Future Housing Coalition Toolkit

Private Sector Resources



Augustana Homes in Denver, Habitat for Humanity of Metro Denver

FHC
FUTURE HOUSING COALITION
powered by Civic Results

FOREWORD

From the President & CEO, Civic Results

I am proud to introduce the Future Housing Toolkit, a resource designed to help Colorado communities expand housing choices and strengthen local economies. Across our state, the demand for housing that meets the needs of working families, older adults, and first-time home buyers continues to grow. At the same time, communities are striving to preserve character, address infrastructure demands, and ensure long-term sustainability.

This toolkit is the result of thoughtful collaboration through the Future Housing Coalition (FHC) – a partnership of mayors, local leaders, housing experts, and community stakeholders. The initial toolkit includes communications and public sector components, and illustrative examples that showcase how missing housing can fit seamlessly into existing neighborhoods.

Our goal is simple: to equip local governments and partner organizations with practical tools to inform dialogue, foster trust, and move from concept to implementation. By supporting transparent engagement and providing clear policy pathways, we aim to help communities of all sizes expand housing opportunities for residents while maintaining the qualities that make each place unique.

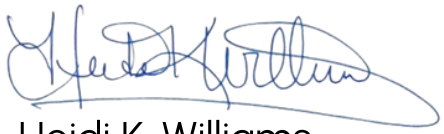
FOREWORD

Future iterations of the toolkit will build on this foundation, adding components for the Private Sector and Financing Options. These additions will focus on ensuring that middle housing serves households in the 80–120% AMI range, including teachers, healthcare and essential workers, and the public safety workforce, who are vital to the prosperity of every community.

While the FHC offers useful references, the toolkit is NOT intended to serve as a template for state legislation, but rather as a resource to help LOCAL governments identify approaches that best fit their own community needs.

This is just the beginning. As we continue to refine and add to the Future Housing Toolkit, I invite you, local leaders, community members, and partners, to use these resources, adapt them, share your experiences and send us examples. Together, we can create stronger communities, more resilient economies, and a future where every Coloradan has a place to call home.

With gratitude,



Heidi K. Williams
President & CEO, Civic Results

FHC
FUTURE HOUSING COALITION
powered by Civic Results

ACKNOWLEDGMENTS

Civic Results would like to express our deepest appreciation to everyone who helped make this work possible. Several people played an important role in the various stages of the drafting process, from brainstorming, providing expertise, reviewing drafts, and making recommendations for the toolkit content. These invaluable contributions helped us develop a practical guide to address missing middle housing in Colorado. We extend our appreciation to the individuals listed below for their valuable contributions. We apologize for any inadvertent omissions.*

Civic Results Team

Heidi Williams, President & CEO
Maggie Graves, Program Manager
Christina Noto, Program & Operations Assistant

Civic Results Board of Directors

Kasia Iwaniczko-MacLeod, Board Chair. Managing Partner, 5280 Consulting Group, Inc.
Bob Murphy, Board Vice Chair. Former Mayor, City of Lakewood
Marilee Utter, Board Secretary/Treasurer. President, Citiventure Associates, LLC.
Rick Pilgrim, Past Board Chair. Senior Vice President & Principal Consultant, HDR, Inc.
Jackie Millet, Chief Operating Officer, Douglas County School District
Linda Olson, Reservist & Training Manager, FEMA Adam Paul, Director of Government Affairs, CCD
Carolynne White, Shareholder, Brownstein Hyatt Farber Schreck
Raymond Gonzales, President, Metro Denver Economic Development Corporation. Executive Vice President, Denver Metro Chamber of Commerce

FHC Steering Committee

Alison George, Former Director, Colorado Department of Local Affairs (DOLA) Division of Housing
Anthony Graves, Principal, Graves Civic Solutions. Former Managing Director of Partnerships & Innovation, University of Colorado Denver
Bev Stables, Legislative & Policy Advocate, Colorado Municipal League
Bill Mahar, Principal, Norris Design
Bud Starker, Former Mayor, Wheat Ridge. Former Chair, Metro Mayors Caucus (MMC), MMC Housing, Homelessness and Hunger Committee
Hilary Cooper, Director of Innovative Funding for Housing Programs, Colorado Office of Economic Development and International Trade
Kelly Flenniken, Executive Director, Colorado Counties, Inc.
Kevin Bommer, Executive Director, Colorado Municipal League
Lauren Cecil, Director of Government Affairs, Denver Metro Association of REALTORS®
Maria De Cambra, Executive Director, Colorado Department of Local Affairs (DOLA)

