



RMLUI 2020 HOME STUDY PROGRAM
HOT, DRY & CROWDED

WESTERN PLACES/WESTERN SPACES CONFERENCE

HOT, DRY, AND CROWDED: PLANNING FOR THE FUTURE

The West of the future will be warmer and more populous, and as a result, will face significant challenges with respect to our water supplies, our ability to withstand unpredictable weather patterns and extreme storm events, and our capacity to preserve our economy and our quality of life while adapting to the coming changes. The climate is changing, but we *can* do something about it.

Land use planning, water planning, and disaster mitigation are just a few of the tools available to help prepare for an uncertain future. We can work now to prepare our communities and landscapes for the impacts we are sure to experience. We can use design to create places that are more sustainable and adaptable. We can use integrated water and land use planning to help stretch dwindling water supplies. We can use our natural systems to create more resilient communities that are cooler and more connected. And we can work to ensure that the communities of our future are more equitable, affordable, and inclusive.

For RMLUI's 29th Western Places/Western Spaces conference, we will be looking at the ways in which we can use design, planning tools, and creative approaches to better plan for a future that will be different from the known past. The Babbitt Center for Land and Water Policy is partnering with us to develop a track focused on integrating land use and water planning. In addition, we will consider how our built environments, using mixed use design, transportation infrastructure, and even building codes, can help reduce our impact on climate change and create a more comfortable and sustainable living environment. We will explore how our natural systems and outdoor spaces can be designed for greater resilience, cooler micro-climates, and more water-wise landscaping. We also will focus on rural resilience and how to adapt sustainability innovations and new technologies to small towns and rural communities. Finally, we will consider how climate change is likely to affect our natural resources—from our recreational playgrounds to our economic engines—and discuss ways in which our land use strategies can or should adapt in anticipation of changes across our Western landscapes.

HOME STUDY PROGRAM: HOT, DRY & CROWDED

Sessions from the conference are recorded for use in RMLUI's Home Study Program. This course, *Hot, Dry & Crowded*, looks at the tools and programs available for communities to deal with effects of a changing climate, such as warmer temperatures, water scarcity, and extreme weather events.

Exactions in The Climate Change Era: What Nollan And Dolan Portend for Impact Mitigation

This session will reframe the legal topic of exactions in the context of climate change. For thirty years, whether and when the government may require dedications of property or money in connection with a land use approval has been a hotly debated legal topic. As the world warms, local governments may request new and different forms of impact mitigation of developers. But will the law allow it? This session will discuss the current status of the law of exactions and what we can expect as climate change mitigation becomes increasingly important.

Moderator:

Brian Connolly

Shareholder, Otten Johnson Robinson Neff + Ragonetti PC

Brian Connolly represents public- and private-sector clients in matters relating to zoning, planning, development entitlements and other complex regulatory issues. Brian's practice encompasses a broad range of land use matters including zoning compliance, rezonings and other regulatory amendments, planned-unit developments, development agreements, private covenants and restrictions, land use and zoning litigation, initiatives and referenda associated with land use approvals, and real estate transactions. Brian has received national recognition for his work on First Amendment issues associated with local government regulation, including signs and outdoor advertising, and his work on fair housing matters in local planning and zoning, particularly in the area of housing for people with disabilities. In addition to representing clients in these areas, Brian has served as an expert witness in cases involving these as well as other land use topics.

Speakers:

Sarah Rockwell

Attorney, Kaplan Kirsch & Rockwell LLP

Ms. Rockwell's practice emphasizes land use, real estate and public sector negotiations. Ms. Rockwell represents both public and private sector clients in land use, real estate, municipal law and financing issues associated with complex, small and large-scale development projects. She has prepared, negotiated and implemented agreements related to a variety of public/private sector development projects in Denver, Colorado, including the Stapleton project, the Peña Station project, the Alameda Station project and the Broadway Station project. Ms. Rockwell received her undergraduate degree from Stanford University and her law degree from Boston University. She also holds a Master's Degree in City Planning from the Massachusetts Institute of Technology.

