

12th Annual Land Use Conference

March 6-7, 2008 • • Austin,

Thursday Morning, Mar. 6, 2008

Presiding Officer:

Reid Carroll Wilson, Wilson, Cribbs & Goren, P.C. - Houston, TX

8:00 am	Registration Opens Includes continental breakfast.
8:50 am	Welcoming Remarks
9:00 am 0.50 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, Winstead, Sechrest & Minick, P.C. - Dallas, TX
9:30 am 0.50 hr	Legislative Update During the 2007 legislation 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, Texas Municipal League - Austin, TX
10:00 am 0.50 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 Gardner Smith, Nichols Jackson Dillard Hager - Dallas, TX
10:30 am	Break
10:45 am 0.50 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, Brown & Hofmeister, L.L.P. - Richardson, TX

11:15 am 0.50 hr	Vested Rights A discussion of trending from judicial to statutory protection. Arthur J. Anderson, Winstead PC - Dallas, TX
11:45 am 0.50 hr	Annexation, Quasi-Annexation, SPAs and Weird Boundary Things Old and new annexation laws—how they do and don't work together. William M. McKamie, McKamie Law - San Antonio, TX

Thursday Afternoon, Mar. 6, 2008

Presiding Officer:

William S. Dahlstrom, Jackson Walker, L.L.P. - Dallas, TX

12:15 pm	Pick up Box Lunch Included in conference registration fee.
12:50 pm 0.50 hr	NETWORKING LUNCH AND PRESENTATION 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., Attorney at Law - Houston, TX
1:20 pm	Break
1:30 pm 0.50 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, Jackson Walker, L.L.P. - Dallas, TX Graham Greene, Oglesby Greene Architects - Dallas, TX
2:00 pm 0.75 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, The Beck Group - Dallas, TX Daniel K. Slone, McGuireWoods LLP - Richmond, VA
2:45 pm	Break

3:00 pm 0.75 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, Law Office of Kimberley Mickelson, PC - Houston, TX Gail D. A. Vittori, CMPBS - Austin, TX
3:45 pm 0.75 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, Jackson Walker, L.L.P. - Dallas, TX Joel DeSpain, Opus West - Austin, TX Scott Roberts, Salt Lick - Driftwood, TX Philip L. Williams, Emerson Partners, Inc. - Dallas, TX
4:30 pm 0.50 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, Texas Wesleyan University School of Law - Fort Worth, TX
5:00 pm	Adjourn to Reception

Friday Morning, Mar. 7, 2008

Presiding Officer:

Peter Gardner Smith, Nichols Jackson Dillard Hager - Dallas, TX

	Concurrent Session Breakfast Break-out Topics: Choose One on Order Form One-on-one discussions on current issues on topics important to you and your clients.
Topic A: Billboards and Signs	
7:30 am 1.00 hr	Billboards and Signs Alan J. Bojorquez, Bovey & Bojorquez, LLP - Austin, TX
Topic B: Fair Housing Issues	
7:30 am 1.00 hr	Fair Housing Issues John J. Hightower, Olson & Olson LLP - Houston, TX
Topic C: Institutional Expansion and Neighborhood Disputes	

7:30 am 1.00 hr	Institutional Expansion and Neighborhood Disputes P. Michael Jung, Strasburger & Price, LLP - Dallas, TX
Topic D: Landscaping Ordinances: Trees, Shrubs and Other Foliage	
7:30 am 1.00 hr	Landscaping Ordinances: Trees, Shrubs and Other Foliage Sarah Fullenwider, Fort Worth, TX Bob Riley, Fort Worth, TX
Topic E: Ranchettes and Other Rural Developments Outside the ETJ	
7:30 am 1.00 hr	Ranchettes and Other Rural Developments Outside the ETJ David Z. Conoly, David Z. Conoly, P.C. - Corpus Christi, TX
Topic F: Settlement Agreements in Land Use Cases: Not Valid?	
7:30 am 1.00 hr	Settlement Agreements in Land Use Cases: Not Valid? Renea Hicks, Attorney at Law - Austin, TX
Topic G: Where is the Water?: CCNs, MUDs and Other Options	
7:30 am 1.00 hr	Where's the Water?—CCNs, MUDs and Other Options Leonard H. Dougal, Jackson Walker L.L.P. - Austin, TX
8:30 am	Break
8:45 am 0.75 hr	Site Specific Approvals Current developments and approaches to planned development districts, special or conditional use permits, and special exceptions. Kimberley Mickelson, Law Office of Kimberley Mickelson, PC - Houston, TX
9:30 am 0.75 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, City Of Irving, Texas - Irving, TX Charles E. Zech, Denton, Navarro, Rocha & Bernal, P.C. - San Antonio, TX
10:15 am	Break

10:30 am 0.50 hr	<p>Form Based Zoning</p> <p>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.</p> <p>E. Scott Polikov, Gateway Planning Group Inc - Fort Worth, TX</p>
11:00 am 1.00 hr	<p>Mixed-Use Panel</p> <p>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.</p> <p>Moderator: Reid Carroll Wilson, Wilson, Cribbs & Goren, P.C. - Houston, TX Jeffrey Warren Matthews, Winstead PC - Dallas, TX Peter Merwin, GENSLER, Architecture, Design & Planning Worldwide - Houston, TX</p>

Friday Afternoon, Mar. 7, 2008

Presiding Officer:

Peter Cesaro, Graves, Dougherty, Hearon & Moody, P.C. - Austin, TX

12:00 pm	Pick up Box Lunch
12:15 pm 1.00 hr ethics	<p>Ethics Movie Clips and Commentary</p> <p>Texas ethics lessons...Hollywood-style.</p> <p>Randy Van Vleck, New Mexico Municipal League - Santa Fe, NM</p>
1:15 pm	Break
1:30 pm 0.50 hr	<p>Gimme A Curb Cut: Access Management and TxDOT Local Regulation of Access</p> <p>A discussion of TxDot powers inside city limits, land acquisition, construction, access, ROW issues, signs, etc.</p> <p>Ben Turner, Consort, Inc. - Austin, TX</p>
2:00 pm 0.50 hr	<p>Public Sector Real Estate Deals: A Parallel Universe</p> <p>A look at issues of authority, issues of indemnity, and special real estate requirements for public agencies.</p> <p>Ed Walts, University of Texas System - Austin, TX</p>
2:30 pm 1.00 hr ethics	<p>The Ethical Challenges of Representing Organizations</p> <p>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.</p> <p>Ross Fischer, Denton, Navarro, Rocha & Bernal, P.C. - San Antonio, TX</p>

3:30 pm

Adjourn
