

Zoning Rewrites / Regulatory Reform

Like most other areas of the law, zoning, subdivision, and land development regulations tend towards unnecessary complexity. Time and again, a series of well-intentioned code amendments, stacked upon one another without sufficient attention to their interrelationships and objectives, will result in a code with internal inconsistencies, clashing policy objectives, confusing procedures, and a mix of current and obsolete standards that do not appropriately implement the municipality's or county's master plan for land use and development.

Sometimes the surrounding legal context changes, rendering portions of a municipality's development codes illegal or even unconstitutional. For example, the 2015 U.S. Supreme Court case of *Reed v. Town of Gilbert*, 135 S. Ct. 2218 (2015), put more than 90 percent of Colorado's municipalities and counties that regulate signs at significant risk of loss in the event of litigation. Since 2015, we have assisted 10 municipalities with sign code reform projects in light of the Reed decision, and have extensively lectured on the topic at planning and continuing legal education conferences.

Our regulatory reform practice has a proven track record of code modernization and simplification. Our attorneys have provided code reform advice, code amendments, and full code rewrite services for more than a dozen Colorado local governments. Prior to joining Fairfield and Woods, P.C., one of our attorneys had a national plan implementation practice, drafting codes and code amendments for dozens of local governments across 10 states. Representative code reform projects include:

- City of Alamosa Uniform Development Code
- City of Central Sign Code and Land Development Code
- City of Loveland Unified Development Code