



WESTERN PLACES

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

University of Denver
Sturm College of Law
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WESTERN PLACES/WESTERN SPACES: DISRUPTION, INNOVATION, AND PROGRESS

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 change 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.

WESTERN PLACES

This course looks at the characteristics that help shape our communities and how changes in land use are altering that sense of place. With topics like the changes in retail, disaster recovery, urban renewal, and demand-based planning, this course identifies key challenges and possible solutions for moving forward.

BREATHING NEW LIFE INTO OLD BUILDINGS

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 PLC
Phoenix, AZ

Adam Baugh is a land use and zoning attorney and partner at Withey Morris, PLC. He is an experienced problem-solver with a talent for removing obstacles that impede development. Adam has helped landowners and builders succeed in environments that frequently appear hostile to development. As a result, he regularly appears before neighborhood organizations, planning commissions, city councils, and appellate hearings to advocate and obtain land use entitlements, business approvals, and liquor licenses. While Adam's skillsets include obtaining zoning and land use entitlements for the full scope of development clients and substantive work in liquor licensing, he has developed unique experience working with infill development projects across the Valley. His success has helped clients obtain rezone approvals, stipulation changes, variances, use permits, site plan approvals, plats, and more. Beyond land use entitlements, clients trust Adam with intensive real estate matters such as easements, development agreements, and code enforcement violations.

SPEAKERS:

Bruce McLennan

Principal, Farnsworth Group
Denver, CO

Farnsworth Group offers one of the largest architectural portfolios in the commercial, industrial and retail sectors in the United States. Building on early commissions in the development industry as SEM, Farnsworth's Western Region Studio has evolved from a business-focused enterprise to a full-service, design-oriented architectural division of our multi-disciplinary offerings.

Carolynne White

Attorney, Brownstein Hyatt Farber Schreck
Denver, CO

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.

OUTLINE:

- 1) Shift in Retail Shopping Trends
 - a. Online Shopping, Free Shipping, Free Returns
 - b. Impacts on Brick and Mortar
 - c. Competitive Balance
- 2) Challenges Presented in New Economy
 - a. Vacancy
 - b. Blight
 - c. Changing Area Demographics

- 3) Site & Building Challenges
 - a. Existing Site Conditions
 - b. Obsolete Development Standards
 - c. Structural Integrity
 - d. Site Engineering
 - e. Traffic and Parking
 - f. Surround Area & Context
- 4) Solutions:
 - a. Municipalities
 - i. Cities Must Be Flexible
 1. Exploring new code provisions
 2. Adopting new policies to spur redevelopment of older retail spaces
 3. Incentives (credits, expedited review, etc.)
 4. Adopting new zoning overlays
 - b. Developers
 - i. Developers Must Think Outside the Box (Literally)
 1. Discuss ways to re-envision typical brick and mortar spaces in light of the new online economy.
 - ii. Creating experience opportunities and destination places.
 - iii. Brick and Mortar working together with online presence
 - c. Contractors/Architects/Engineers
 - i. Anticipate Unexpected Issues
 1. Identify potential issues and pitfalls that architects, developers, contractors and planning staff often encounter with adaptive reuse.
 2. Early Due Diligence with staff
 - ii. New Design
 - d. Legal Counsel
 - i. Land Use Attorneys Must Get Creative
 1. Identify opportunities for legal counsel to work within and around local land use regulations.
 2. Relationships matter – Econ. Dev., City Council, Planning Director, etc.
 3. Build coalitions
 4. New entitlements.

LEARNING OBJECTIVES:

- Cities Must Be Flexible: exploring new code provisions and policies to spur redevelopment of older retail spaces
- Developers Must Think Outside the Box (Literally): discussing ways to re-envision typical brick and mortar spaces in light of the new online economy
- Anticipate Unexpected Issues: identify potential issues and pitfalls architects, developers, contractors and planning staff often encounter with adaptive reuse.
- Land Use Attorneys Must Get Creative: identify opportunities for legal counsel to work within and around local land use regulations.

