Community

LAW 125

Preserving
Affordability in
Rapidly Changing
Communities

LAW 180

AGENDA

THURSDAY, MARCH 8TH

7:30 AM - 8:30 AM

Registration & Breakfast : LAW Forum

sponsored by

Brownstein Hyatt
Farber Schreck

8:30 AM - 10:00 AM

Welcome Address : Davis Auditorium

Speakers:

Susan Daggett, Rocky Mountain Land Use Institute

Tom Ragonetti, Esq., Otten Johnson Robinson Neff + Ragonetti PC

Bruce Smith, University of Denver Sturm College of Law



KEYNOTE ADDRESS:

Florence Williams: The Nature Fix : Davis Auditorium

Our keynote this year is Florence Williams, author of *The Nature Fix: Why Nature Makes Us Happier, Healthier, and More Creative*. For years, people have known that being outside, or even seeing a slice of nature through a window, has made us calmer and more productive. Williams will discuss the effects of nature on brain chemistry and just why nature is not just important to our happiness, but also our cognitive abilities.

Speaker:

Florence Williams, Author

10:00 AM - 10:15 AM

Break : LAW Forum

sponsored by



10:15 AM - 11:45 AM



What Were They Thinking? AICP Ethics Case of the Year

LAW 165
CREDITS: E

Ethics

Join us for an interactive discussion of the 2017–2018 AICP Ethics Case of the Year. Each Ethics Case of the Year paints a complex and interesting set of scenarios that illustrate ethical dilemmas faced by planners working within challenging political arenas, while trying to stay true to their ethical principles. The current Case of the Year is a series of ethical scenarios based on real-life planning issues from the past year. It features seven different "cases" that address such current topics as: charitable gifts, incomplete information, plagiarism, social media, and special advantages.

Speakers:

Allison Crump, Transportation Planner, City of Boulder

Mary Kay Delk, Principal, MK Peck Associates

Planning Tools

Legal Developments

Housing

Western Spaces

Western Places

Disruption

: 7

AGENDA

THURSDAY, MARCH 8TH

10:15 AM - 11:45 AM



Incorporating Water Concerns into Comp Plans

LAW 190
CREDITS: R

Better integrating land use planning with water resource management can improve water efficiency and increase community resiliency. Land use code changes to decrease the area of irrigated landscaping and encourage more dense housing have been the focus of attention. But comprehensive planning offers the opportunity to better coordinate land use plans with water availability, give the community a forum to match the community vision with the realities of water availability, and chart a course for a sustainable water future. What do we know about the state of incorporating water concerns into comprehensive planning, what are best practices, and where do we go from here?

Moderator: Peter Pollock, Manager of Western Programs, Lincoln Institute of Land Policy

Speakers:

John Barnett, Long Range Planner, City of Greeley

Jim Holway, Director, Babbitt Center for Land and Water Policy

Anne Miller, Senior Planner, Colorado Department of Local Affairs

Rocky Piro, Director, Colorado Center for Sustainable Urbanism

Sally Riley, Planning Director, City of Woodland Park

Erin Rugland, Researcher, Babbitt Center for Land and Water Policy

Alan White, Planning Project Specialist, Arapahoe County



Living Alone Is Hazardous to Your Health: Cohousing, Multigenerational Living, and Aging-in-Place to the Rescue

LAW 170
CREDITS: R

Newsflash: New research identifies loneliness as hazardous to your health, more dangerous than smoking 14 cigarettes a day! Yet record numbers are living alone, in what is anticipated to be a lasting trend. Thankfully with creativity and knowledge, we can plan in ways that maximize the benefits of solitude while providing easy access to mutually- supportive connection and community, thus producing better health outcomes. The social determinants of health will be examined, within the context of housing, mixed-use development, and enhanced well-being. Quantifying the value of social support will be discussed, in conjunction with new building standards and health technologies aimed at improved health outcomes. Examples of cohousing, co-living, multigenerational living, and aging-in-place will be examined.

Moderator: Wendy Willbanks Wiesner, Executive Director, Partnerships for Affordable Housing

Speakers:

Stephanie Heacox, Founder, Senior Homeshares

Clifford May, Board Member, Partnership for Affordable Cohousing

10:15 AM - 11:45 AM



Making Do with Dial-Up in a High-Speed World: The Case For Equitable Online Access

LAW 290

As the world gets “smarter” and essential services increasingly require online submissions, internet access is becoming a necessity rather than a luxury. But where does that leave rural communities that don’t always have the needed infrastructure to provide their citizens—who are often spread over large distances—with online access? Although frequently seen as a rural issue, many people in urban areas also lack reliable service if they can’t afford to pay for the service. This session will investigate the solutions some communities are using to address this issue.