**The views expressed in this toolkit do not necessarily reflect the work or views of the individuals listed.*

FHC
FUTURE HOUSING COALITION
powered by Civic Results

ACKNOWLEDGMENTS

FHC Steering Committee (Continued)

Marilee Utter, President Citiventure Associates, LLC. Board Secretary/Treasurer, Civic Results Board of Directors
Peter Lifari, CEO, Maiker Housing Partners. Housing Fellow Common Sense Institute
Peter Wall, Wall Kane Consulting
Rodney Milton, Executive Director, Colorado Urban Land Institute
Steve Conklin, Mayor, City of Edgewater. Former Chair, Denver Regional Council of Governments (DRCOG). Executive Committee Member Metro Mayors Caucus (MMC)
Ted Leighty, President & CEO Home Builders Association of Metro Denver and Colorado Home Builders Association

Contributors

Brian Rossbert, Executive Director, Housing Colorado
Don Elliott, Senior Consultant, Clarion Associates, LLC.
Jeannine Rustad, Director of Planning & Business Development Director, City of Aurora
Jenni Hall, Director of Community and Economic Development, Adams County Government
Laura Weinberg, Mayor, City of Golden

Policy and Land Use Work Group

Amy Schwartz, Vice President Social Responsibility and Community Partnerships, Oakwood Homes
Bev Stables, Policy Advocate, Colorado Municipal League
Don Elliott, Senior Consultant, Clarion Associates, LLC.
Greg Fisher, Long-Term Planning Manager, Denver Water
Jeannine Rustad, Director of Planning & Business Development, City of Aurora
Jenni Hall, Director Community & Economic Development, Adams County Government
Kelly First, Director of Community Development, City of Lone Tree
Michael Penny, City Manager, City of Castle Pines
Susan Wood, Project Manager, RTD

Private Industry Construction Work Group

Amy Schwartz, Vice President Social Responsibility and Community Partnerships, Oakwood Homes
Bill Mahar, Principal, Norris Design
Chrissy Faraci, Owner/Partner, DJCA
Jeannine Rustad, Director of Planning & Business Development, City of Aurora
Kelly Pickering, Founder, Addazu Homes
Marilee Utter, President Citiventure Associates, LLC. Board **Secretary/Treasurer**, Civic Results Board of Directors
Morgan Cullen, Director of Government Affairs, Home Builders Association of Metro Denver.

Financing Tools And Options Work Group

Bob Munroe, Owner, RMM Advisors, LLC.
Carl Koelbel, President &CEO, Koelbel & Co.
Jeff Romine, Economic Vitality Director & Economist, City and County of Broomfield
John Lucero, Founder & Principal, Lucero Development Services
Kelly Pickering, Founder, Addazu Homes
Neal Drobenare, Senior VP of Acquisitions, NHP Foundation
Shak Powers, Regional Project Manager, Region 9 Economic Development District

Community Engagement Materials Work Group

Ben Fulton, Development Policy Analyst, Adams County
Don Elliott, Senior Consultant, Clarion Associates, LLC.
Jenni Hall, Director Community & Economic Development, Adams County Government
Jim Licko, Founding Partner GFM, Center Table
John Stoll, Long Range Planning, Adams County
Kelly Pickering, Founder, Addazu Homes
Maria Ciano, Executive Director, Douglas County Housing Partnership
Shak Powers, Regional Project Manager, Region 9 Economic Development District
Susan Wood, Project Manager, RTD

FHC
FUTURE HOUSING COALITION
powered by Civic Results

ACKNOWLEDGMENTS

Other Contributors

Arin DeGroff, Housing Navigator, Douglas County Housing Partnership
Carrie L. Makarewicz, Associate Professor & Department Chair, University of Colorado Denver Urban and Regional Planning Department
David Pardo, Technical Founder, woodhaus
Jack Becker, Founder & Principal at Grounded Solutions
Jack Suva-Urwin, Research Assistant, University of Colorado Denver Urban and Regional Planning
Jennifer Steffel Johnson, Assistant Teaching Professor, University of Colorado Denver Urban and Regional Planning Department
Kristina Higgins, Candidate, University of Colorado Denver Master of Urban and Regional Planning & Master Urban Design
Mark Schenberger, Research Assistant, University of Colorado Denver Urban and Regional Planning
Sheila Lynch, Director of Regional Planning and Development, DRCOG