J. Thomas Macdonald

Attorney, Otten Johnson Robinson Neff + Ragonetti, P.C.

J. Thomas Macdonald is a lawyer in the Denver, Colorado, firm of Otten Johnson Robinson Neff + Ragonetti PC. Tom represents clients in complex litigation involving land use and governmental regulation. He is well known for his expertise concerning constitutional limitations on the local governments' authority to regulate land use. Tom has extensive experience with First Amendment challenges to land use regulation. He received his J.D. from the University of Colorado School Law and his B.A. from the University of Colorado.

Jessie Lawrence

Attorney, Law Office of Jessica Eaton Lawrence / Lawrence Meeting Resources

Jessie Lawrence is an attorney, mediator, and planner with a solo practice based in Santa Fe, NM focusing on dispute resolution, public engagement and participation, and community and organizational planning. In more than 15 years of practice, Jessie has mediated hundreds of cases in a wide variety of areas, and focuses her work on helping groups of all sizes work together and identify ways to move forward and seek positive outcomes. She works in both the public and private sectors and instructs courses in land use and in dispute resolution. Jessie serves on the State of NM Statewide ADR Commission, the NM State Bar ADR Steering Committee, and the City of Santa Fe Planning Commission, and co-chairs the ABA Section of Dispute Resolution's Committee on Public Policy, Consensus Building, and Democracy. Jessie has a JD and a master's degree in urban planning from the University of Michigan, maintains NM and MI law licenses, and is an AICP-certified planner.

Learning Objectives

- Develop a basic knowledge of exactions law.
- Identify practical ways in which exactions law limits day-to-day government action.
- Determine ways that government can legally and effectively mitigate climate change.

Grow Your Own Food: Oasis Solutions

Food deserts are a very real phenomenon, but the solution can be built into the design of new developments or even redevelopments. This session will showcase several different approaches to including access to locally grown, healthy, and organic food in the development of new or existing neighborhoods. It's time to turn food deserts in food oases—a great antidote to a hot, dry and crowded future!

Moderator:

Flo Raitano

Director of Partnership Development and Innovation, Denver Regional Council of Governments

Speakers:

Matthew Redmond

Partner & CEO, Agriburbia

Mr. Redmond is co-owner of Agriburbia LLC. and has more than 25 years of professional experience in design, planning, natural resources, agriculture and spatial technologies. His combined knowledge in each of these disciplines allows him to effectively manage projects that result in innovative designs, technologically advanced data management, and new approaches to sustainable development. Mr. Redmond has a strong multi-faceted agricultural background which plays heavily in his innovative ideas for incorporating agriculture back into our modern communities.

Jules Kelty

Executive Director, Focus Points Family Resource Center

Jules joined Focus Points Family Resource Center as Executive Director in the spring of 2018 with more than a decade's experience in the nonprofit sector, specializing in nonprofit management and fundraising. As Executive Director at Focus Points, Jules' visionary leadership guides the direction of comprehensive family support programming serving over 1,500 individuals annually including adult education, early childhood education, family development, economic opportunity and Comal Heritage Food Incubator. Her previous experience includes Development Director of the Rocky Mountain MS

Center, Senior Major Gift officer for the American Red Cross Colorado and Wyoming Region and Director of Development for Colorado Youth at Risk. She is also an adjunct professor at the University of Denver and teaches courses on financial management, fundraising, development and communication strategies. Previously, she taught with Denver Public Schools for seven years, specializing in elementary education, social studies, language arts and Spanish instruction. Jules holds a bachelor's degree from Grinnell College, master's degree from the Korbel School of International Studies at University of Denver and is a graduate of the "50 for Colorado" leadership program. At various times, she lived or traveled in West Africa, Ethiopia, Mexico, Bolivia and parts of Europe and Asia. She also speaks French and Spanish. Outside of work Jules spends time with her husband, two daughters and blue heeler, Bean, who is somewhat of a celebrity in the neighborhood. Jules finds joy in knitting, hiking, and more tomatillos than she knows what to do with in her garden.