Moderator: Miriam Gillow-Wiles, Executive Director, Southwest Colorado Council of Governments

Speakers:

Shawn Bolton, Chair, Rio Blanco County Board of Commissioners

Bob Fifer, ITS Smart Mobility Manager, Colorado Department of Transportation

Chris Perlitz, Director of Business Development, Municipal Capital Markets Group



Regulating Air Quality around Energy Development

LAW 270
CREDITS: L

This session will examine the authority of local governments to address air quality concerns resulting from oil and gas development. From monitoring programs at the local level to regulations at the state level, much is being done to protect air quality around energy development projects.

Moderator: Matthew Sura, Attorney, Law Office of Matthew Sura

Speakers:

Morgan Hill, Environmental Health Specialist, Garfield County

Leah Martland, Rule Writer, Colorado Dept. of Public Health and Environment Air Pollution Control Division

Elizabeth Paranhos, Attorney, Delone Law, Inc.

Gabrielle Pétron, Researcher, National Oceanic and Atmospheric Administration

AGENDA

THURSDAY, MARCH 8TH

11:45 AM – 1:15 PM



PLENARY LUNCH: Federalism & Land Use in the West: A Conversation with Colorado Governor Hickenlooper

DRISCOLL
BALLROOM
CREDITS: R

Must have RSVP'd to attend.

Join us for lunch with Governor John Hickenlooper, where we will explore issues of federalism, states' rights, and land use in an era of shifting national priorities.

Speakers:

Governor John Hickenlooper, Colorado State Governor

Justice Gregory Hobbs, Distinguished Jurist in Residence, University of Denver Sturm College of Law

GENERAL LUNCH : LAW Forum

Take advantage of some free time to network with other attendees and visit the exhibitors.

1:00 PM – 4:30 PM



TOUR: Ditch the Ditch? The Central I-70 Reconstruction Project in Denver

The Colorado Department of Transportation (CDOT) is planning to reconstruct a 10-mile stretch of Interstate 70 in northeast Denver, including removal of the current viaduct that will be replaced by a widened below-grade segment through the Elyria-Swansea neighborhood. While CDOT, the City and County of Denver, and other local organizations are supporting the preferred alternative, many residents of the Elyria-Swansea and nearby neighborhoods are opposed to the project, and would prefer a different alternative to the one that has been selected. The panel will feature knowledgeable experts who will present arguments for and against the Central 70 project.

Moderator: **Andrew Goetz**, Professor, University of Denver

Speakers:

Candi CDebaca, Co-Founder & Co-Executive Director, Project Voyce

Tawana Kelly, Central 70 Acquisition & Relocation Project Manager, Colorado Department of Transportation

Steve Kinney, Associate, RE/MAX

Rebecca White, Central 70 Communications Manager, Colorado Department of Transportation

OFFSITE

*Must have
RSVP'd to attend.*

*Meet in the LAW
Forum at 1:00pm.
The group will
depart promptly
at 1:15pm.*

AGENDA

THURSDAY, MARCH 8TH

1:15 PM – 2:45 PM



Planning for Uncertainty: An Overview of Exploratory Scenario Planning

DRISCOLL
135

How can you better prepare your community for an uncertain future? There are many forces driving change that include inherent uncertainties such as the magnitude of climate change and extreme weather events or the future health of the local economy. How will your long-range planning strategies hold up, and which futures should you prepare for in order to ensure that you make the best use of your resources? Exploratory scenario planning is disrupting traditional planning and decision-making. It can help identify the solutions that would prove the most robust and resilient to the universe of futures that you, your community, your business or your industry may face. Learn to plan to prosper, despite what your future may hold.

Moderator: Brandon Ruiz, Program Associate, Sonoran Institute

Speakers:

Peter Pollock, Manager of Western Programs, Lincoln Institute of Land Policy

Jeremy Stapleton, Director of Climate Resilience, Sonoran Institute



The New Mobility TriPecta: AVs, EVs, and Sharing

LAW 165

Rapid growth, lagging infrastructure investments, and new expectations for connected mobility are dynamic trends challenging the ability of our states, regions, and local communities to strategically leverage our current transportation assets. How do we use new technologies to provide an integrated, convenient transportation system of the future? What is the future for Hyperloop projects? How do we maximize rail transit investments; as new opportunities emerge to enhance connectivity; and make our roadways more efficient, reliable, and safe? This panel will explore visionary efforts underway to re-envision the infrastructure—both physical and technological—needed to accommodate significant projected growth in the coming decade and optimize and generate smart technologies.