SPONSORS

Platinum

NATIONAL ASSOCIATION OF REALTORS®

Silver

COMCAST

DENVER METRO ASSOCIATION OF REALTORS®

OAKWOOD HOMES

Bronze

CORE ELECTRIC COOPERATIVE

Brownstein

BuildStrong Academy of Colorado

Master of Urban Design
COLLEGE OF ARCHITECTURE AND PLANNING
UNIVERSITY OF COLORADO **DENVER**

Master of Urban and Regional Planning
COLLEGE OF ARCHITECTURE AND PLANNING
UNIVERSITY OF COLORADO **DENVER**

Department of Urban and Regional Planning
COLLEGE OF ARCHITECTURE AND PLANNING
UNIVERSITY OF COLORADO **DENVER**

FHC FUTURE HOUSING COALITION powered by Civic Results



DEVELOPER RESOURCES

FHC
FUTURE HOUSING COALITION
powered by Civic Results

OVERVIEW



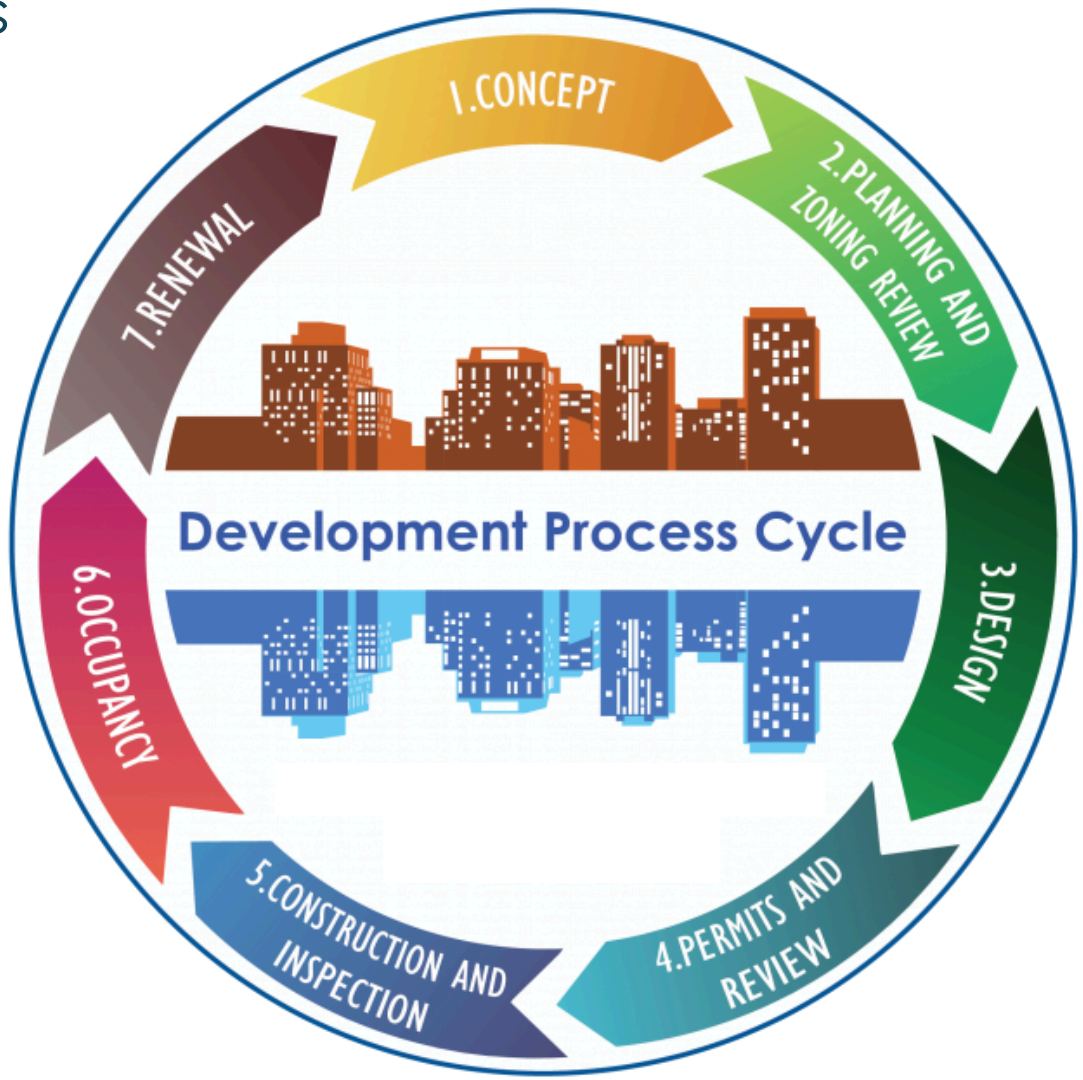
The development review process is a series of **reviews** and **approval** needed for each development process. **Each city is different** and sometimes has **different names or terms** used to explain the process.