BUILDING SUSTAINABLE COMMUNITIES IN THE ANTHROPOCENE

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, McGeorge School of Law
Sacramento, CA

Rachael Salcido is a law professor and expert in ecological restoration and climate change. She has also participated in a panel with these speakers to discuss the concept of Human Oceans in the age of the Anthropocene. She is familiar with each of the speaker's work, and teaches Property, Natural Resources, Climate Change and Environmental Law.

SPEAKERS:

Laura Rademacher

Associate Professor and Chair of Geological & Environmental Sciences, University of the Pacific
Stockton, CA

Laura is an Associate Professor and Chair of Geological & Environmental Sciences at UOP. Laura has a Ph.D. in geological sciences and her main research interests are in the processes in the Earth's critical zone, "where rock meets life" in Earth's near surface environment. Laura will explain how human activities have altered the earth and its cycles. She will display and explain how humans have left traces in the rock record and accelerated extinction rates. She will cover the basis of the dispute among geologists over whether we are entering the Anthropocene.

Mary Kay Camarillo

Associate Professor, University of the Pacific
Stockton, CA

Mary Kay has a Ph.D. in environmental engineering and is an expert in water resources. She worked for seven years in industry planning, designing and providing construction services for water and wastewater conveyance and treatment facilities. She is an active collaborator in the Ecological Engineering Research Program at UOP. During the panel she will explain the impact of the Anthropocene on the use of water resources and implications for the built environment and adaptation needs using California as an example. Key takeaway points will include 1. Water supply and sanitation are difficult challenges, and climate change makes it worse. 2. Policy and infrastructure investments make a difference. 3. The water infrastructure could be vastly improved.

Karrigan Bork

Visiting Assistant Professor, University of the Pacific
Sacramento, CA

Karrigan is a Ph.D. in Ecology and has a J.D. from Stanford Law School. He will explain why leaving nature alone won't solve the problems created by human's interference with natural systems. He will explore current laws that seek to provide a balance of nature and explain why this framework fails to address the challenges of the Anthropocene.

OUTLINE:

First, a geologist will explain the basis for the Anthropocene designation. Next, impacts on water infrastructure will be explored from an environmental engineering perspective. Finally, we will explain the how laws governing human-nature interactions will need to be reformed to address challenges for sustainable communities in the Anthropocene.

LEARNING OBJECTIVES:

- Attendees will understand the basis for the geologic designation of the Anthropocene era.
- Attendees will learn the implications for impacts on water infrastructure in the Anthropocene.
- Attendees will learn how many laws governing human-nature interaction are based on a balance of nature assumption that does not hold in the Anthropocene.

THE GREAT RECESSION AT 10: WHY WE NEED MARKET DEMAND BASED PLANNING AND PERMITTING

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, *Market Demand Based Planning and Permitting*, 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
Hartford, CT

Mr. Smith represents municipalities, developers, and neighbors in land use, planning, wetland, and coastal resources issues. He regularly appears before local land use and wetland boards and commissions in Connecticut, and before state and federal permitting agencies, in order to help his clients gain the necessary approvals for their projects. Mr. Smith is a co-author of *Public Access to the New York Shoreline* and has appeared in a number of matters on behalf of clients concerning coastal areas and shoreline protection.

SPEAKERS:

Arthur C. Nelson

Professor of urban Planning & Real Estate Development, University of Arizona
Phoenix, AZ

Arthur C. (Christian "Chris") Nelson, FAICP, is Professor of Urban Planning and Real Estate Development at the University of Arizona. He is also Presidential Professor Emeritus of City & Metropolitan Planning at the University of Utah where, from 2008-2014, he served as founding Director of the Metropolitan Research Center, Adjunct Professor of Finance in the David Eccles School of Business, and founding Co-Director of the Master of Real Estate Development program. Dr. Nelson has made significant contributions to the fields of: real estate analysis, including the role of changing demographics in shifting long-term real estate development trends; urban growth management and open space preservation, central city revitalization; infrastructure financing; planning effectiveness; transportation and land use outcomes; metropolitan development patterns; the economic effects of facility location; the role of suburban redevelopment in reshaping metropolitan America; and the new "megapolitan" geography of the United States.

