

10<sup>TH</sup> ANNUAL  
LAND USE PLANNING LAW  
CONFERENCE

Earn up to 12.75 Hours of Credit including 2.00 Hours of Ethics Credit  
Specialization Expected for Administrative Law and Real Estate Law

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April 6-7, 2006  
Hyatt Regency on Town Lake  
Austin, Texas

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THURSDAY MORNING, APRIL 6, 2006

**Presiding Officer:**  
Terrence S. Welch, Richardson

**7:30 a.m. Registration Opens**

Includes continental breakfast.

**8:35 a.m. Welcoming Remarks**

**8:45 a.m. .50 hr**

**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.

E. Allen Taylor, Jr., Fort Worth

**9:15 a.m. .75 hr**

**An Overview of Zoning in Texas**

This session covers the basics of zoning law in Texas, along with practical pointers for land use attorneys and local government personnel.

Terrence S. Welch, Richardson

**10:00 a.m. .50 hr**

**Historic Preservation**

Current development in historic preservation, including latest regulatory development and examples of effective programs across municipalities.

Kimberley Mickelson, Houston

**10:30 a.m. Break**

**10:45 a.m. .50 hr**

**Platting: What You Need to Know**

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

E. Allen Taylor, Jr., Fort Worth

**11:15 a.m. .50 hr**

**Impact Fees Made Easy**

A simplified view of the legal requirements for adopting and maintaining an impact fee ordinance.

Alan D. Lathrom, Richardson

**11:45 a.m. .50 hr**

**Practical Tips: Dealings between Local Governments, Landowners and Developers**

Information and perspectives helpful to each side of the government/owner dialogue and land use regulation.

Reid Wilson, Houston

**12:15 p.m. Lunch on Your Own**

THURSDAY AFTERNOON

**Presiding Officer:**  
Dorothy Palumbo, Highland Village

**1:30 p.m. .33 hr**

**Legislative Update**

Overview of significant legislation affecting land use regulation, from the 2005 Texas legislative sessions.

James L. Dougherty, Jr., Houston

**1:50 p.m. 1.00 hr**

**Hot Topics in Economic Development**

The effect of new legislation and recent litigation on Economic Development Agreements; including Chapter 380 agreements, TIFs, Development Agreements in Lieu of Annexation, and Transit Oriented Development.

Moderator: Dorothy Palumbo, Highland Village  
Patricia L. Akers, Austin  
Peter G. Smith, Dallas  
Misty M. Ventura, Dallas

**2:50 p.m. .50 hr**

**Municipal Regulation of Alcohol**

This session will outline key provisions of the Texas Alcoholic Beverage Code (TABC) as applied to municipalities, and explore the sometimes surprising loss of zoning control under certain provisions, i.e., local option elections. After 155 local option elections, what role is left for municipal zoning authorities? Has "local control" destroyed local control?

Karen Brophy, Arlington

**3:20 p.m. Break**

**3:35 p.m. .75 hr**

**The Freeze Law: Developer and Municipal Perspectives**

Alternative views on the interpretation and implementation of Texas Local Government Code Chapter 245 (House Bill 1704) and the determination of grandfathered status for development projects.

Moderator: Alan J. Bojorquez, Austin  
Developer Perspective: John Phillip Donisi, Austin  
Municipal Perspective: Julie Y. Fort, McKinney

**4:20 p.m. 1.00 hr ethics**

**The 11 Commandments of Professional Responsibility—Part I**

A session of informative and entertaining parables covering ethics and professional responsibility.

Michael Sean Quinn, Austin

**5:20 p.m. Adjourn**

FRIDAY MORNING, APRIL 7, 2006

**Presiding Officer:**  
Kimberley Mickelson, Houston

**9:00 a.m. .75 hr**

**Exactions and Takings: Legal Rules and Practical Responses**

Practical responses to municipal powers of exaction.

Municipal Perspective: Robert F. Brown, Richardson  
Developer Perspective: Ed Walts, Dallas

**9:45 a.m. .75 hr**

**Environmental Opportunities and Pitfalls**

Discussion of the ability of municipalities to use Municipal Setting Designations to encourage Brownfields redevelopment and encourage voluntary cleanups and redevelopment. Discussion of key considerations affecting land development in protected natural resource areas, such as endangered species habitat.