THE DEVELOPMENT PROCESS

The Development Process

Each development process is different, but it generally follows the following steps:

- Concept
- Planning and Zoning Review
- Design
- Permits and Review
- Construction and Inspection
- Occupancy
- Renewal



Source: Fairfax County

FHC
FUTURE HOUSING COALITION
powered by Civic Results

The Development Process

Cities also follow different review processes. Sometimes the process is linear, sometimes its concurrent, and sometimes is a mix (hybrid) of both processes.

Concurrent Review	Linear (Sequential) Review
Parallel (e.g., zoning, site plans, and building permits are evaluated at the same time).	Step-by-Step (e.g., zoning must be fully approved before site plan review begins).
Generally faster; shaves months off the pre-construction pipeline.	Generally slower; timelines compound as each department waits for the prior one to finish.
Multiple municipal departments must coordinate tightly on fluid, changing plans.	Departments only touch projects that have completed earlier vetting stages.
Generally has several of moving parts and is sometimes more difficult to understand	Generally, easier to understand/ more straightforward

THE DEVELOPMENT PROCESS

Sequential Review



Concurrent Review



Source: Caeli Hill, City and County of Denver

FHC
FUTURE HOUSING COALITION
powered by Civic Results

Operating Models

A city's operating model dictates how different departments (Planning, Zoning, Fire, Engineering, and Environmental) evaluate plans.

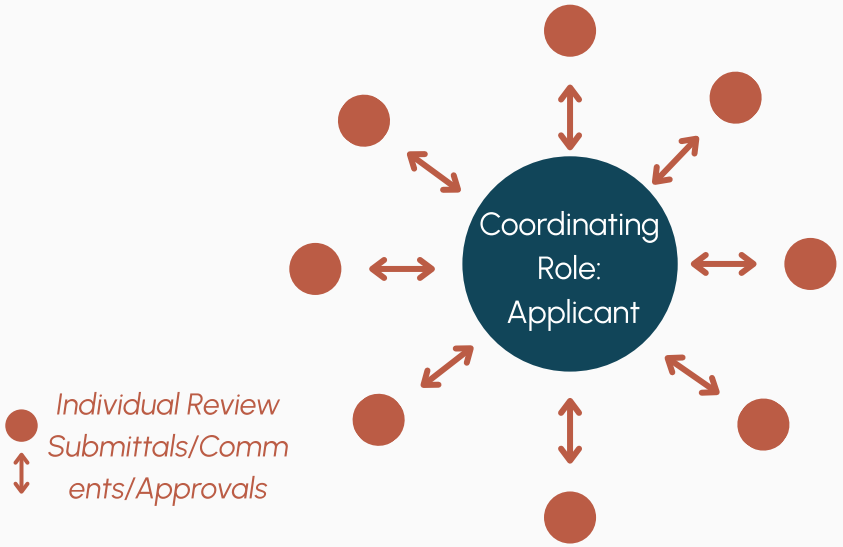
Consolidated Review	Coordinated Review
Applications are submitted to one place and distributed for review.	Applicant submits separately to various independent agencies and departments.
Single department or business navigator collects and unifies all comments internally.	Independent departments reviews and sends comments separately
Applicant receives one set of comments from all of the departments	Applicant manages multiple independent sets of feedback from various departments

THE DEVELOPMENT PROCESS

Consolidated Review



Concurrent Review



Source: Caeli Hill, City and County of Denver

ROLES & RESPONSIBILITIES



Our goal is help developers & governments **work better together**!

FHC
FUTURE HOUSING COALITION
powered by Civic Results

ROLES & RESPONSIBILITIES

The Why

Understanding the roles and responsibilities of developers and governments helps to:

- determine who has decision making power
- set expectations between parties
- enhance accountability and transparency
- streamline processes
- communicate better



ROLES & RESPONSIBILITIES

Pre-Application

Pre-Application first step in the development review process to confirm the project is even possible. It may identify issues early, clarify submittal requirements, reduce formal review cycles. In some jurisdictions is may be an optional step, in others it may be required.

