

12TH ANNUAL LAND USE CONFERENCE

Earn up to 13.75 Hours of MCLE Credit Including 2.00 Hours of Ethics Credit

*Optional Wednesday Boot Camp: Earn up to 3.75 Hours of MCLE Credit
Specialization Expected for Administrative Law and Real Estate Law

Also Available: CEP Credit for Professional Engineers, AICP Credit,
8 Hours of TX Professional Land Survey Credit for LD, and
9 Hours of General Elective TREC Credit



March 5*, 6-7, 2008
Radisson Austin North
Austin, Texas

*Optional Wednesday Boot Camp—Register for Both and Save \$50

12TH ANNUAL
LAND USE CONFERENCE

March 5*, 6-7, 2008 • Radisson Austin North • Austin, Texas

*Optional Wednesday Boot Camp—Register for Both and Save \$50

Earn up to 13.75 Hours of MCLE Credit Including 2.00 Hours of Ethics Credit

*Optional Wednesday Boot Camp: Earn up to 3.75 Hours of MCLE Credit

***WEDNESDAY BOOT CAMP, MARCH 5, 2008**

Presiding Officer:

Terrence S. Welch, Richardson, TX

"Optional Boot Camp—separate registration required.

**12:30 p.m. Registration Opens for
Land Use Boot Camp**

Includes complimentary refreshments.

1:30 p.m. .50 hr

**Introduction to Land Use Planning Law:
Constitutional and Regulatory Authority**

An overview of key concepts and issues involved in land use planning, including the constitutional and regulatory authority enabling state and local governmental entities to control land development through comprehensive planning, zoning, platting, etc.

E. Allen Taylor Jr., Fort Worth, TX

2:00 p.m. .50 hr

Comprehensive Planning

What is the comprehensive plan and is it really that important in Texas? The statutory basis for comprehensive planning and the role of the comprehensive plan in land use law in Texas will be addressed, including its significance in zoning decisions made by local governments.

Terrence S. Welch, Richardson, TX

2:30 p.m. .75 hr

Platting

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

E. Allen Taylor Jr., Fort Worth, TX

3:15 p.m. Break

3:30 p.m. 1.00 hr

Zoning

A quick review of Texas zoning law, covering the Texas Zoning Enabling Act, the "players" in the zoning game, critical zoning procedures, legal constraints, etc. Suitable for both lawyers and non-lawyers.

James L. Dougherty Jr., Houston, TX
Reid Wilson, Houston, TX

4:30 p.m. .50 hr

Annexation Fundamentals

Is annexation really that complicated? In this session, you'll find out by learning the fundamentals. Specifically, learn the authority of general law and home rule cities to annex territory, and the various procedural steps that must be followed.

Scott N. Houston, Austin, TX

5:00 p.m. .50 hr

Boot Camp Q&A

An opportunity for audience members to pose questions to speakers and hear discussion relating to topics covered during the day.

Scott N. Houston, Austin, TX
E. Allen Taylor Jr, Fort Worth, TX
Terrence S. Welch, Richardson, TX
Reid Wilson, Houston, TX

5:30 p.m. Adjourn

THURSDAY MORNING, MARCH 6, 2008

LAND USE CONFERENCE

Presiding Officer: Reid Wilson, Houston, TX

**8:00 a.m. Registration Opens for
Land Use Conference**

Includes continental breakfast.

8:50 a.m. Welcoming Remarks

9:00 a.m. .50 hr

Case Law Update

This presentation will cover recent cases involving land use planning issues as well as other cases of note.

Barry R. Knight, Dallas, TX

9:30 a.m. .50 hr

Legislative Update

During the 2007 legislative session, various land use bills passed, while others fell victim to the process. Learn how the laws that are effective now are being implemented, and get a description of what's on the horizon for next session.

Scott N. Houston, Austin, TX

10:00 a.m. .50 hr

Chapter 380: Cutting Edge Deals and Incentives

Hear the latest about local government incentives available under Chapter 380 Texas Local Government Code—what every developer and local government should know about cash incentives, infrastructure reimbursements, relocation expenses, rent guarantees, tax abatement and tax increment financing equivalents and other local government subsidies including sample forms, negotiation techniques and a case study.

Peter G. Smith, Dallas, TX

10:30 a.m. Break

10:45 a.m. .50 hr

Regulatory Takings

An overview and update of regulatory takings jurisprudence, with particular emphasis on hot topics and cutting-edge issues facing the regulatory and development communities in this ever-changing area of land use and planning law.

