

9th Annual

LAND USE PLANNING LAW CONFERENCE

Earn up to 13.00 hours of credit including 1.00 of hour ethics credit
Specialization for: Administrative Law and Real Estate Law

TREC Credit and CEP Credit for Professional Engineers Available



March 10-11, 2005
Austin Marriott at the Capitol
Austin, Texas

9TH Annual
LAND USE PLANNING LAW CONFERENCE

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THURSDAY MORNING, MARCH 10

Presiding Officer:

Kimberley Mickelson, Houston/Chicago, IL

7:30 a.m. Registration Opens

Includes continental breakfast.

8:35 a.m. Welcoming Remarks

BASICS:

8:45 a.m. .50 hr

A. Comprehensive Planning, Policy Issues and the Big Picture

The relationship of the comprehensive planning process to land use regulatory issues. The role of legislative and advisory boards, commissions and councils within the regulatory process and the review standards employed by each entity. An introductory map and glossary of terms for new players in the field.

E. Allen Taylor, Jr., Ft. Worth

9:15 a.m. .75 hr

B. An Overview of Zoning in Texas

An overview of the law of zoning in Texas and the basics of zoning, including practical pointers for land use attorneys and local government personnel.

Terrence S. Welch, Richardson

10:00 a.m. Break

10:15 a.m. .75 hr

C. Platting: What You Need to Know

A presentation covering all platting basics as well as many interesting twists in this companion area to zoning.

Reid Wilson, Houston

11:00 a.m. .50 hr

Legislative Update: An Overview of County Land Use Bills Pending before the 79th Texas Legislature

A brief look at legislation which has been introduced to date and the factors that may influence possible outcomes.

Penny Redington, Austin

11:30 a.m. .50 hr

Coming Full Circle

A discussion of how the common law tort of nuisance has influenced the development of land use law and whether nuisance principles have present and possible future significance for land use law. The presentation will emphasize the importance of nuisance as a land use law "fundamental."

Deborah F. McAbee, Houston

12:00 p.m. Lunch on your own

THURSDAY AFTERNOON

Presiding Officer:

Reid Wilson, Houston

1:15 p.m. .75 hr

Texas Demographics 2005 and Beyond

There are several key demographic factors that are impacting Texas and the Nation and will affect nearly all persons involved in either the private or public sectors in the coming years. Four factors that will be discussed are:

- the rate of growth of the population
- the aging of the population
- the growth in non-Anglo populations
- change in household composition

Steve H. Murdock, San Antonio

2:00 p.m. 2.00 hrs

Downtown/Reurbanization Panel

The use of tax increment financing for transit oriented or mixed use development.

Ed Walts, Dallas, Co-Moderator
William S. Dahlstrom, Dallas, Co-Moderator
W. Boyd London, Dallas
Paul Nelson Shaw, Dallas
Peter G. Smith, Dallas

3:00 p.m. Break

3:15 p.m.

Downtown/Reurbanization Panel Continues

4:15 p.m. 1.00 hr ethics

Ethics and Land Use Planning

An in-depth discussion of ethical issues that confront both governmental and non-governmental lawyers involved in the land-use process.

David Caylor, Irving

5:15 p.m. Adjourn

FRIDAY MORNING, MARCH 11

Presiding Officer:

Dorothy Palumbo, Denton

8:00 a.m. Conference Room Opens

Includes continental breakfast.

8:30 a.m. 1.00 hr

The Trends—An Introduction to Flexible Zoning Tools and Methods to Resolve Land Use Disputes

The panel will discuss regulatory options that provide flexibility, facilitate value capture and streamline the development approval process, through the use of form-based or performance zoning standards. Practitioners will also examine the use of alternative dispute resolution measures for the resolution of the disputes that arise under traditional or new regulatory methods.

Dorothy Palumbo, Denton, Moderator
Lowell F. Denton, San Antonio
Kimberley Mickelson, Houston/Chicago, IL
Scott Polikov, Austin

9:30 a.m. .50 hr

Access Management: Fasten Your Seatbelt for a Bumpy Ride through the Land Development Process

Overview of various processes and procedures affecting transportation, traffic and access in the land development process.