Laura Lavid

Community Engagement & Marketing Director, Fresh Food Connect

Laura Lavid, MNM Laura Lavid has almost twenty years of experience in community-based food work, including Denver Urban Gardens, American Community Gardening Association, Florida Organic Growers and Sprout City Farms. She recently joined Fresh Food Connect as the Community Engagement and Marketing Director and is excited to provide more opportunities to connect food and community nationwide. Outside of work, you'll find Laura in the garden or in the kitchen finding new ways to prepare vegetables.

Learning Objectives

- How including agricultural spaces in new or re-development projects can address food access and security
- How neighborhood growing spaces provide training opportunities for residents
- Improving food access by connect excess produce in one neighborhood to another neighborhood dealing with food insecurity

Hot, Dry and Flammable: Community Survival in The Age of Climate Change

As climate change makes the west hotter and drier and we're increasingly building into the wildland-urban interface, fires are not only increasing in numbers and size, they are also harder—and more costly—to contain. While fire has traditionally been the purview of fire fighters and emergency managers, fighting fires successfully starts with how we design communities. This session shows that our first line of defense depends on how planners, architects and developers accommodate growth while making existing—and future—communities safer. We want tomorrow's firefighter to view well-planned communities as assets rather than liabilities when controlling fire.

Moderator:

Erik Kingston

Housing Resources Coordinator, Idaho Housing and Finance Association

After joining Idaho Housing and Finance Association (IHFA) in 1995, Erik created the Housing Information Referral Center to support statewide program, policy and planning efforts while pursuing unconventional partnerships. He serves on the Idaho Rural Partnership (IRP) board and IRP's Community Review Team (irp.idaho.gov). Erik is a regular presenter for the APA/Idaho Chapter, Association of Idaho Cities, and the NW Community Development Institute, where he teaches Housing as a Second Language. Recent outreach and collaboration include: Home and Community: re-thinking Design,

Finance and Development (2019 RMLUI); the Western Community Assessment Network, a multi-year rural development collaborative among Idaho, Montana and Wyoming teams (communityreview.org). Erik brings a holistic look at housing at a macro level (informed by work with housing, land-use, civil rights and economic development professionals) and micro level (reflecting one-on-one interactions with callers to IHFA's Housing Hotline, employers, advocates, and workers).

Speakers:

Stephen Miller

Professor of Law, University of Idaho College of Law

Stephen R. Miller, AICP, is a professor of law at the University of Idaho College of Law in Boise. He currently serves as editor-in-chief of the ABA Journal of Affordable Housing & Community Development Law. From 2015-2019, he also served as principal investigator on a grant to facilitate wildfire planning in the wildland-urban interface from the U.S. Forest Service and Idaho Department of Lands. He is co-author of Land Use and Sustainable Development Law (West) and numerous other publications. He holds a J.D. from University of California, Hastings College of Law, a master's in city and regional planning from University of California, Berkeley, and an undergraduate degree from Brown University.

Jaap Vos

Professor of Bioregional Planning, Department of Agricultural Economics and Rural Sociology University of Idaho

Jaap Vos is a professor of Natural Resources and Planning and Head of the Bioregional Planning Program at the University of Idaho. His research interest is in rural planning and the role of informal governance. He is particularly interested in how to incorporate local place based knowledge in formal decision-making systems.