Moderator: Daniel Hutton, Executive Director, Denver South Transportation Management Association

Speakers:

Don Hunt, Advisor, Mobility Choice

Peter Kozinski, RoadX Director, Colorado Department of Transportation

John Tolva, Co-Founder, CityFi; Director, Colorado Smart Cities Alliance



1:15 PM – 2:45 PM



Housing Market Disruptors: Adapting to Speculation and Sharing

LAW 180
CREDITS: L, R

As communities struggle to meet diverse housing needs, three factors threaten market stability. First, global investors view North American real estate as a means to offshore and preserve wealth. According to the U.N., this “new colonialism” creates “...greater income inequality, spatial segregation, inadequate housing provision and growing homeless populations.” Second, the short-term rental trend is creating ghost neighborhoods and pricing locals and millennials out of housing markets. Finally, federal funds that stabilize vulnerable families and neighborhoods are at risk. We will explore ripple effects of these challenges, language needed for productive conversations, and current legal and policy strategies to preserve opportunity and prosperity.

Speakers:

Erik Kingston, Housing Resources Coordinator, Idaho Housing and Finance Association

Arthur C. Nelson, Professor of Urban Planning & Real Estate Development, University of Arizona



Collaborative Conservation and Sage Grouse: Innovating to Disrupt Federal Intervention

LAW 280
CREDITS: L

The Sage Grouse Initiative, an innovative collaborative effort that brings together public agencies, private landowners, and non-profit partners, has been working across eleven Western states to conserve the greater sage grouse and the range on which it depends in order to prevent continued population decline and a listing decision under the Endangered Species Act. This panel will explore the details of how the Initiative came together, its successes, and the challenges it faces in an era of changing land management priorities.

Moderator: **John Swartout**, Senior Policy Advisor, Colorado Governor’s Office

Speakers:

Bob Budd, Executive Director, Wyoming Wildlife and Natural Resource Trust

Nada Culver, Senior Counsel & Director, The Wilderness Society

Terry Fankhauser, Executive Vice President, Colorado Cattlemen’s Association

Jonathan Houck, Commissioner, Gunnison County



TIF For Tat: Urban Renewal after the Urban Development Fairness Act

LAW 290
CREDITS: L, R

Prior to 2015, urban renewal authority (URA) boards were comprised of five to eleven members appointed by city council, giving cities autonomy in redirecting property tax from other taxing entities for use in tax increment financing (TIF). The Colorado Legislature passed the Urban Renewal Fairness Act (HB15-1348) in the 2015/16 session, requiring representation from counties, schools, and other taxing entities on the URA board. The act also requires URAs to reach an agreement with each taxing entity on including their property taxes in a project TIF. This session will explain changes in urban renewal law and explore how URAs and other stakeholders are adapting to the new process.

Moderator: Dan Guimond, Principal, Economic & Planning Systems

Speakers:

Steve Art, Economic Development & Urban Renewal Manager, City of Wheat Ridge

Brian Duffany, Senior Vice President, Economic & Planning Systems

Kristin Sullivan, Director, Adams County Dept. of Community & Economic Development

Carolynne White, Shareholder, Brownstein Hyatt Farber Schreck

2:45 PM – 3:00 PM

Break : LAW Forum

sponsored by



3:00 PM – 4:30 PM



Planning For Uncertainty Part II: A Demonstration of Exploratory Scenario Planning

DRISCOLL
135

In a follow up to the *Planning for Uncertainty: An Overview of Exploratory Scenario Planning* session, panelists will provide a hands-on demonstration of the process and tools available to planners using a case addressing Colorado's water and growth future. Walk away empowered with an experience to inspire your own planning, as well as the knowledge of how to facilitate an exploratory scenario planning process to ensure that your plans are flexible and responsive to the future.

Speakers:

Marjo Curgus, Principal, Del Corazon Consulting

Brandon Ruiz, Program Associate, Sonoran Institute

Jeremy Stapleton, Director of Climate Resilience, Sonoran Institute

AGENDA

THURSDAY, MARCH 8TH

3:00 PM – 4:30 PM



Pricing Out of Cities: Where Are Millennials Going to Live/Work/Play When Their City Is Too Expensive?

LAW 280
CREDITS: R

Residents and employers are moving to hot urban nodes of redevelopment. Accordingly, prices have skyrocketed. And now people aspiring to live in an urban context are priced out. Where is the next urban frontier? As development pushes further out, the quality of transportation corridors also becomes a factor in determining where people go. The results of a national study indicate that the second round trends in the back-to-the-city movement is going to less affluent urban areas or to affluent suburban areas. This session will examine national and regional trends to determine where people want to live and work, as well as how they get there.

Moderator: Robert W. Burchell, Distinguished Professor, Rutgers University

Speakers:

Charlie Alexander, Director of Denver Operations, Fehr & Peers

Andrew Knudtsen, Managing Principal, Economic & Planning Systems, Inc.



