



# 19<sup>th</sup> Annual RMLUI Land Use Conference: The New American Landscape

*New Online Version*

March 4-5, 2010

Pre-conference symposium on March 3, 2010

University of Denver

## Thursday, March 4, 2010

**9:00 am**

### **John Carver Chair Distinguished Lecture and Keynote Address:**

Much of contemporary planning orthodoxy revolves around an essentially anti-suburban, pro-high density narrative. This approach is often associated as being good for community, the environment and the economy. Yet this approach tends to ignore the overwhelming evidence that most Americans, for most of their lives, prefer a single family house and relatively low density. Research also suggests that community life in suburbs is at least as vibrant, or more so, than in cities. At the same time, it may well be true that a more pragmatic and effective "green" strategy may be to adapt suburbs to a more sustainable model by making them more self-sufficient economically - particularly through telecommuting - and culturally, essentially creating 'an archipelago of villages'. In urban areas a similar approach would focus on low-medium density "plain vanilla" neighborhoods, which offer options for multigenerational communities. More than anything, we need to develop a sense about sustainability and community that focuses on people, not on planning theories that are often divorced from social and economic realities.

**Joel Kotkin**, Adjunct Fellow with Legatum Institute and Author and Distinguished Presidential Fellow in Urban Futures, Chapman University, Orange, CA

**10:30 am**

### **The New American Landscape**

It is clear that much of America is displeased with the sprawling suburban landscape created largely in the second half of the 20<sup>th</sup> Century. Regulatory efforts and tools to deal with the issues – including large-scale PUDs for comprehensively master planned communities and growth management systems of all kinds – are seemingly being displaced by solutions that essentially focus on “building our way out”. Guided by the principles of neo-traditional town planning and the new urbanism, these design and planning philosophies largely advance settlement patterns and urban forms which pre-date modern, organized city planning. Rather than “go forward by going backward” we must systematically focus on the question of what the new American landscape should be and why.

**Tom Ragonetti, Esq.**, Senior Shareholder and Director, Otten, Johnson, Robinson, Neff, and Ragonetti, Denver, CO

**1:00 pm**

### **Perspective 1: Master Planned Development**

This session will discuss the history of Master Planned Community development and will focus on the approach and tools used to develop a Master Planned Community, including market research, builder selection and product segmentation, and community design and place making.

**Don Whyte**, President, Kennecott Land, Salt Lake City, UT

**1:45 pm**

### **Perspective 2: New Urbanism**

This session will discuss using New Urbanist principles as a model for creating the “new American landscape”, focusing specifically on New Urbanism’s ability to address community design and sustainability at a variety of scales. It will discuss a variety of tools that can be utilized to create a framework for change, including form based codes, the Congress for New Urbanism sustainability initiatives, and LEED for Neighborhood Design.

**Daniel Parolek, AIA, CNU**, Principal, Opticos Design, Inc., Berkeley, CA

**2:45 pm**

**Perspective 3: Green Urbanism**

Focusing on Vancouver, a city built prior to the Age of Motordom (auto-dependent urban planning), this presentation will contrast Vancouver's evolution with "Motordom" and its own suburban region, comparing the city with other North American examples. It will draw lessons from this experience, discussing how the green urbanism (in many respects an "old urbanism") can be a more effective response than "New Urbanism" and other contemporary interpretations to issues like climate change, peak oil and sustainable economies.

**Gordon Price**, Director, City Program, Simon Fraser University, British Columbia, Canada

**3:30 pm**

**Perspective 4: "None of the Above"**

Focusing on major demographic and preference changes that will influence the next generation of housing choices, this session will review the extent to which new urbanism, TOD and other contemporary development options can realistically meet future needs, and will pose a framework that addresses realistic opportunities to reign in urban sprawl and meet a large share of new development needs.

**Dr. Arthur "Chris" Nelson, FAICP**, Presidential Professor of City and Metropolitan Planning, University of Utah, Salt Lake City, UT

**4:15 pm**

**Patricia C. Tisdale Symposium**

**Closing Debate**

Speakers from Track 1 will debate their varying perspectives and discuss opportunities and challenges inherent in establishing a framework for a new American landscape.

**Don Whyte, Daniel Parolek, AIA, Gordon Price, and Dr. Arthur "Chris" Nelson, FAICP, Tom Ragonetti, Esq.**, Senior Shareholder and Director, Otten, Johnson, Robinson, Neff, and Ragonetti, Denver, CO

**Friday, March 5, 2010**

**8:15 to 9:30am**

**The Inconvenient Truth about Environmental Regulations and Housing Costs (to some)**

There is debate about how to balance housing affordability and environmental protection. Many argue that environmental regulations drive up housing costs but others claim costs are offset by benefits. This panel presents findings of HUD-sponsored research showing environmental regulations impose negligible costs, benefits may exceed costs, and the regulatory system – while surprisingly efficient – could be improved in specific ways.