Moderator: David Hartman, Austin  
Alan M. Glen, Austin  
Patrick Larkin, Dallas

**10:30 a.m. Break**

10:45 a.m.

1.00 hr

**Water Regulation: Overview and Panel Discussion of §§ 26.177 Water Code, ETJ Issues, and other Current Developments**

This session will primarily concentrate on water pollution control and abatement programs as regulatory tools; the session will very briefly conclude with analysis of oil and gas exploration issues in urban areas and regulation of floodplain development.

Moderator: Monte Akers, Austin  
Jim Mathews, Austin  
Tom Nuckols, Austin  
Dorothy Palumbo, Highland Village  
Charles Zech, New Braunfels

11:45 a.m.

.50 hr

**Municipal Regulation: In Jurisdictions without Zoning**

Options for effective use of deed restrictions and subdivision controls by municipalities and jurisdiction where zoning does not exist, or as a supplement to zoning.

Marc D. Markel, Houston

12:15 p.m.

**Pick Up Box Lunch**

Included in registration fee.

12:25 p.m.

1.00 hr ethics

**Box Lunch Presentation:  
The 11 Commandments of Professional Responsibility—Part II**

A continuation of informative and entertaining parables covering ethics and professional responsibility.

Michael Sean Quinn, Austin

**FRIDAY AFTERNOON**

**Presiding Officer: Peter Cesaro, Austin**

1:30 p.m.

1.25 hr

**Kelo v. New London: Discussion and Q & A**

In June 2005 the US Supreme Court issued its decision in *Kelo v. the City of New London, CT*. The decision set off a firestorm of state and federal legislation prohibiting the use of eminent domain by local governments for economic development purposes. Both the Institute for Justice and the Community Rights Counsel for IMLA filed briefs in this case on opposite sides. This panel will discuss the future of eminent domain for local governments across the country with a particular perspective for Texas.

Moderator: Susan C. Rocha, San Antonio  
Jennifer Bradley, Washington, D.C.  
Scott Bullock, Washington, D.C.  
Scott N. Houston, Austin

2:45 p.m.

.75 hr

**Point/Counterpoint: Anatomy of a Land Use Case**

Pre-litigation and litigation strategy for both the plaintiff's and defendant's counsel in a typical land use case.

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

3:30 p.m.

**Adjourn**

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**Mail this registration form to:**

The University of Texas School of Law, Attn. LD06  
P.O. Box 7759, Austin, TX 78713-7759 **or fax a copy to: (512) 475-6876**

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Assistant's Email (optional) \_\_\_\_\_

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**REGISTRATION** includes Course Binder and Friday Box Lunch Presentation

☐ Early Registration Fee due by Wed. March 29, 2006..... \$425.00

☐ Registration Fee after Wed. March 29, 2006 ..... \$475.00

**CONFERENCE PUBLICATIONS AND MEDIA**

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

☐ Course Binder WITHOUT Conference Registration ..... \$200.00

☐ Audio CD Set ..... \$175.00

☐ eBinder on CD (PDF format) ..... \$200.00/\$50.00

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# AUSTIN

April 6-7, 2006

## CONFERENCE LOCATION



### Hyatt Regency on Town Lake

208 Barton Springs  
Austin, Texas 78704  
512-477-1234  
or 1-800-233-1234

Special rate: \$140  
good through March 19, 2006  
(subject to availability)

Parking: \$4 self-parking  
(subject to change)

## KEY DATES

### Registration & Cancellation

March 29, 2006-5 p.m.  
*last day for early registration*  
add \$50 for registrations  
received after this time

March 31, 2006-5 p.m.  
*last day for full refund*

April 3, 2006-5 p.m.  
*last day for partial refunds*  
\$50 processing fee applied

April 6, 2006-8:45 a.m.  
*conference begins*

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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 12.75 hours, of which 2.00 credit hours will apply to legal ethics/professional responsibility credit.

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"Texas Garden," acrylic  
on canvas (80" x 55"), is  
by Wanda Lou Raymond.  
For more information,  
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# UTCLE

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