Can You Hear Me Now? Innovative Wireless Regulations and Best Practices

LAW 270
CREDITS: L

Wireless service providers and infrastructure owners have inundated communities across the nation with requests to deploy new technology to meet the growing/changing demand for wireless broadband services and the expected future deployment of what has become known as “5G” technology. Changes in state laws and pending changes in federal law have created a need to reexamine how these facilities are sited. This session will explore the current state of the wireless industry nationwide and provide examples of how communities can effectively promote fair deployment of new facilities while protecting local interests through innovative changes to their right-of-way and zoning regulations.

Moderator: Robert Widner, City Attorney, City of Centennial; Widner Juran LLP

Speakers:

Ken Fellman, President, Kissinger & Fellman, P.C.

Derek Holcomb, Deputy Director of Community Development, City of Centennial

Jonathan Kramer, Principal Attorney, Telecom Law Firm, P.C.



Disruptive Responses to Housing Affordability

LAW 165
CREDITS: R

The housing affordability challenge will not go away—it's going to get worse. This session will review some of the disruptive changes to the form, density, occupancy, and character of housing that planners can expect to see in the future—and how some Colorado communities are responding to those changes.

Moderator: Don Elliott, Director, Clarion Associates

Speakers:

George Adams, Director, Aurora Planning Department

Joelle Greenland, Community Development and Long Range Planning Manager, Adams County

AGENDA

THURSDAY, MARCH 8TH

3:00 PM – 4:30 PM



Federal Lands in the Trump Era

LAW 370
CREDITS: L, R

The management of public lands is subject to major policy shifts at the federal level. Whether the topic is energy development, management of wildlife, or the status of national monuments in the West, the priorities of the Trump Administration represent a marked departure from the past. This session will include discussion of the major changes in direction occurring on federal public lands and what those changes might mean for Western communities.

Speakers:

Nada Culver, Senior Counsel & Director, The Wilderness Society

Noah Koerper, Regional Director, Office of U.S. Senator Michael Bennett

Justin Pidot, Professor, University of Denver Sturm College of Law

4:30 PM – 6:00 PM

NETWORKING RECEPTION : LAW Forum

SAVE THE DATE

JOIN RMLUI FOR THE 2019 WESTERN PLACES / WESTERN SPACES CONFERENCE

MARCH 7 & 8, 2019

AGENDA

FRIDAY, MARCH 9TH

7:30 AM – 8:30 AM

Registration & BreakFast : LAW Forum



8:30 AM - 10:00 AM



Hard Choices: The Ethics of Big Data in Land Use Decision-Making

LAW 165
CREDITS: E, L

Ethics

The practice of law presents many ethical conundrums because of the very local, and often informal, nature of the work. This session will explore ethical considerations inherent in the collection and use of large data sets to inform and prioritize decision-making. For example, decisions about how data should be sorted or catalogued can lead to biased results. The use of artificial intelligence in autonomous vehicles is also prone to ethical considerations. The panelists will discuss these issues and more.

Moderator: Stephen Miller, Associate Professor, University of Idaho College of Law

Speakers:

Ann Bowers, Principal, Fehr & Peers Transportation Consultants

Steve Miller, Client Services Director, SAFEbuilt Studio



Relevant Parcel Analysis and Murr: Understanding the Supreme Court's Latest Takings Case

LAW 280

In 2017, the Supreme Court is set to decide Murr v. Wisconsin, a closely-watched case that will bring new clarity to one of the more vexing questions in takings law: what is the relevant "denominator," or parcel of land, in determining whether a taking has occurred? This session will provide background on regulatory takings law, review the Supreme Court's decision in Murr, and provide practical advice for planners seeking to avoid takings litigation.

Moderator: Brian Connolly, Attorney, Otten Johnson

Speakers:

Erin Clark, Attorney and Consultant, Erin F Clark LLC

Don Elliott, Senior Consultant, Clarion Associates

Justin Pidot, Professor, University of Denver Sturm College of Law

8:30 AM - 10:00 AM



The Great Recession at 10: Why We Need Market Demand Based Planning and Permitting

LAW 290
CREDITS: R

Lasting longer than any other recession, the Great Recession claimed millions of jobs, tens of millions of homes, trillions of taxpayer dollars, and tens of trillions of dollars to America's economy. But what if local comprehensive plans were based on market analysis showing the objective demand for real estate development? Then what if new development was not permitted unless it was in accordance with a plan? The Great Recession would not have happened and instead America would have weathered a garden-variety recession. Based on the panelists' latest book, this session will argue that America needs market demand based planning and permitting to assure solvency of its private and public financial institutions, protect investor and taxpayer equity, and advance Americans' quality of life.