Robert F. Brown, Richardson, TX

11:15 a.m. .50 hr

Vested Rights

A discussion of trending from judicial to statutory protection.

Arthur J. Anderson, Dallas, TX

11:45 a.m. .50 hr

Annexation, Quasi-Annexation, SPAs and Weird Boundary Things

Old and new annexation laws—how they do and don't work together.

William M. 'Mick' McKamie, San Antonio, TX

THURSDAY AFTERNOON

Presiding Officer:

William S. Dahlstrom, Dallas, TX

NETWORKING LUNCH AND PRESENTATION

12:15 p.m. Pick Up Box Lunch
Included in conference registration fee.

12:50 p.m. .50 hr

Magic Words: A Practical Guide to the Safe Use of Key Terms in Land Use Planning

Tips for safe handling of words that may not mean what we think, e.g. "family," "subdivision," "mobile home," etc.

James L. Dougherty Jr., Houston, TX

1:20 p.m. Break

**The Development Process:
Designing, drafting, and negotiating,
around outdated regulations to build
mixed-use, urban infill and green
developments**

It is common for "dated" regulations to prevent "best practices" development because zoning regulations and building codes are old-fashioned and do not accommodate current development trends, such as mixed-use, smart growth, urban infill, and green building. The following presentations examine the processes and techniques used by municipal officials and developers in working around dated regulations, with special emphasis on energy-efficient and "green" developments.

1:30 p.m. .50 hr

Overview: The Dance Between Developer and Municipality

Municipalities frequently seek to reward developers for projects with desired characteristics, for example, mixed-use, urban infill, or green building. This dance between developer and municipal officials can become particularly complex when a project falls outside current zoning and building regulations—this session discusses the carrots and sticks available to both sides in developing projects that fall outside traditional zoning or building codes.

William S. Dahlstrom, Dallas, TX
Graham Greene, Dallas, TX

2:00 p.m. .75 hr

Designing and Drafting Outside the Box

A discussion of the design, planning and legal issues at stake for innovative developments, including an overview of how local ordinances can help or hurt. This session also includes examples of innovative architecture and typical code conflicts.

Betsy Del Monte, Dallas, TX
Speaker TBA

2:45 p.m. Break

3:00 p.m. .75 hr

Negotiating and Translating Design into Ordinances and Agreements

A discussion of how design goals are negotiated and translated into design ordinances and development agreements: including negotiating

and drafting tips, with sample ordinances and agreements.

Kimberley Mickelson, Chicago, IL and
Houston, TX

Gail D. A. Vittori, Austin, TX

3:45 p.m. .75 hr

Developers Panel

Major developers discuss the challenges and opportunities of innovative projects including incentives, financing, and marketability—with special emphasis on energy efficient projects.

Moderator: William S. Dahlstrom, Dallas, TX
Joel DeSpain, Austin, TX
Scott Roberts, Driftwood, TX
Philip L. Williams, Dallas, TX

4:30 p.m. .50 hr

Legal Challenges and a Look to the Future

This session looks at the projected growth of green building development in Texas and the nation, as well as potential legal challenges to proposed ordinances and development agreements.

Keith H. Hirokawa, Fort Worth, TX

5:00 p.m. Adjourn to Reception

FRIDAY MORNING, MARCH 7, 2008

Presiding Officer:

Dorothy Palumbo, Highland Village, TX

7:30 a.m. 1.00 hr

Breakfast Break-Out Sessions—Choose One

Included in conference registration. One-on-one discussions on current issues on topics important to you and your clients.

Billboards and Signs
Alan J. Bojorquez, Austin, TX

Fair Housing Issues
John J. Hightower, Houston, TX

Institutional Expansion and Neighborhood Disputes

P. Michael Jung, Dallas, TX

Landscaping Ordinances: Trees, Shrubs and Other Foliage

Sarah Fullenwider, Fort Worth, TX
Bob Riley, Fort Worth, TX

Ranchettes and Other Rural Developments Outside the ETJ

David Z. Conoly, Corpus Christi, TX

Settlement Agreements in Land Use Cases: Not Valid?

Renea Hicks, Austin, TX

Where's the Water? CCNs, MUDs and Other Options

Leonard H. Dougal, Austin, TX

8:30 a.m. Break

8:45 a.m. .75 hr

Site Specific Approvals

Current developments and approaches to planned development districts, special or conditional use permits, and special exceptions.