Developer/Home Builder	Municipal/County Government
Schedule pre-application meetings to clarify timelines, requirements, and contacts.	Provide clear pre-application guidance, checklists, and designated staff contacts.
Review zoning codes, comprehensive/master plans, and design standards before submitting.	Ensure codes, plans, and requirements are up-to-date and easily accessible online.
Align proposals with community goals (affordability, sustainability, growth priorities).	Communicate community priorities clearly in comprehensive/master plans.

ROLES & RESPONSIBILITIES

Application & Submission

Application & Submission is the formal submission of complete project plans, technical studies, and required documentation to the governing jurisdiction to officially initiate the review process.

Developer/Home Builder	Municipal/County Government
Submit complete, consistent, and accurate applications and plans (digital formats preferred).	Offer user-friendly submission portals and accept modern digital file formats.
Be transparent about variances/waivers; explain project benefits clearly.	Provide clear review timelines and written feedback with actionable detail.
Assign a single project contact to respond promptly to staff questions.	Maintain consistent communication across departments to avoid conflicting directions.

ROLES & RESPONSIBILITIES

Plan Review & Approval

Plan Review & Approval is the detailed technical evaluation of submitted plans by departmental reviewers to verify full compliance with local codes, leading to a formal decision to approve, conditionally approve, or deny the project.

Developer/Home Builder	Municipal/County Government
Make edits and address comments	Provide clear comments
Collaborate with staff respectfully; bring solutions, not just problems.	Treat applicants as partners in community building, not adversaries.
Engage stakeholders early (neighbors, HOAs, business groups).	Provide a fair and transparent public process; help manage community expectations.
Remain flexible and willing to adapt project details where feasible.	Show flexibility when projects further community goals (affordable housing, sustainability).

Long-Term Relationship Building

Long-Term Relationship Building is the ongoing effort to establish trust, maintain open communication, and align mutual goals long before and/or after individual project applications are submitted and long after construction is complete.

Developer/Home Builder	Municipal/County Government
Deliver projects as promised; honor commitments to affordability or community benefits.	Celebrate successful projects and highlight good developer partnerships.
Participate in code updates and planning workshops with constructive input.	Engage developers and builders as stakeholders in policy and code development.
Support community initiatives (housing toolkits, task forces, civic partnerships).	Create opportunities for collaboration through task forces, forums, and civic events.

THE POLITICAL PROCESS



In Colorado, once an application is filed, most land use and licensing hearings are considered **quasi-judicial**, which triggers stricter rules about communication and decision-making.

THE POLITICAL PROCESS

Key Terms

Quasi-Judicial: during this type of proceeding, the decision-making body, like a Planning Commission, Zoning Board of Adjustment, City Council, and/or the Mayor, must act as an impartial panel of judges rather than policymakers.

Ex Parte: Off the record

Substantive Due Process: United States constitutional law that allows courts to protect certain fundamental rights from government interference, even if those rights are not explicitly mentioned elsewhere in the U.S. Constitution. Legally the government cannot infringe upon deeply rooted personal freedoms regardless of how fair the legal procedure is.

Fifth Amendment of the U.S. Constitution: protects individuals from the abuse of government power in criminal legal proceedings. The Fifth Amendment's key protections include the right to a grand jury indictment, the prohibition of double jeopardy, protection against self-incrimination, the due process clause, and the restriction of eminent domain.

Fourteenth Amendment of the U.S. Constitution: protects individuals from state and local government abuses and guarantees civil rights. The Fourteenth Amendment's key protections include the citizenship clause, the privileges or immunities clause, the due process clause, and the equal protection clause.

THE POLITICAL PROCESS

Key Questions

What qualifies for a quasi-judicial hearing?

Rezoning, Subdivision Plats, Conditional & Special Use Permits, Site Plans, Variances, etc.

Why can't I talk to elected officials about certain decisions before the hearing?

Much like a judge, an elected official presiding over a quasi-judicial hearing must avoid forming a fixed opinion before hearing all the evidence.

What Jurisdictions are subject to quasi-judicial rules?

All municipalities and counties in Colorado when deciding land use applications

Why Follow Quasi-Judicial Rules?