Moderator: Brian Smith, Partner, Robinson + Cole

Speakers:

Arthur C. Nelson, Professor of Urban Planning & Real Estate Development, University of Arizona

John Travis Marshall, Assistant Professor, Georgia State University College of Law



Not My Job: The Evolution of the Housing Planner Position

LAW 180
CREDITS: R

If you woke up last week and realized you are not doing the job you were hired for—a City Housing Planner—you are not alone. Or perhaps you recognize that your city needs to do more to address housing needs but your City Council isn't convinced that the government can make much of a difference to address housing needs. As housing markets in the West have become more complicated, the demands on the housing planner have increased. What used to be a mix of grant administrator, liaison with nonprofit and private sector partners, and delivery of housing programs has evolved into a position where the skills of policy analysis, political negotiation, and economic justification of projects are paramount. This session will discuss government's role in addressing housing needs, explore best practices in responding to the market; and discuss the skills, training, and support needed by today's Housing Planner.

Moderator: Heidi Aggeler, Managing Director, BBC Research & Consulting

Speakers:

Kristin Hyser, Community Investment Program Manager, City of Boulder

Erik Kingston, Housing Coordinator, Idaho Housing and Finance Association

Erica Leak, Acting Assistant Director, City of Austin Neighborhood Housing & Community Development

AGENDA

FRIDAY, MARCH 9TH

8:30 AM - 10:00 AM



Eyes in the Sky: Local Regulation of Unmanned Aerial Systems

LAW 170
CREDITS: L

Unmanned Aerial Systems (UAS or drones) are flying over communities in greater numbers, raising questions about privacy, safety, noise and other issues. Both the Federal Aviation Administration and local governments have been working to extend regulations to cover widespread UAS use and rapidly evolving technology. However, both FAA and UAS users have argued that many local efforts are preempted by federal law. This session will evaluate the scope of permissible local regulation of UAS, grounded in current federal regulation of drone use and technology.

Speakers:

John Putnam, Managing Partner, Kaplan Kirsch & Rockwell

Daniel Reimer, Assistant General Counsel, Denver International Airport



Where The Wild Things Want To Be: Crafting Cutting-Edge Wildlife Habitat Protection Regulations For Your Community

LAW 155
CREDITS: L, R

This session will start with a brief history of wildlife habitat protection efforts in the West and a summary of key habitat protection principles to consider when drafting new standards. Speakers will then discuss regional growth and wildlife habitat protection initiatives in the Greater Yellowstone ecosystem and next focus on Teton County's innovative regulations. Topics will include what the county has learned over the past two decades regarding habitat protection standards and revisions the community is now considering. Additionally, speakers will also explain the county's sophisticated new habitat mapping effort that will establish a science-based, legally defensible foundation for the updated regulations.

Moderator: **Chris Duerksen**, Senior Counsel, Clarion Associates

Speakers:

Randy Carpenter, Project Director, Future West

Megan Smith, Wildlife Biologist, Alder Environmental

10:00 AM – 10:15 AM

Break : LAW Forum

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LINCOLN INSTITUTE
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Planning Tools

Legal Developments

Housing

Western Spaces

Western Places

Disruption

: 18

10:15 AM – 11:45 AM



Disruptions in the Force: How the Energy Sector Is Changing

LAW 155
CREDITS: L

We are a nation addicted to energy to power our homes and businesses, propel our vehicles, and to run the machinery that makes our stuff. While fossil fuels have been the largest source of energy, natural gas has been edging out oil and coal in recent years. In addition, the last few decades have seen a surge of growth in renewable energy development, which are contributing a larger percentage to the energy grid every year. This session looks at the major disruptions in energy policy, production, distribution, and development, as well as how these changes are affecting key stakeholders.

Moderator: Samuel Panarella, Professor, University of Montana Law School

Speakers:

Elizabeth Elsbach, Law Clerk, Snohomish County Superior Court

Carmine Iadarola, Founder & President, AquaSan Network

Nikki Springer, PhD Candidate, Yale University School of Forestry & Environmental Studies



Recent Land Use Decisions in the Rocky Mountain West

LAW 290
CREDITS: L, R

Hear from the region's top experts, discussing trending cases of significance from all levels of the federal and state court system involving the latest in land use and zoning law as well as an opportunity to discuss areas ripe for further court or legislative action.

Moderator: Jason Morris, Partner, Withey Morris, PLC

Speakers:

Jeff Parker, Partner, Hoffmann, Parker, Wilson & Carberry, PC

David Foster, Partner, Foster Graham Milstein & Calisher, LLP



Unheard Voices of Youth: How Photovoice Creates Meaningful Community Engagement

LAW 280

By engaging teens through photos, we can connect to stories through a new lens and include their voices in building strategies for the future of conservation and the future of urban planning. This session will discuss how Photovoice can involve teens in their communities and the outcomes of engaging teens through Photovoice. The panel will discuss how collaboration between governments, private institutions and nonprofits can create trust and greater outcomes with the teens and how those outcomes are used to implement change.