John Marshall

Assistant Professor, Georgia State university College of Law
Atlanta, GA

John Travis Marshall is an Assistant Professor at the Georgia State University College of Law, where he teaches Environmental Law and Land Use Law and serves as Associate Director of the Center for the Comparative Study of Metropolitan Growth. From 2007 to 2011, he was a counsel and project manager with the New Orleans Redevelopment Authority (NORA). In that role, he advised NORA on post-Hurricane Katrina implementation of the Authority's urban revitalization efforts, including land acquisition, development, and disposition programs. Prior to his work in New Orleans, he was a partner with Holland & Knight LLP, specializing in land use and zoning matters as well as real estate litigation. He is especially interested in cities and private, non-profit and government interventions to promote urban revitalization.

OUTLINE:

The ABA's recent book: Market Demand Based Planning and Permitting, was shaped in substantial part by the feedback given at two RMLUI conferences. This session will report key findings of the book and highlight lessons learned by RMLUI. The first presentation by Arthur C. Nelson is titled The wages of excessive permitting and development is financial ruin or why we need development in accordance with a plan that is based on market demand. This is followed by James C. Nicholas' presentation titled Recessions are inevitable and even good but the Great Recession was not. Rounding out the session will be a presentation by John Travis Marshall on Lessons learned from the RMLUI. Dwight Merriam will moderate and in his own copyrighted way engage the audience.

LEARNING OBJECTIVES:

- The role of market analysis in planning to assure that market based demands are identified and planning used to accommodate market based needs to the extent practicable.
- The link between planning and permitting such that only that development which is in accordance with a plan. Failure to assure development is in accordance with a plan based on market needs may have disastrous consequences.
- The role of market demand based planning and permitting in helping sustain the solvency of public and private financial institutions and the fiscal viability of local, regional, state, and federal governments.

POST-DISASTER LONG-TERM RECOVERY: CRITICAL CONSIDERATIONS FOR CREATING RESILIENT COMMUNITIES

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
Stony Brook, NY

Dr. Finn will moderate the program. He teaches in the Sustainability Studies Program and School of Marine and Atmospheric Sciences at Stony Brook University. His research focuses primarily on sustainability and resiliency planning, disaster recovery and public participation in the New York region, nationally and globally. Trained as an urban planner, Dr. Finn has worked as a community planner in East St. Louis, IL with the University of Illinois ESLARP center, and consulted with local governments in Illinois and Missouri on growth management and sustainable development policy while a research associate at the University of Illinois LEAM laboratory.

SPEAKERS:

David Bowman

Director for Disaster Recovery Community Development Block Grants, State of Colorado Dept. of Local Affairs
Denver, CO

David Bowman currently manages Colorado's \$320 million Community Development Block Grant for Disaster Recovery from the Colorado floods of 2013. Prior to that he was a part of the response to Hurricanes Katrina and Rita and worked for both the Louisiana Recovery Authority (LRA) and Louisiana's Office of Community Development (OCD). As the Director of Research and Special Projects for the LRA he published on population dynamics post Katrina and workforce considerations in a post-disaster environment. His experience provides a unique perspective on the differences between coastal and mountain regions in terms disaster impacts and federal, state and local responses to disaster recovery.

Divya Chandrasekhar

Assistant Professor, University of Utah
Salt Lake City, UT

Professor Chandrasekhar's research focuses on how communities recover from disasters and other environmental changes, and the role of policy and planning in this process. Her studies have examined participatory recovery planning, intensified plan-making after disasters, emergent institutional coordination, and post-disaster recovery policy in the U.S. and Asia. She specializes in qualitative inquiry and mixed method studies. Divya's research has been funded by the National Park Service, National Science Foundation, and the Natural Hazards Center at Boulder, and her work has been published in national and international journals.