Deanna Smith

Program Coordinator, Idaho Smart Growth

Deanna Smith brings 40 years of experience in community work to her role as Program Coordinator for Idaho Smart Growth. Her work encompasses community development projects on place-making, healthy community design, active transportation, preservation of working lands and open space, smart growth planning and development and community engagement. She has presented at numerous conferences since 2009 on these various topics. Deanna has worked with communities throughout Idaho on these issues from urban neighborhoods to rural communities including as a team member for Idaho Rural Partnership Community Reviews for several communities and served on Community Builders' New Mobility West Technical Advisory teams for two Idaho cities. As a certified Charrette Facilitator Deanna has extensive experience as a facilitator. In 2019 she was contracted by University of Idaho and Department of Working Lands to Convene and facilitate 10 workshops throughout Idaho to help develop a deeper understanding of wildfire in the wildland urban interface (WUI) and the roles all stakeholders from individual property owners to planners to emergency management in creating better outcomes in the event of wildfire.

Learning Objectives

- Come away with a basic understanding of the history of wildland fire, the behavior of fire in different communities
- Develop an understanding of the changing role of planners and policy makers in productive conversations and community building around wildfire
- Explore examples of design elements and strategies that make communities assets—rather than liabilities

Planning for Climate Change: Practical Regulatory Strategies for Local Governments

This session will focus on practical local strategies to address climate change while avoiding political mayhem and halting economic progress. Impracticable “fixes”, or those poorly suited to the West, can lead to pushback and resistance to address this very serious issue. As an example, in 2017, Denver voters passed an initiative requiring all new or renovated buildings to have green roofs. While the initiative was aimed at mitigating climate impacts, it was widely panned for being too expensive and impractical. Since many communities will be hard-pressed to avoid zoning changes aimed at mitigating climate change impacts, let’s get this right.

Moderator:

Brian Connolly

Shareholder, Otten Johnson Robinson Neff + Ragonetti PC

Brian Connolly represents public- and private-sector clients in matters relating to zoning, planning, development entitlements and other complex regulatory issues. Brian’s practice encompasses a broad range of land use matters including zoning compliance, rezonings and other regulatory amendments, planned-unit developments, development agreements, private covenants and restrictions, land use and zoning litigation, initiatives and referenda associated with land use approvals, and real estate transactions. Brian has received national recognition for his work on First Amendment issues associated with local government regulation, including signs and outdoor advertising, and his work on fair housing matters in local planning and zoning, particularly in the area of housing for people with disabilities. In addition to representing clients in these areas, Brian has served as an expert witness in cases involving these as well as other land use topics.

Speakers:

Don Elliott

Director, Clarion Associates

Donald L. Elliott, FAICP, is a Director with Clarion Associates, LLC, a national land use consulting firm. Don’s practice focuses on land development regulation, fair and affordable housing, and international land and urban development issues. Don has assisted over 40 U.S. communities to update plans and regulations related to housing, zoning, subdivision, and land development. He is the author of *A Better Way to Zone* (Island Press 2008), co-author of *The Rules that Shape Urban Form* (APA 2012) and *The Citizen’s Guide to Planning* (APA 2009) and has served as the editor of *Colorado Land Planning and Development Law* for over 25 years. Don teaches graduate level course on Land Use Regulation at the University of Colorado at Denver School of Architecture and Planning and is a member of the Denver Planning Board. Don has a bachelor’s degree in Urban Planning and Policy Analysis from Yale University, a law degree from Harvard Law School, and a master’s degree in City and Regional Planning from the John F. Kennedy School of Government at Harvard.

Molly Mowery

Executive Director, Community Wildfire Planning Center

Molly Mowery has over fifteen years of experience working on the challenges of sustainability, environmental planning and the wildland-urban interface. She currently serves as the executive director for the Community Wildfire Planning Center, and manages a consulting practice, Wildfire Planning International. Molly’s previous experience includes her position as Senior Project Associate for the National Fire Protection Association, where she collaborated with the USDA Forest Service to develop and launch the national Fire Adapted Communities program. Molly serves on the Sustainable Development Code Advisory Council and works closely with the American Planning Association to share her expertise on wildland-urban interface and land use planning topics. She presents nationally and

internationally, and developed the first Land Use Planning for Wildfire training course for FEMA. She was the lead author of the recent *Planning the Wildland-Urban Interface*, a publication by the American Planning Association. Molly holds a Bachelor's degree from Naropa University and a Master's degree in City Planning from the Massachusetts Institute of Technology.