Kimberley Mickelson, Chicago, IL and
Houston, TX

9:30 a.m. .75 hr

Development Agreements

A comprehensive look at development agreements including statutory authority and the uses and types of development agreements including master development agreements, 380 agreements, TIF agreements and other ancillary agreements. Sample agreements will be included in the conference materials.

Brenda N. McDonald, Irving, TX
Charles E. Zech, San Antonio, TX

10:15 a.m. Break

10:30 a.m. .50 hr

Form Based Zoning

This session will explore the growth of form based codes and their application for achieving mixed-use and facilitating appropriate housing and building types for different development contexts.

Scott Polikov, Fort Worth, TX

11:00 a.m. 1.00 hr

Mixed-Use Panel

A group of architects and lawyers will discuss planning, legal and practical issues in mixed-use projects including design, access, parking, condominium structuring, leasing, lending, incentives and conflicting uses.

Moderator: Reid Wilson, Houston, TX
Lorin Williams Combs, Dallas, TX
Peter Merwin, Houston, TX

FRIDAY AFTERNOON

Presiding Officer:

Peter Cesaro, Austin, TX (invited)

ETHICS LUNCHEON PRESENTATION

12:00 p.m. Lunch and a Movie

Pick up box lunch—included in conference registration fee.

12:15 p.m. 1.00 hr ethics

Ethics Movie Clips and Commentary

Texas ethics lessons...Hollywood-style.

Randy Van Vleck, Santa Fe, NM

1:15 p.m. Break

1:30 p.m. .50 hr

Gimme A Curb Cut: Access Management and TxDOT Local Regulation of Access

A discussion of TxDOT powers inside city limits, land acquisition, construction, access, ROW issues, signs, etc.

Ben Turner, Austin, TX

2:00 p.m. .50 hr

Public Sector Real Estate Deals: A Parallel Universe

A look at issues of authority, issues of indemnity, and special real estate requirements for public agencies.

Ed Walts, Austin, TX

2:30 p.m. 1.00 hr ethics

The Ethical Challenges of Representing Organizations

Representing an organization, either public or private, involves many ethical challenges. Issues of confidentiality, conflicting interests, and decision-making authority routinely affect lawyers advising entities. This session will feature those scenarios likely to arise during local government land use issues.