Renia Ehrenfeucht

Professor and Chair, University of New Mexico
Albuquerque, NM

Professor Ehrenfeucht is a Professor and the Chair of Community & Regional Planning at UNM. She focuses on shrinking cities including how population loss impacts disaster recovery and planning processes, how cities address vacant land, and how residents and institutions respond to their changing environments. She also researches the production and meaning of public space, and the politics of public space use and design. Dr.

Ehrenfeucht has co-authored two books, and her work has also been published in numerous journals including the Journal of Planning Education and Research, Urban Studies, Planning Practice and Research, the Journal of Urban Design, Urban Geography and the Journal of Planning History. Dr. Ehrenfeucht worked in land use planning in Washington State for four years.

OUTLINE:

1. The session's first segment (20 minutes) will facilitate an interactive role playing exercise to give audience members an opportunity to better understand the challenges of recovery. A set of questions based on real-world recovery scenarios will be presented and the audience will have an opportunity to consider what recommendations they would make to local decision makers with regard to immediate community recovery and long-term resilience.
2. The second part of the presentation (50 minutes) will use each of the scenarios from the role playing exercise to illustrate the presenters' insights and recommendations regarding steps that local governments can take to help communities advance to more resilient long-term recovery given the kinds of challenges that are typical in these situations.
3. The session's third part (20 minutes) will allow audience members to share their experiences with long-term recovery, ask questions and address concerns that participants may have regarding the presenters' analysis of problems associated with long-term recovery.

LEARNING OBJECTIVES:

- Help participants understand the circumstances that make long-term recovery from disaster the greatest of challenges for small rural communities as well as large metro areas.
- Provide participants with: (a) a list of essential community considerations -- whether a community is rebounding from a major disaster or preemptively building resilience into its current planning processes; and (b) detailed examples of successes and failures in achieving resilient recoveries from major disasters.
- Through the use of interactive long-term recovery scenarios, give participants the opportunity to discuss possible approaches to handling the complex planning, land use, legal, and social service issues that repeatedly arise when helping communities recover from disaster.

PRICING OUT OF CITIES: WHERE ARE MILLENNIALS GOING TO LIVE/WORK/PLAY WHEN THEIR CITY IS TOO EXPENSIVE?

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
New Brunswick, NJ

Robert W. Burchell is the former chair of the Program of Planning and Policy Development in the Edward J. Bloustein School at Rutgers University. He is also a distinguished professor and co-director of the Center for Urban Policy Research, Rutgers University. He is the author of 30 books and more than 50 peer-reviewed articles. Professor Burchell 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 ULI-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:

Andrew Knudtsen

Managing Principal, Economic & Planning Systems, Inc.
Denver, CO

Andrew Knudtsen, a Managing Principal with Economic & Planning Systems, brings 20 years experience to consulting projects in the areas of real estate market and feasibility evaluation, public financing, and economic development strategies. With a diverse practice that includes a wide range of public and private clients, much of his work involves feasibility analysis for large scale transportation systems and complex real estate projects. His work is focused on emerging markets which lack sufficient momentum to attract private capital independently, requiring an evaluation of trends, projection of future conditions, and calibration of public and private investment to catalyze a given submarket. His technical experience includes P3 structuring; tax increment and value capture financing; and affordable housing funding and finance. In conjunction with the larger EPS team, the mission of his work is about transforming communities.

Charlie Alexander, PE, AICP

Director of Denver Operations, Fehr & Peers
Denver, CO

Charlie Alexander, PE, AICP, Associate in Denver, is assuming the leadership of Fehr & Peers' Pedestrian and Bicycle discipline group in 2015. Charlie has been a long-time contributor to the group and has become the 'go to' person inside and outside of Fehr & Peers for difficult and innovative bicycle and pedestrian design challenges. Charlie led the development of the UC Berkeley Institute of Transportation Studies Tech Transfer course on Complete Streets Planning and Design, is a Complete Streets Workshop Instructor Trainee through the National Complete Streets Coalition, and authored America Walks' document on Signalized Intersection Enhancements that Benefit Pedestrians. Charlie's skills mirror Fehr & Peers' key strengths – deep technical knowledge of transportation modeling and analytical techniques that support multimodal planning and design solutions. Charlie is a registered civil engineer in Colorado, California and Washington, and is certified by the American Institute of Certified Planners.