Moderator: Julie Seltz, Executive Director, PCs for People

Speakers:

Tricia Anstey, Portfolio Integration Manager, North Denver Cornerstone Collaborative

Cara DiEnno, Associate Director, Center for Community Engagement & Service Learning, University of Denver

Gabrielle Roffe, Natural Resource Specialist, U.S. Fish and Wildlife Service

10:15 AM – 11:45 AM



Smart Cities 2.0: Innovations That Are Driving Transformational Change

LAW 165

A smart city is an environment that enables all of us to more effectively and efficiently live, work and play in the face of increasing urbanization and density. It leverages advancements in science and technology to create an area that is intelligent about the strategic and tactical needs and wants of all the constituents. It embraces policies and regulations that allow it to be nimble, welcomes its constituents to be prosumers, and thrives on local vibrancy and global connections. It challenges the status-quo, conducts careful experiments and continuously reinvents itself through public, private and academic partnerships. This session will examine the technologies involved, the areas of service being impacted, and how cities are implementing these changes.

Moderator: Jake Rishavy, Vice President of Innovation, Denver South Economic Development Partnership (EDP)

Speakers:

Vic Ahmed, Founder and CEO, Innovation Pavilion

Aleta Jeffress, Chief Information Officer, City of Aurora

Jeff Mihelich, Deputy City Manager, City of Fort Collins



Building Sustainable Communities in the Anthropocene

LAW 170
CREDITS: R

We have entered a time where humans are the dominant influence on Earth's natural systems. This interdisciplinary panel will explain the Anthropocene designation and the implications for our built environment and laws governing development and natural resource use.

Moderator: Rachael Salcido, Professor of Law and Associate Dean for Faculty Scholarship and Diversity Initiatives, University of the Pacific

Speakers:

Laura Rademacher, Associate Professor and Chair of Geological & Environmental Sciences, University of the Pacific

Mary Kay Camarillo, Associate Professor, University of the Pacific

Karrigan Bork, Visiting Assistant Professor, University of the Pacific

10:15 AM – 11:45 AM



Post-Disaster Long-Term Recovery: Critical Considerations For Creating Resilient Communities

LAW 190
CREDITS: E

Major disasters represent a turning point for communities. After coping with the disaster's immediate impacts, cities and towns begin making choices about how and whether to rebuild their neighborhoods, commercial districts, cultural institutions, and infrastructure. This extended long-term recovery period often forces communities to confront long-standing vulnerabilities and to make difficult choices about how best to spend constrained recovery resources. Recovery-related data and case studies tell community stories that are alternatively inspiring and confounding. Drawing specific examples from Colorado, Louisiana, New Jersey, New York, and India, this panel will examine critical advances and oversights in post-disaster housing development, planning, infrastructure redevelopment, and social service delivery.

Moderator: Donovan Finn, Assistant Professor, Stony Brook University

Speakers:

David Bowman, Director of Disaster Recovery CDBG State Grant, State of Colorado Dept. of Local Affairs

Divya Chandrasekhar, Assistant Professor, University of Utah

Renia Ehrenfeucht, Professor and Chair, University of New Mexico

Robin Keegan, Director, Resilient Baton Rouge

Andy Rumbach, Assistant Professor, University of Colorado, Denver

11:45 AM – 1:15 PM



PLENARY LUNCH: Blockchain: The Next Innovation To Make Communities Smarter and Safer

DRISCOLL
BALLROOM

Must have RSVP'd to attend.

Against a backdrop of internet hacking, privacy breaches, and concerns about cybersecurity, local officials are increasingly moving towards the use of internet platforms and big data to create smart cities. Vance Brown, the CEO of the National Cybersecurity Center, will explain blockchain technology, its potential role in disrupting business as usual, and innovative applications that can make our communities smarter and safer.

Speakers:

Vance Brown, CEO, National Cybersecurity Center

GENERAL LUNCH – LAW Forum

Take advantage of some free time to network with other attendees and visit the exhibitors.

1:00 PM – 4:30 PM



TOUR: PLANES, TRAINS, AND BISON: WILDLIFE AS A REAL ESTATE AMENITY

The shared border between the Rocky Mountain Arsenal National Wildlife Refuge (the Refuge) and Denver International Airport (DEN) presents an opportunity to both promote and sustain a distinguishing element of Western heritage. The thriving bison population at the Refuge is part of a critical recovery effort through which the US Fish and Wildlife Service manages herds to conserve historic bison genetics and preserve a central character in local and national history. Expanding bison habitat beyond the Refuge onto airport land will restore open prairie and support a growing herd. Views of the bison will welcome visitors and be a differentiator that adds value to DEN commercial real estate. But the habitat expansion challenges traditional development frameworks and requires inter-agency cooperation that make the project about much more than the simple relocation of a fence.

