

# 2016 Land Use Fundamentals

## April 27, 2016 • Radisson Hotel and Suites, Austin-Downtown • Austin, TX

### Wednesday Afternoon, Apr. 27, 2016

#### Presiding Officer:

**Christy Drake-Adams**, Texas Municipal League - Austin, TX

|                    |                                                                                                                                                                                                                                                                                                                                                            |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12:30 pm           | <b>Registration Opens</b><br><br>Includes light refreshments.                                                                                                                                                                                                                                                                                              |
| 1:20 pm            | <b>Welcoming Remarks</b>                                                                                                                                                                                                                                                                                                                                   |
| 1:30 pm<br>0.50 hr | <b>Comprehensive Planning: Consistency and Challenges</b><br><br>With several comprehensive plans being legally challenged in Texas courts, take an in-depth look at the roles the comprehensive plan process and documents play in land use cases.<br><br>Kimberley Mickelson, Olson & Olson LLP - Houston, TX                                            |
| 2:00 pm<br>0.75 hr | <b>Zoning 101</b><br><br>Review basic zoning concepts and procedures and explore how zoning interacts with comprehensive planning.<br><br>Terrence S. Welch, Brown & Hofmeister, L.L.P. - Richardson, TX                                                                                                                                                   |
| 2:45 pm<br>0.75 hr | <b>Platting 101</b><br><br>This basic building block for land use regulation is explained and contrasted with zoning. Practical pointers are included to help practitioners on both sides of the aisle understand the platting process and avoid legal pitfalls.<br><br>E. Allen Taylor Jr., Taylor, Olson, Adkins, Sralla & Elam, L.L.P. - Fort Worth, TX |
| 3:30 pm            | <b>Break</b>                                                                                                                                                                                                                                                                                                                                               |
| 3:45 pm<br>0.50 hr | <b>P&amp;Z and BOA: A Comparison Review</b><br><br>Explore P&Z authority and BOA authority, including land use appeals, internal cases, special exceptions, and other duties (such as the granting of variances).<br><br>Victor A. Flores, City of McAllen - McAllen, TX                                                                                   |
| 4:15 pm<br>0.50 hr | <b>Boards of Adjustment and Variances</b><br><br>Hear an overview of BOAs, with a focus on the unique area of variance, and review BOA and variance case law.<br><br>Reid C. Wilson, Wilson, Cribbs & Goren, P.C. - Houston, TX                                                                                                                            |

4:45 pm  
0.75 hr

### **Nonconformities and Vested Rights**

Review the legal bases for, key concepts of, and current issues involved in Texas vested rights (or "grandfathering") law. Learn the basics of statutory vested rights in Chapter 245 of the Texas Local Government Code and the general application of non-conforming rights. Consider some of the issues that cities and developers face in complying with and applying these laws, and hear how Texas courts are resolving some of these issues.

Dorothy Palumbo, Bojorquez Law Firm, PC - Austin, TX

5:30 pm

### **Adjourn**