OUTLINE:

1. Introduction of Panelists and Subject
2. National Overview
 - a. This is an update of empirical information indicating that the second round trends in the back-to-the-city movement is going to less affluent urban areas or to affluent suburban areas. Less desirable urban areas will be compared to suburban areas.
 - b. Those attendees will get an indication of where young households are moving in the metropolitan area. Are they able to follow where they want to go or are they challenged by the housing market changes or the level of deterioration in the housing stock? Is it too expensive to go where they want to go? New urban or new suburban?
 - c. Address office and business developments – where are they and how they impact the desirability of a location?
3. Western Regional Overview
 - a. Overview of the Opportunity – As urban nodes become more expensive, where will the market shift?
 - i. Provide examples – Durango, Bozeman, Ogden, Golden, Five Points, Ridgeway, Fort Collins, Denver, etc.
 - ii. Pervasive as it affects communities both large and small throughout the West
 - iii. Identify the ‘next ring’ of communities that may have the opportunity/challenge to deal with growth pressure.
 - b. Factors Driving the Trend
 - i. Robust Economy -- the strong economic growth found in these areas throughout the West is the catalyst for market pressure on the next ring of cities
 - ii. Community vs. Cost – Households appear willing to pay a premium to be within the preferred community context, but only to a point.
 - iii. The impact of Millennials cannot be overlooked since they are already making their move
 - iv. Mobility – Transit elevates specific submarkets and includes LRT, BRT, and regional transit.
 - v. Quality of Transportation Corridors – Dated, aging arterial corridors are problematic in terms of congestion, access to adjacent retail, and safety (for drivers, pedestrians, and cyclists). Those that are redefinable can increase market share of a given community.
 - vi. Urban Design and Creating a Sense of Place – Communities on the periphery have long existed without a core. What can be done to increase the sense of place overlooked in the past?
 - c. Assessment of Trends
 - i. Is growth good or bad?
 - ii. What do emerging trends suggest about displacement?
 - iii. How can growth be managed to maximize the benefits and minimize the negative attributes?
4. Conclusions & Q&A

LEARNING OBJECTIVES:

- Understanding the current movement of households in Metropolitan Areas. The inner areas of the metropolitan area are growing because there is market demand for the housing that exists in these areas; this is at the expense of peripheral areas. This is happening where cities are interesting and those who want to move have money. The places where they want to move are getting too expensive and as result of that they must go to another area. The question is whether the new areas are interesting and have housing that is accessible. Further, does this affect millennial households with or without children
- Understanding of who will benefit in terms of rich and poor. Currently, this idea of the Millennials is that they are professionals and rich. Most of the Millennials are working class households who are middle class or poor. This group of Millennials has much more constraints than is indicated by the current research. This group has no ability to move to an expensive city and will not be able to move to a rich suburban location. We have to understand who the millennial household is, otherwise we are barking up the wrong tree.

- Ways to frame urban revitalization trends and how to communicate its relevancy in emerging markets.
- How to present an integrated understanding of traffic, urban design, placemaking, and development opportunity and identify actions within a local community to increase its competitive position in attracting an emerging growth trend.

TIF FOR TAT: URBAN RENEWAL AFTER THE URBAN DEVELOPMENT FAIRNESS ACT

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
Denver, CO

Dan is an economist and planner with over 30 years' experience in market and financial analysis and development planning for the public and private sectors including economic development and impact analyses, market and financial analyses, infrastructure financing, and implementation. He has experience in public financing in Colorado including TIF and special districts as they apply to redevelopment projects, including large scale sites such as former military bases and airports, and small scale infill sites in downtowns, commercial corridors, and transit-oriented development sites.