Rick Reed, Austin
Heidi Ross, Austin

10:00 a.m. Break

10:15 a.m. .50 hr

Drainage Law in Texas: Can Cities and Developers Weather the Storm?

As less and less developable land exists, drainage and flooding claims by neighboring property owners are on the rise. Cities and developers both play a role in regulating drainage, flooding and development. This presentation explores those roles and further discusses recent Texas Supreme Court cases: *Tarrant Regional Water District v Gragg* and *City of Keller v Wilson*.

L. Stanton Lowry, Irving

10:45 a.m. .50 hr

Use of Impact Fees and Pro Rata Fees in Texas: A Comparison

Advantages and disadvantages of using impact fees and "pro rata" or "escrow" fees to recoup costs of capital improvements in Texas. New statutory and constitutional challenges to development fees will also be discussed.

Terry D. Morgan, Dallas
Dan Sefko, AICP, Dallas

11:15 a.m. .50 hr

Federal and State Environmental issues

Strategies to avoid common (and uncommon) pitfalls.

Craig M. Douglas, Austin

11:45 a.m. Box Lunch Presentation .75 hr

Please select on registration form.

Creating Community-Wide Open Space Networks through Conservation Subdivision Design

Randall Arendt, Narragansett, RI

FRIDAY AFTERNOON

Presiding Officer:

Richard R. Lillie, Austin

1:15 p.m. 1.00 hr

Development Agreements

Legal parameters, typical components, and helpful negotiation techniques will be discussed.

David Hartman, Austin, Moderator
Alan J. Bojorquez, Austin
R. Alan Haywood, Austin

2:15 p.m. .50 hr

Takings and Land Use Challenges: A Primer

Overview of the types of claims that may be brought to challenge the planning, zoning and land development regulations and decisions of local governments, as well as the defenses available to local governments to avoid or mitigate such claims.

Robert F. Brown, Richardson

2:45 p.m. 1.00 hr

Litigating the Land Use Case

Presenting the plaintiff's side on inverse condemnation and land use litigation.

Arthur J. Anderson, Dallas
Lowell F. Denton, San Antonio

3:45 p.m. Adjourn

M
C
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E

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 13 hours, of which 1.00 credit hours will apply to legal ethics/professional responsibility credit.

REGISTRATION FOR LD05

Mail this registration form to:

The University of Texas School of Law, Attn. LD05
P.O. Box 7759, Austin, TX 78713-7759
or fax a copy to: (512) 475-6876

PLEASE PRINT CLEARLY

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REGISTRATION

Includes Course Binder

☐ Early Registration Fee due by Wed., March 2, 2005 \$395.00

☐ Registration Fee after Wed., March 2, 2005 \$445.00

ADD LUNCH

☐ Friday Box Luncheon Presentation with Randall Arendt.....\$20.00

CONFERENCE PUBLICATIONS AND MEDIA

Allow 2-4 weeks from the conference date for delivery.

☐ Course Binder \$200.00

Note: Conference registration includes Course Binder.

☐ Audio CD Set \$175.00

☐ eBinder on CD (PDF format) \$200.00/\$50.00
(\$200 purchased alone, \$50 with registration or purchase of Course Binder or Audio CD Set)

GROUP CLE: Bring the conference in-house and learn at your convenience.

Allow 2-4 weeks from the conference date for delivery.

☐ Group CLE for 2—Includes Audio CD Set and Course Binder \$750.00

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AUSTIN

March 10-11, 2005

CONFERENCE LOCATION



Austin Marriott at the Capitol

701 E. 11th Street
Austin, TX 78701
(800) 648-4462

SPECIAL RATE \$129 single or double
(subject to availability) good
through February 16, 2005

Parking: \$5 self-parking; \$16 valet

KEY DATES

Registration and Cancellation

March 2, 2005, 5 p.m.
•last day for early registration
add \$50 for registrations
received after this time

March 4, 2005, 5 p.m.
•last day for full refund

March 7, 2005, 5 p.m.
•last day for partial refunds
\$50 processing fee applied

March 10, 2005, 8:45 a.m.
•conference begins

ABOUT THE COVER

"El Capitan from the East," oil on canvas, by Wanda Lou Raymond. For more information, please contact 416westgallery in Denison, TX, 903-463-0416, www.416westgallery.com



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