Ross Fischer, Seguin, TX

3:30 p.m. Adjourn

**Online Courses
from UT Law**
www.utcle.org

CONFERENCE FACULTY

ARTHUR J. ANDERSON
Winstead PC
Dallas, TX

ALAN J. BOJORQUEZ
Bovey & Bojorquez, LLP
Austin, TX

ROBERT F. BROWN
Brown & Hofmeister, L.L.P.
Richardson, TX

LORIN WILLIAMS COMBS
Winstead PC
Dallas, TX

DAVID Z. CONOLY
David Z. Conoly, P.C.
Corpus Christi, TX

WILLIAM S. DAHLSTROM
Jackson Walker L.L.P.
Dallas, TX

BETSY DEL MONTE, AIA, LEED AP
The Beck Group
Dallas, TX

JOEL DESPAIN
Opus West Corporation
Austin, TX

LEONARD H. DOUGAL
Jackson Walker L.L.P.
Austin, TX

JAMES L. DOUGHERTY JR.
Attorney at Law
Houston, TX

ROSS FISCHER
City of Seguin
Seguin, TX

SARAH FULLENWIDER
Fort Worth, TX

GRAHAM GREENE, AIA
Oglesby Greene Architects
Dallas, TX

RENEA HICKS
Attorney at Law
Austin, TX

JOHN J. HIGHTOWER
Olson & Olson LLP
Houston, TX

KEITH H. HIROKAWA
Texas Wesleyan University School of Law
Fort Worth, TX

SCOTT N. HOUSTON
Texas Municipal League
Austin, TX

P. MICHAEL JUNG
Strasburger & Price, LLP
Dallas, TX

BARRY R. KNIGHT
Winstead PC
Dallas, TX

BRENDA N. MCDONALD
City of Irving
Irving, TX

WILLIAM M. 'MICK' MCKAMIE
Law Offices of Wm. M. McKamie, P.C.
San Antonio, TX

PETER MERWIN
GENSLER, Architecture, Design &
Planning Worldwide
Houston, TX

KIMBERLEY MICKELSON
Kimberley Mickelson P.C.
Chicago, IL and Houston, TX

SCOTT POLIKOV, A.I.C.P.
Gateway Planning Group, Inc.
Fort Worth, TX

BOB RILEY
Landscape Architect
Fort Worth, TX

SCOTT ROBERTS
Salt Lick
Driftwood, TX

PETER G. SMITH
Nichols, Jackson, Dillard, Hager &
Smith, L.L.P.
Dallas, TX

E. ALLEN TAYLOR JR.
Taylor, Olson, Adkins, Sralla & Elam, LLP
Fort Worth, TX

BEN TURNER
Consort, Inc.
Austin, TX

RANDY VAN VLECK
New Mexico Municipal League
Santa Fe, NM

GAIL D. A. VITTORI
CMPBS
Austin, TX

ED WALTS
The University of Texas System
Austin, TX

TERRENCE S. WELCH
Brown & Hofmeister, L.L.P.
Richardson, TX

PHILIP L. WILLIAMS
Emerson Partners, Inc.
Dallas, TX

REID WILSON
Wilson, Cribbs & Goren, P.C.
Houston, TX

CHARLES E. ZECH
Denton, Navarro, Rocha & Bernal, P.C.
San Antonio, TX

PLANNING COMMITTEE

REID WILSON—CHAIR
Houston, TX

ARTHUR J. ANDERSON
Dallas, TX

ALAN J. BOJORQUEZ
Austin, TX

ROBERT F. BROWN
Richardson, TX

PETER CESARO
Austin, TX

DAVID Z. CONOLY
Corpus Christi, TX

WILLIAM S. DAHLSTROM
Dallas, TX

WILLIAM D. DARLING
Austin, TX

JAMES L. DOUGHERTY JR.
Houston, TX

MICHAEL J. ESPOSITO
Austin, TX

DAVID HARTMAN
Austin, TX

RENEA HICKS
Austin, TX

JOHN J. HIGHTOWER
Houston, TX

SCOTT N. HOUSTON
Austin, TX

DEBORAH F. MCABEE
Houston, TX

KIMBERLEY MICKELSON
Chicago, IL and Houston, TX

JAMES M. NIAS
Austin, TX

DOROTHY PALUMBO
Highland Village, TX

SCOTT POLIKOV, A.I.C.P.
Fort Worth, TX

ROSS RATHGEBER
Austin, TX

VERONICA RIVERA
Austin, TX

SUSAN C. ROCHA
San Antonio, TX

E. ALLEN TAYLOR JR.
Fort Worth, TX

ED WALTS
Austin, TX

TERRENCE S. WELCH
Richardson, TX

CHARLES E. ZECH
San Antonio, TX

Course Binder

The Land Use Conference generates the year's definitive set of resource materials for attorneys, developers, and planners. Don't miss papers on current developments and regulations, plus sample agreements, forms, and other "take-away" documents.

Audio CD Set

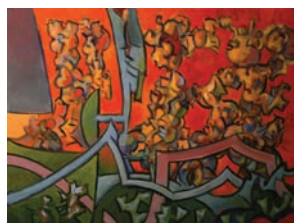
The Land Use Conference presentations are available on CD. Listen to the entire conference or individual sessions at your convenience.

eBinder on CD

Get the entire conference binder on CD, in electronic PDF format. Only \$50 if added to a registration or purchase of Course Binder or Audio CD Set. \$200 purchased alone.

In-House CLE

Would your firm like to run an in-house version of this conference, with full participatory credit? Order In-House CLE and we'll also provide an Audio CD Set for the group and a Course Binder for each participant.



ABOUT THE COVER

"untitled," acrylic,
16" x 20" is by Phillip Trussell.
For more information, call
512-499-8357.

REGISTRATION FOR LD08

Mail this registration form to:

The University of Texas School of Law, Attn. LD08
P.O. Box 7759, Austin, TX 78713-7759 **or fax a copy to: (512) 475-6876**
Online registration available at www.utcle.org

PLEASE PRINT CLEARLY

Bar Card# _____ ☐ TX ☐ Other State: _____ ☐ N/A

Name [Mr. / Ms.] _____

Firm _____

Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

Registrant's Email (required) _____

Assistant's Email (optional) _____

Invoices, confirmations and receipts are emailed to these addresses.