It's the law and determines when you can talk to elected officials



Constitutional Protection

All quasi-judicia rules and decisions are subject to **substantive due process**, guaranteed under the **5th and 14th Amendments.**



Protect Applicant's Rights

Defend against **bias** (or the perception of bias). Ensure decisions are **based *only*** on **evidence presented**.



Avoid Legal Challenges

Strict adherence avoids procedural errors. Prevents a decision from being overturned on appeal.



WARNING: If ex parte contact occurs, it must be disclosed immediately. Failure to disclose can jeopardize the entire process and provide grounds for a lawsuit.

THE POLITICAL PROCESS

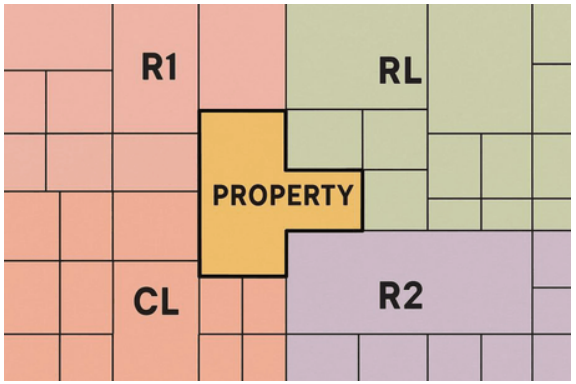
Fact Sheet

- A quasi-judicial decision is one made by a governing body (city council, county commission, planning commission, or board of adjustment) in a role similar to a judge.
- It applies existing laws, ordinances, or policies to the specific facts of a case or application.
- Decisions must be based on the evidence in the public record (staff reports, testimony, exhibits).
- The applicant and the public are entitled to due process: notice, a fair hearing, and an impartial decision-maker.
- Private or "off the record" conversations (ex parte communications) with decision-makers are discouraged or prohibited, to preserve fairness and avoid bias.



THE POLITICAL PROCESS

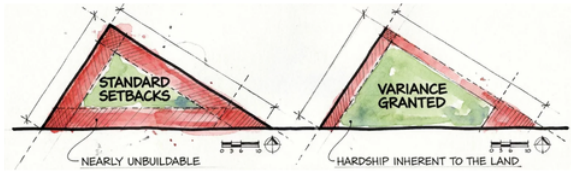
Examples of Quasi-Judicial Actions



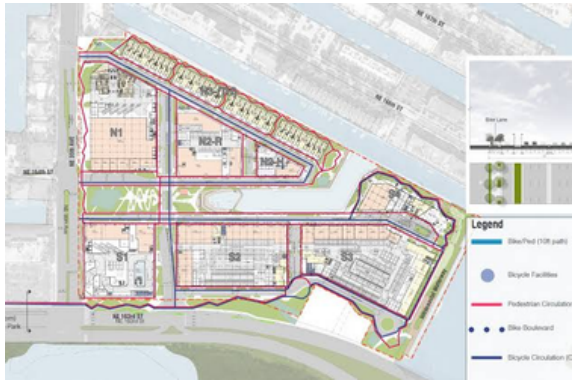
Rezoning of a Specific Property



Conditional or Special Use Permits



Variances from Zoning Requirements



Site Plan or Subdivision Plat Approvals



Liquor or Marijuana License Hearings

Sources: Top: Zoneomics, Napoli Law, Young Architect Academy
Bottom: Floridian Development, CPR

