

29TH ANNUAL
LAND USE CONFERENCE



April 10–11, 2025

AT&T Conference Center ■ Austin, Texas

 Live Webcast April 10–11

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Professional Accreditation Available for TX Professional Engineers, TX Real Estate Commission (TREC), and Land Surveyor

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Legal Specialization Expected for Administrative Law, Oil, Gas and Mineral, Property Owners Association Law, and Real Estate Law
Professional Accreditation Available for TX Professional Engineers, TX Real Estate Commission (TREC), and Land Surveyor

Times listed are in Central Time

THURSDAY MORNING, APR. 10, 2025

Presiding Officer:

Tad Holland Cleaves, Texas Municipal League, Austin, TX

7:30 a.m. Registration Opens

Includes continental breakfast.

8:20 a.m. Welcoming Remarks

8:30 a.m. .75 hr | .25 hr ethics

Case Law Updates, Part 1

A roundup of recent land uses cases, including platting, zoning, takings, vested rights, development agreements, etc.

James L. Dougherty Jr., Attorney at Law, Houston, TX

9:15 a.m. .50 hr

Legislative Update: Key Land Use Bills in the 89th Texas Legislature

With the 89th Regular Legislative Session still in full swing, this session reviews pending bills and their implications for land use regulation.

Tad Holland Cleaves, Texas Municipal League, Austin, TX

9:45 a.m. .50 hr

Power of HOAs

A review focusing on the power of owner's associations to regulate and maintain communities.

Kristi Stotts, Winstead PC, Austin, TX

10:15 a.m. 15-Minute Break

10:30 a.m. .75 hr

Land Use Nonconformities: Working With Them and Around Them

Whether purposeful or unforeseen, well-intentioned zoning codes create nonconformities that must be respected while cities work toward the end goal of implementing their plans. This session looks at how case law treats nonconforming rights, the takings implications, and the notice requirements of SB929.

Moderator:

Richard G. Gertson, City of Arlington, Arlington, TX

11:15 a.m. .75 hr

Regulatory Takings Update Including *Sheetz v. El Dorado County*

Discussion of current state and federal case law on regulatory takings, including the US Supreme Court opinion in *Sheetz v. El Dorado County*.

Arthur J. Anderson, Winstead PC, Dallas, TX
Robert F. Brown, Brown & Hofmeister, L.L.P., Richardson, TX

12:00 p.m. Pick up Lunch

Included in registration

THURSDAY AFTERNOON

Presiding Officer:

Ed Walts, Dallas, TX

LUNCHEON PRESENTATION

12:20 p.m. .75 hr

Demographic Trends and Characteristics in Texas

A presentation on the social and economic population trends in Texas and its effects on services, infrastructure, and natural resources.

Monica Cruz, Ph.D., UTSA - Texas Demographic Center, San Antonio, TX

1:05 p.m. 15-Minute Break

1:20 p.m. .75 hr

How Utilities Can Intentionally or Unintentionally Influence Land Use

A panel discussion with attorneys representing utilities, developers, and municipalities addressing conditions of utility service, the regulatory framework surrounding utilities on the ground and the interplay between land development inside and outside municipal limits when utility service is at play.

Moderator:

Cody Faulk, Spencer Fane, Austin, TX

Panelists:

Geoff Kirshbaum, Terrill & Waldrop, Austin, TX
Skye Masson, City of Georgetown, Georgetown, TX

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2:05 p.m. .75 hr

The Future of Water in Texas: Sustainability and Supply Challenges

An examination of the current water system landscape in Texas, including its challenges, and how Texas can plan for the future.

Rogelio Rodriguez, Water Finance Exchange (WFX), Austin, TX

2:50 p.m. .75 hr

Water And Development: It Should Mix if Properly Handled!

Overview of water issues related to land development.

Edmond R. McCarthy, Jr., McCarthy & McCarthy LLP, Austin, TX
David Malish, Murfee Engineering Co., Inc., Austin, TX
Gary Westbrook, Post Oak Savannah Groundwater Conservation District, Milano, TX

3:35 p.m. 10-Minute Break

3:45 p.m. .75 hr

The PUC Electric Grid Resiliency Program and What It Means to Development

An overview of the State's recent focus on grid resiliency, the investor-owned utility electric utility resiliency programs recently approved by the Public Utility Commission of Texas, and a discussion on how these initiatives could impact development.

Jamie Mauldin, Lloyd Gosselink Rochelle & Townsend PC, Austin, TX

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4:30 p.m. 1.00 hr | .25 hr ethics

In or Out: How Cities and Developers Navigate the ETJ

A panel discussion on the merits of voluntary annexation, disannexation and ETJ release under current law. This panel explores from a legal and practical standpoint the decision making, tools and negotiations that allow developers and cities to get to a win-win for proposed projects outside city limits.

Moderator:

Rob Killen, Killen, Griffin & Farrimond, San Antonio, TX

Panelists:

Paul Basaldua, Versa Terra Development, San Antonio, TX
Allison Bastian-Rodriguez, Denton, Navarro, Rocha, Bernal & Zech, P.C., Harlingen, TX
R. Scott Dixon, City of Castroville, Castroville, TX
James Benjamin Griffin, Killen, Griffin & Farrimond, PLLC, San Antonio, TX

5:30 p.m. Adjourn to Reception

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WILSON CRIBBS + GOREN
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5:30 p.m. – 6:30 p.m.

Join program faculty and attendees for drinks and hors d'oeuvres.