**Dr. Arthur "Chris" Nelson, FAICP**, Presidential Professor, Metropolitan Research Center at the University of Utah, Salt Lake City, UT; **Professor Joe Schilling**, Professor in Practice in Urban Affairs and Planning, Virginia Tech University, Blacksburg, VA

**9:45 to 11:00am**

**Bouillabaisse Regulation: How to Cook up a Great Code Using Ordinary and Unusual Ingredients**

It is Euclidean zoning at one extreme or form-based codes at the other, but a true hybrid code which takes the best from the several worlds of regulation is the best way to manage development and good design in most communities. Great chefs mix

and match... just what we need to do in zoning, from as-of-right-no-restrictions-exclusive-use Euclidean zones to the regulatory cultist's beloved and draconian form-based-my-way-or-the-highway codes.

**Dwight H. Merriam, Esq., FAICP, CRE**, Partner, Robinson & Cole LLP, Hartford, CT; **Orlando E. DeLogu**, Professor of Law Emeritus, University of Maine School of Law, Portland, ME; **Edward H. Ziegler**, Professor of Law, University of Denver College of Law, Denver, CO

## 11:15am to 12:30pm

### Local Food Systems: Building a Resilient Economy

We shall argue the role of local government in the advancement of local food markets. First, local government's support of the improvement of local food production market success and viability directly affects the livelihood of the entire community. Secondly, we shall argue how altering local regulations and investing in the viability of a local production market challenges the equity of the free market.

**Erick Aune**, Planning Director, La Plata County, Durango, CO; **Robby Overfield**, Planner, La Plata County, Durango, CO; **Jim Dyer**, Project Director, Southwest Marketing Network, Hesperus, CO; **Heather Wooten**, Planning and Policy Associate, Public Health Law & Policy, Oakland, CA

## 1:45pm to 3:00pm

### Energy Conservation Strategies & Climate Action Plans

Federal stimulus legislation has poured millions of dollars into funding local energy efficiency and conservation strategies. State legislatures from Florida to California are requiring local governments to adopt climate action plans and greenhouse gas reduction strategies. This session offers pointers on how to lay the foundation for such strategies and plans with greenhouse gas emission inventories. It will explore how to build on that foundation with innovative strategies to conserve energy through a variety of capital projects, land use planning initiatives, education, and other approaches.

**Judy Dorsey PE, CEM, LEED-AP**, President and Principal Engineer, Brendle Group, Fort Collins, CO; **Christopher J. Duerksen, Esq.**, Managing Director, Clarion Associates, Denver, CO; **Wayne Snider**, Town Administrator, Town of Fowler CO

## 3:15pm to 4:30pm

### PUD Overload: A 12-Step Program for Restoring Zoning Sanity

Processing too many PUD approvals may be a warning to a community that the land use code is dysfunctional. In this session, we will identify the multiple reasons that PUD becomes the default approval process, explore the negative impacts of this approach, and provide methods to restore greater certainty and zoning balance.

**Elizabeth Garvin, Esq.**, AICP, Senior Associate, Clarion Associates, Denver, CO; **Matthew R. Gennett, AICP**, Planning Manager, Town of Avon, CO

***New Option: RMLUI is pleased to announce the addition of online participation in the 19<sup>th</sup> Annual RMLUI Land Use Conference. This will include live video of stream of keynote, plenary, and selected conference sessions. This option also includes a DVD of ALL conference sessions and their corresponding CLE, CRE, and AICP-CM at-home study credits.***

***If you choose the online option, instructions will be emailed to you separately prior to the conference.***

**Tuition for Online Participation**

Regular: \$450.00; Early-Bird (cut-off: February 6, 2010): \$410.00

Local Government: \$385.00; Early Bird: \$350.00

Non-profit: \$255.00; Early Bird: \$225.00

Full Time Student: \$100.00; Early Bird: \$80.00

**Substitutions, Cancellations & Refunds:**

**Substitutions may be made at any time by editing your online registration at [www.law.du.edu/rmlui](http://www.law.du.edu/rmlui).**

**Registration fees will be refunded (less a \$35 processing fee) **only** if written notice is received by 5:00pm on Wednesday, February 24, 2010 via e-mail to [rmlui@law.du.edu](mailto:rmlui@law.du.edu) or fax to 303-871-6051. Later cancellations and “no shows,” **for any reason**, will be charged the full registration fee.**

**Continuing Education Credits:**

**Continuing Legal Education (CLE)**

Approval is pending from the Colorado Supreme Court Board of Continuing Legal Education for approximately 15 CLE credits, including 1.5 ethics credits.

**AICP Certification Maintenance (CM)**

Approval is pending for AICP Certification Maintenance (CM) credits for up to 19.5 total hours, including 1.5 CM credits for ethics and 5 CM credits for planning law (7 CM credits possible for Wed. March 3, 2010, 6.25 CM credits possible for Thursday March 4, 2010, & 6.25 CM credits possible for Friday March 5, 2010 depending upon session choices).

**Counselors of Real Estate (CRE)**

Application has been made to the Colorado Real Estate Commission for approximately 15 hours of continuing education credit for brokers and salespersons.

**Tax Deduction:**

Educational expenses (including enrollment, hotel and travel costs) are deductible if they improve or maintain professional skills (Treas. Reg. 1.162-5.)