REGISTRATION:

BOOT CAMP, March 5, 2008:

Includes Course Binder

- ☐ Early Registration Fee due by Wednesday, Feb. 27, 2008 \$100.00
☐ Registration Fee after Wednesday, Feb. 27, 2008 \$125.00

LAND USE CONFERENCE, March 6-7, 2008:

Includes Course Binder, Box Lunch Presentations, Thursday Evening Reception

- ☐ Early Registration Fee due by Wednesday, Feb. 27, 2008 \$450.00
☐ Registration Fee after Wednesday, Feb. 27, 2008 \$500.00

SAVE \$50—BOOT CAMP AND CONFERENCE, March 5-7, 2008

- ☐ Early Registration Fee due by Wednesday, Feb. 27, 2008 \$500.00
☐ Registration Fee after Wednesday, Feb. 27, 2008 \$550.00

CONFERENCE PUBLICATIONS AND MEDIA

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

- ☐ Course Binder *Without* Conference Registration \$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)

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

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

- ☐ In-House CLE for 2—*Includes Audio CD Set and Course Binder* \$750.00
_____ Add participants (includes Course Binder) for \$200 each \$ _____

METHOD OF PAYMENT

TOTAL ENCLOSED \$ _____

☐ Check (make checks payable to: The University of Texas at Austin)

☐ VISA or ☐ Mastercard (sorry, no AMEX or Discover)

Card # - - -

X _____ /
Authorized Signature Exp. Date (mm/yy)

AUSTIN

March 5*, 6-7, 2008

CONFERENCE LOCATION



Radisson Hotel North

6000 Middle Fiskville Road
Austin, TX 78752
512-451-5757

SPECIAL ROOM RATE \$99

good through February 13, 2008
(subject to availability)

Parking: complimentary self-parking
(subject to change)

KEY DATES

Registration & Cancellation

February 27, 2008—5 p.m.

last day for early registration
additional fee for registrations
received after this time

February 29, 2008—5 p.m.

last day for full refund

March 3, 2008—5 p.m.

last day for partial refunds
\$50 processing fee applied

March 5, 2008—1:30 p.m.

optional Wed. Boot Camp begins

March 6, 2008—9 a.m.

Land Use Conference begins

M C L E

The Land Use Conference has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 13.75 hours, of which 2.00 credit hours will apply to legal ethics/professional responsibility credit. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944).

Subscribe to the UTCLE eLibrary

Cutting-edge research at your fingertips—papers, PPTs and podcasts.

FREE SEARCHES AND PREVIEWS—TRY IT TODAY!



Save time, stay current, and work more productively with a subscription to the UTCLE eLibrary. Emerging practice areas, the latest drafting tips, planning techniques, litigation strategies, and case law updates—it's all here for you—in print and audio. The eLibrary includes resources from over forty practice areas, including real estate, partnerships, employment law, estate planning, bankruptcy, patent law, energy, insurance, family law . . . and much more.

■ EASY SEARCH OF THE BEST ARTICLES AND RESOURCES

Superb resources at your fingertips, with lightning-fast searches by keyword, author, or conference name. Filter your search by a date range or practice area, and get relevant results within seconds.

■ AUDIO-TO-GO FILES (PODCASTS)



Listen on your iPod: The eLibrary includes related audio files for most papers that are easily saved to your computer, your iPod, or MP3 player. Read the article and listen to the presentation at your computer, or on the go!

■ eLIBRARY BRIEFCASE

Easily access and organize all your materials in your eLibrary briefcase, at your UTCLE member account page. View, download, add, or delete materials in your briefcase at anytime.

ONE-YEAR SUBSCRIPTION FOR \$295

Get unlimited access to eLibrary materials and podcasts through your eLibrary subscription.

Your one-year subscription provides access to all the materials in the eLibrary—papers, PPTs, and podcasts. Search and download them whenever, wherever, and as often as you want!

UTCLE eLibrary—leading professional resources at your fingertips!
www.utcle.org

UTCLE

THE UNIVERSITY OF TEXAS AT AUSTIN
THE UNIVERSITY OF TEXAS SCHOOL OF LAW
P.O. Box 7759 • Austin, TX 78713-7759

This program is not printed or mailed at state expense.

12TH ANNUAL LAND USE CONFERENCE

March 5*, 6-7, 2008 • Radisson Austin North • Austin, Texas
*Optional Wednesday Land Use Boot Camp

NON-PROFIT-ORG

U.S. Postage Paid
The University of
Texas
School of Law

E-mail us at

utcle@law.utexas.edu

or call us at

512-475-6700

for more information