Speakers:

Laura Aldrete, Senior Vice President, Denver International Airport
Elise Brenninkmeyer, Real Estate Manager, Denver International Airport
Kate Iverson, Director of Real Estate, Denver International Airport
David Lucas, Refuge Manager, U.S. Fish & Wildlife Service
Ryan Moehring, Public Information Officer, U.S. Fish & Wildlife Service

OFFSITE

Must have RSVP'd to attend.

Meet in the LAW Forum at 12:00pm. Get a lunch to eat on the bus, which will depart promptly at 12:15pm.

1:15 PM – 2:45 PM



What's New with Planning on the Front Range?

LAW 165
CREDITS: R

The metropolitan region along the Front Range of Colorado is made up of many local governments, each one plotting its own course. Bringing together the planning directors from some of the Front Range's leading communities can help paint a picture of the larger region's future. As key political appointees, each city's planning director becomes the lightning rod for issues as diverse as urban design, neighborhood character, and redevelopment. What do they see on the horizon as the building boom takes hold? What new directions might unfold over the next several years? What new innovations in policy, planning, programs and projects do they see coming?

Moderator: **Peter Pollock**, Manager of Western Programs, Lincoln Institute of Land Policy

Speakers:

George Adams, Director, Aurora Planning Department
Brad Buchanan, Executive Director, City & County of Denver Community Planning & Development
Cameron Gloss, Planning Manager, City of Fort Collins
Steve Glueck, Director of Community and Economic Development, City of Golden
Brett Limbaugh, Director of Development Services, City of Loveland
Travis Parker, Planning Director, City of Lakewood
Jim Robertson, Director of Planning, Housing, and Sustainability, City of Boulder

1:15 PM – 2:45 PM



Breathing New Life into Old Buildings

LAW 125
CREDITS: L, R

Online shopping created a conscious customer—one who knows where, how and when to find the best deal. But despite its tremendous personal benefit, it has played a big part in not only shifting shopping patterns but also in real estate holdings, development deals and zoning patterns. The shift in shopping trends has vexed retail development and local planning departments. Evolving zoning ordinances and new policies can play a critical role in making older spaces thrive again. This session explores how a creative vision and unique zoning approach is needed to revitalize shopping centers decimated by online shopping and free shipping.

Moderator: Adam Baugh, Attorney, Withey Morris

Speakers:

Bruce McLennan, Principal, Farnsworth Group

Carolynn White, Attorney, Brownstein Hyatt Farber Schreck



A Shot of Vitamin N: Planning For Nature in Urban Environments

LAW 280
CREDITS: R

The West is characterized by our grand natural landscapes, yet 85% of our population live in urban environments and that percentage is growing. We can no longer afford to think of nature as “out there.” Making nature and its benefits accessible to all means meeting people where they live, work and play every day—primarily urban areas. This session examines opportunities to improve and naturalize urban spaces where people can benefit from nature on a daily basis. We will explore the opportunities and benefits of naturalizing public and private urban spaces through municipal action and citizen engagement. Whether you are a city planner, land manager, business owner or resident, nature can improve the quality of citizens’ lives and address urban problems.

Moderator: Brian Kurzel, Regional Executive Director, National Wildlife Federation

Speakers:

Louise Turner Chawla, Professor Emeritus, University of Colorado

Beth Conrey, Owner, Bee Squared Apiaries

Ashlee Grace, Water Quality Planner, Denver Public Works

1:15 PM – 2:45 PM



Evaluating New Technology Tools For Your Planning Toolbox

LAW 155

Planning practice is changing fast. New tools, technology, platforms and approaches abound. Come learn about new tools and how to critically evaluate their potential utility. Panelists will emphasize the importance of tool selection for your specific situation and managing stakeholder expectations around the strengths and limits of such innovative methods. A review of available tools will include 3D visualization, redevelopment feasibility analysis, and various scenario analysis approaches.

Moderator: Andy Taylor, Senior Planner, Denver Regional Council of Governments

Speakers:

Jay Renkens, Principal & Director, MIG, Inc.