Tiffany Zezula

Deputy Director, Pace University Law School Land Use Law Center

Tiffany B. Zezula, Esq. is the Deputy Director for the Land Use Law Center at Pace University School of Law. She is the primary trainer and national coordinator for the Center's award winning Land Use Leadership Alliance Training program for local officials, environmentalists, planners, and developers. Ms. Zezula also provides strategic assistance to local governments on comprehensive planning, revitalization strategies, land use, and the formation of affordable housing committees. Her work includes developing public engagement strategies and conducting feasibility analyses on town center developments. She conducts assessments and audits for municipalities in sustainable development, resiliency, State certification programs, and streamlining development processes. Ms. Zezula also provides strategic assistance to local governments, including assistance in developing collaborative public engagement approaches on land use project disputes and comprehensive planning.

Learning Objectives

- Understand the ways in which climate change is expected to impact communities.
- Learn ways that communities are taking steps to address climate impact.
- Consider political strategies to get buy-in from residents, business, and developers.

Resilience Planning for Uncertain Futures

Resilient communities in the west will be able to adapt and thrive no matter what disruptions they face. Disruptions facing the west include long-term stresses such as drought, ecosystem degradation, and lack of affordable housing as well as short-term shocks such as fire, loss of major industries, and extreme temperatures. Building adaptive capacity to these vulnerabilities requires communities to look to the future in planning processes, develop creative solutions, and build partnerships across sectors to tackle systems level problems. This session will discuss the Colorado Resiliency Office's approach to planning for these challenges and highlight case studies of communities who are incorporating resilience into planning and programs.

Moderator:

Kate Guibert

Local Resilience Program Manager, Colorado Resiliency Office

Kate Guibert is the Local Resilience Program Manager for the Department of Local Affairs Colorado Resilience Office. Kate provides support, resources, and capacity to communities looking to build resilience to disruptions. Prior to her role at the state, Kate worked as the Resilience Program Manager for the City of Boulder, where she implemented strategies to empower the city to be adaptive and nimble to change. Kate has a Master's of Public Administration from the University of Colorado at Denver with an environmental policy, management, and law emphasis.

Speakers:**Imogen Ainsworth**

Sustainability Coordinator, City of Durango

Imogen Ainsworth has overseen sustainability programs for the City of Durango since 2016, including recycling and sustainability outreach, energy performance contracting, LEED for Cities designation and greenhouse gas tracking and reporting. In 2018, the City of Durango launched resilience efforts with workshops focused on building organizational and community capacity. Prior to relocating permanently to the US, Imogen worked on municipal and non-profit renewable energy programs in her native UK. Imogen holds an undergraduate Master's degree from the University of Bristol, UK and a Master's in Geography and Natural Resources Management from the University of New Mexico.

Enessa Janes

Community Resilience Coordinator, City of Arvada

Enessa Janes is the Community Resilience Coordinator for the City of Arvada. She is responsible for providing emergency preparedness, response, and recovery coordination services to the City and to its citizens and partners. She works to build key relationships with internal city departments, sister agencies, and community-based groups to meet strategic goals, program objectives, and local risk reduction priorities. Her mission is to guide the City towards a more resilient future through capacity building, coordination, and neighborhood empowerment. Previously, Enessa worked as a planner for Resilience Action Partners. She contributed to local and national risk reduction goals through the development of innovative data visualization products and public communication strategies for FEMA Headquarters and Region VIII. Enessa has a Ph.D. in Design and Planning from the University of Colorado, an M.S. in Environmental Science from Stanford University, and a B.S. from Stanford University.