SPEAKERS:

Carolynne White

Shareholder, Brownstein Hyatt Farber Schreck
Denver, CO

Carolynne White is co-chair of the firm's Real Estate Department. Her practice spans the Land Use, Government Relations, Real Estate and Natural Resources groups. Carolynne's practice focuses on complex projects involving redevelopment, infill, brownfields, urban renewal, PIFs and other public financing tools. Carolynne will cover past and current legislation on TIF and urban renewal, as well as local case studies from Commerce City and Adams County.

Brian Duffany

Senior Vice President, Economic & Planning Systems
Denver, CO

Brian Duffany is an economist and planner with 15 years of experience in real estate analysis and land use economics. His experience includes market, financial, and economic analysis of proposed real estate development projects from the public cost, benefit, and risk perspective. Brian has worked throughout Colorado on a variety of fiscal impact, land use and transportation, economic development, affordable and workforce housing, and recreation studies, strategies, and plans. Brian was the project manager for the Larimer County Regional Tax Increment Financing Study. Working with a stakeholder committee of municipal and county leaders, the study recommended policy changes for the use of TIF in Larimer County. The study also developed a fiscal and economic impact methodology and tool for quantifying the impacts of TIF projects on taxing entities. A qualitative evaluation framework was also developed to consider how projects address broader factors such as competition with un-subsidized development, the overall deal structure, and risk sharing among participating taxing entities based on benefit. Brian will speak on the impacts of TIF in the context of TABOR and Gallagher, and findings and progress from the Larimer County study. The stakeholder group in this study continues to meet and negotiate difficult issues.

Kristen Sullivan

Deputy Director, Community & Economic Development, Adams County
Brighton, CO

Kristen leads a staff of 25 multidisciplinary professionals including planners, civil engineers, environmental professionals, plans examiners, building officials, inspectors, and right-of-way agents. Kristen managed the award-winning redevelopment of the 77-acre ASARCO smelter site, which is now a 1 million sq. ft. Class A industrial park called Crossroads Commerce Park. She also created Adams County's first brownfields program, which includes an EPA assessment grant to encourage remediation and redevelopment of properties near two new commuter rail stations. She is an experienced local government leader with expertise in economic development, public - private partnerships, urban renewal, planning and development review, metro districts, legislative affairs, change management, process improvement, and leadership.

OUTLINE:

1. URA and TIF Background (10 minutes)
 - a. Definitions
 - b. History
 - c. Financing mechanism
 - d. URA powers and structure
2. Issues leading to HB 15-1348 (10 minutes)
 - a. County and district concerns
 - b. City concerns
 - c. Growth of TIF
 - d. Legislative environment
3. HB 15-1348 (5 minutes)
 - a. Changes in urban renewal law
 - b. Board composition
 - c. Negotiation process
4. Case studies and Panel Discussion (35 minutes)
 - a. Larimer County TIF Study and Working Group – EPS was consultant hired to facilitate process with Working Group
 - b. Adams County and Commerce City– Negotiating a TIF agreement on redeveloping the former greyhound racetrack in Commerce City.
 - c. El Paso County and Colorado Springs – Negotiating a TIF agreement on downtown redevelopment projects related to the City for Champions initiative.
 - d. Private developer perspective (Colorado Springs)
5. Questions and audience discussion (30 minutes)

LEARNING OBJECTIVES:

- Tax increment financing evolution – Colorado and national history of TIF. Has expanded from a targeted tool to address blight to one of the most widely used general economic and infrastructure financing tools. Much of the growth of TIF has occurred in states with revenue limiting legislation such as TABOR.
- Expanded and refined understanding of TIF – TIF has been widely used and recommended as the “silver bullet” financing tool for many redevelopment and new development projects. We will discuss the fiscal impacts of TIF on other taxing entities, and compare the impacts from different types of TIF projects, some of which have been controversial.
- Implementing new legislation – By conference time, HB 15-1348 will have been in effect for about three years. There are already lessons learned from communities who anticipated the legislation. There are still many communities that will need to adjust to the new process and the requirements for municipalities to work with affected taxing entities on an agreeable deal structure.