Ken Snyder, Programming Director, PlaceMatters



Moving Beyond “Loving Our Parks to Death”

LAW 170

“Loving it to death” is not a new phrase used to describe increasing visitor use across public lands in the Rocky Mountain West. In fact, that term is overused and it is time for land managers—and visitors themselves— to move beyond a “woe is me” approach to tangible strategies and actions that focus on long-term stewardship while providing high quality visitor experiences. This session will provide an overview of the Interagency Visitor Use Management Council’s Visitor Use Management Framework and case studies from Zion National Park and the Maroon Bells-Snowmass Wilderness Area on the White River National Forest.

Moderator: Rachel Franchina, Visitor Use Specialist, U.S. Forest Service

Speakers:

Scott Babcock, Project Manager, National Park Service

Kay Hopkins, Recreation Planner, White River National Forest

1:15 PM – 2:45 PM



Conservation Opinions in the Rockies: Trump Era Disruption or Consistency over Eight Years?

LAW 255

Does the Trump era represent fundamental changes in Rockies' region attitudes about natural amenities? Vast open spaces, mixes of public-private land ownership, and intense interest in clean environments help define the western states and their quality of life. This session will discuss eight years' of the Colorado College Conservation in the West Surveys that annually "take the pulse of the Rockies: with results useful to media, governments and non-profits. A retrospective look back will highlight complexities of rural-urban views in the face of political challenges under the new Trump Administration. Results illuminate shared values and deep seated commitment to nature as the foundation of where we all live.

Moderator: **Walter Hecox**, Faculty Director, Colorado College Rockies Project Conservation in the West Survey

Speakers:

Corina McKendry, Associate Director, Colorado College State of the Rockies Project

Lori Weigel, Partner, Public Opinion Strategies

Greg Zimmerman, Deputy Director, Center for Western Priorities

2:45 PM – 3:00 PM

Break : LAW Forum

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3:00 PM – 4:30 PM



Land Use Lessons From the Land of Pot

LAW 165
CREDITS: L,R

It has been 17 years since we legalized medical marijuana, and 5 years since we legalized retail marijuana. This session will review the lessons we have learned about how legalization has affected planning, land use, zoning, and land use enforcement. It will also review what aspects of marijuana regulation did not turn out the way we thought they would, and what we might have done differently.

Moderator: **Don Elliott**, Associate Professor, University of Idaho College of Law

Speakers:

Noah Beals, Senior City Planner, City of Fort Collins

Kyle Dalton, Principal City Planner, City and County of Denver

Bronwyn Scurlock, Assistant City Attorney, City of Fort Collins

3:00 PM – 4:30 PM



The Evolution of the Bike Share Industry

LAW 155

Public transportation plays a vital role in the urban economy and lives of many people every day. Bicycle sharing is a key component of the sharing economy, and with more than one million bike-share bicycles around the world, it is also becoming an increasingly popular piece of multi-modal transportation networks that many local municipalities are building. While many existing bike-share programs use fixed stations, a shift has begun for bike-sharing to a dockless model. This presentation will focus on and offer suggestions about the creation process, challenges, municipal considerations, community input, logistics and regulations, legal concerns, and lessons learned for establishing or implementing a dockless bike-share program.

Speakers:

Brenden Paradies, Planner, City of Aurora

Patrick Quintana, Rockies Regional General Manager, ofo



Building Resilience to Hazards: Concrete Steps For Planners to Safeguard their Communities

LAW 125
CREDITS: L

Unexpected floods, wildfires, and landslides often remind communities in the intermountain west that disasters can be costly, time consuming, and may endanger human lives. In the face of these events, what are steps that a municipality or county can take in order to be more resilient? Integrating hazard risk into comprehensive plans is a growing trend in Colorado, and many opportunities for hazard mitigation exist through land use. Join this session to learn about a set of innovative strategies and resources for building resilience to natural and man-made hazards at all stages of planning, land use regulation, and program development.

Moderator: **Waverly Klaw**, Hazards and Land Use Planner, Colorado Department of Local Affairs

Speakers:

Karen Berchtold, Planner, City of Manitou Springs

Tareq Wafaie, Senior Associate, Clarion Associates

John Wiener, Research Associate, University of Colorado



Preserving Affordability in Rapidly Changing Communities

LAW 180
CREDITS: R

Across the Front Range and throughout Colorado, home prices are increasing exponentially and housing construction is not able to keep up. Our panel will discuss the pros and cons of a broad range of solutions to preserve what is already affordable and innovative approaches to add housing choices in constrained environments. Learn about ADUs, Co-Housing, Community Land Trusts, mobile home park preservation and other tools being deployed to preserve affordability in rapidly changing communities.

Speakers:

Bryan Bowen, Cofounder & Managing Architect, Caddis PC

Anne Kuechenmeister, Planner II, Michael Baker International

Marina La Grave, Founder & CEO, Latin-American Center for Arts, Science and Education

Danica Powell, Founder & Owner, Trestle Strategy Group