FHC
FUTURE HOUSING COALITION
powered by Civic Results

THE POLITICAL PROCESS

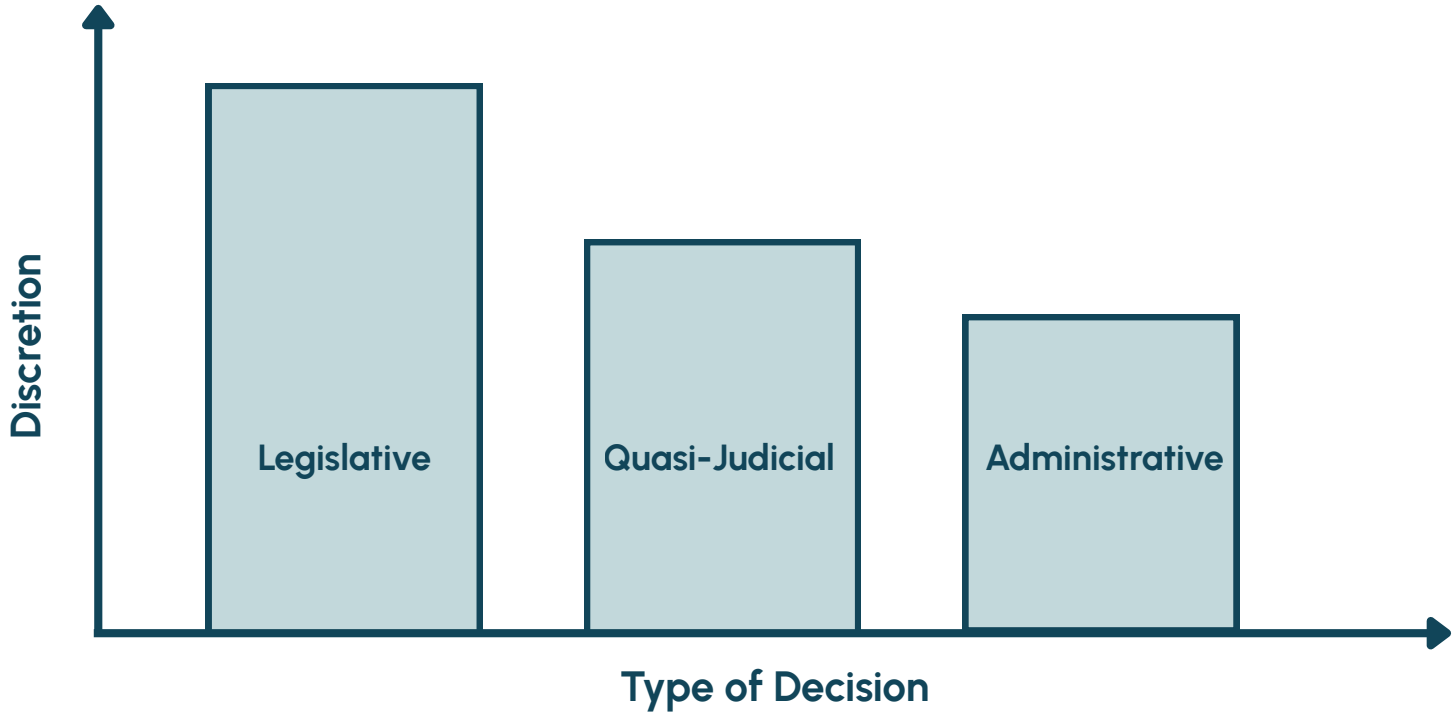
Not Quasi-Judicial

Legislative

Legislative actions are policy decisions made by elected leaders, often with recommendations from planning boards and input from the public, that create or update broad rules affecting the entire community.

Administrative

Administrative or ministerial decisions involve standard procedures like reviewing applications, conducting inspections, and issuing routine building, sign, or zoning permits.



Source: University of Wisconsin-Madison Division of Extension

THE POLITICAL PROCESS

Learn More About Quasi-Judicial Law



- Colorado Municipal League (CML) provides training and guidance on quasi-judicial vs. legislative actions and proper conduct.
- Colorado Counties, Inc. (CCI) provides similar guidance for counties.
- Colorado Department of Local Affairs has a webpage dedicated to Due Process, Ex Parte Contacts, Conflicts of Interest, and Personal Liability
- Other Helpful Resources:
  - Many local government publish handbooks for boards and commissions with sections on quasi-judicial conduct.
  - Court cases such as Snyder v. City of Lakewood (1981) are often cited as the foundation for how quasi-judicial proceedings must operate in Colorado.
- Tools for Local Governments:
  - CHFA Technical Assistance for developers, communities and elected officials

THE POLITICAL PROCESS

Bottom Line

All municipalities and counties in Colorado must follow quasi-judicial procedures once an application is submitted.

Applicants/developers should avoid lobbying elected officials after application submission and should instead focus communications through staff and the public record.

Elected officials should avoid private conversations and disclose any inadvertent contact

HELPFUL TIPS



- Know who the public officials are
- Build relationships
- Know the development approval process for the municipality
- Consider hiring someone to support with public speaking
- Be prepared for the community engagement process, add a budget line for time and money
- Don't take out a loan before you have to
- Know what quasi-judicial rules are
- Don't get turned down on a technicality
- Fill out the application correctly and fully the first time
- Manage your subs



FHC
FUTURE HOUSING COALITION
powered by Civic Results