FRIDAY MORNING, APR. 11, 2025

Presiding Officer:

Melinda Ramos, City of Fort Worth, Fort Worth, TX

7:30 a.m. Conference Room Opens
Includes continental breakfast.

8:30 a.m. .50 hr

At the Intersection of the First Amendment and Land Use Law

How to regulate solicitation in the form of an unattended donation bin. Zoning classifications versus distance buffers, and traps for the unwary regulator.

Galen Gatten, City of Arlington, Arlington, TX

9:00 a.m. .75 hr

Case Law Updates, Part 2

A roundup of recent land uses cases, including platting, zoning, takings, vested rights, development agreements, etc.

James L. Dougherty Jr., Attorney at Law, Houston, TX

9:45 a.m. .50 hr

Hot Topics in Texas Land Use Law

A wide-ranging discussion of current issues: A Dallas response to gentrification and NIMBY-ism—will it work? Does the concept “gentle density” really increase housing stock? Why have so many parking spaces disappeared in Texas cities? And our perennial topic: how are Texas courts now addressing municipal regulation of short-term rentals, and have we learned anything new? These topics and more are addressed in this presentation.

Terrence S. Welch, Brown & Hofmeister, L.L.P., Richardson, TX

10:15 a.m. 15-Minute Break

10:30 a.m. .75 hr

Park Your Good Ideas: Revamping Urban Spaces for Smarter Parking

How can cities, regions, and states plan and invest in transportation systems and regulate or deregulate land use in ways that give people more freedom to afford various lifestyle options?

Moderator:

Tyler Wallach, Jackson Walker, Fort Worth, TX

Panelists:

Jay Blazek Crossley, Farm&City, Austin, TX
Matthew Goebel, Clarion Associates, Denver, CO
Ann Zadeh, AICP, Community Design Ft. Worth, Ft. Worth, TX

11:15 a.m. 1.00 hr ethics

Who Can I Complain To?

Dealing with represented governmental entities, unrepresented governmental entities, and how to tell the difference.

Frank Javier Garza, Davidson, Troilo, Ream & Garza, P.C., San Antonio, TX
Charles E. Zech, Denton, Navarro, Rodriguez, Bernal, Santee & Zech, P.C., Austin, TX

12:15 p.m. Pick Up Lunch

Included in registration

FRIDAY AFTERNOON

Presiding Officer:

Barbara A. Boulware-Wells, The Knight Law Firm, LLP, Austin, TX

LUNCHEON PRESENTATION

12:35 p.m. 1.00 hr ethics

Thrive Together: Cultivating Wellness for You and Your Legal Team

Explore the essential role of burnout prevention in the legal profession and discover practical strategies to cultivate wellness for yourself and your staff. This session equips you with actionable tools for fostering a thriving, resilient legal team.

Alicia Freeman, Texas Lawyers' Assistance Program (TLAP), Austin, TX
Kiele Linroth Pace, Pacefirm Consulting, LLC, Austin, TX

1:35 p.m. 15-Minute Break

1:50 p.m. .75 hr

Participation in Developer Construction Contracts

Chapter 212, subchapter C of the Local Government Code establishes the traditional method for municipalities to financially participate in developer construction contracts. However, there are other alternative methods for municipalities to participate in developer contracts through compliance with chapter 252 of the Local Government Code or chapter 2269 of the Government Code which will be discussed.

Larry Collister, City of Ft. Worth City Attorney's Office, Fort Worth, TX

2:35 p.m. .50 hr

Eyes in the Sky, Feet on the Ground: A Municipal Framework for Emerging Drone Technologies

As drone technology rapidly evolves, cities face unprecedented challenges in balancing innovation with public safety, privacy rights and existing land use frameworks. This presentation examines a detailed case study of drone operations in urban environments, analyzing how municipalities can develop adaptive regulatory approaches that accommodate beneficial drone uses while protecting community interests. Through examining real-world examples of commercial drone applications, from delivery services to building inspections, this presentation explores practical strategies for creating flexible yet robust land use policies that can serve as a model for addressing future technological disruptions.

Emily Bowlin, Gray Reed, Dallas, TX

3:05 p.m. 10-Minute Break

3:15 p.m. .50 hr
Platting and Infrastructure During Periods of Exponential Growth

The population growth in Texas has led to increased demands on local governments to review and approve development projects. Streamlining processes and adopting new regulations for plats and infrastructure construction by developers can provide local governments with new methods for responding to these increased demands.

Richard "Rich" McCracken, City Attorney's Office, City of, Fort Worth, TX

3:45 p.m. .75 hr | .50 hr ethics

Legislative Immunity

Legislative immunity and protection of P&Z Commissioners and City Council-members from forced testimony.

Bradford E. Bullock, Messer Fort, PLLC, Austin, TX

4:30 p.m. Adjourn

CONFERENCE FACULTY AND PLANNING COMMITTEE

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CONFERENCE ACCREDITATION

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 15.00 hours, of which 3.00 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) and an Oklahoma Bar Association MCLE presumptively approved provider (#169).

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HOW TO REGISTER

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Questions? 512.475.6700

If you have dietary requirements or would like to request accommodations under the ADA, please contact Customer Service at 512.475.6700 or service@utcle.org at least 10 days prior to the conference.

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Comprehensive Course Materials: Access course materials in "Your Briefcase" approximately 48 hours before the live event, and enjoy unlimited access to the final, complete course materials – downloadable PDFs of papers and slides.

Accredited eConference: Complimentary access to the eConference – with papers, slides, and video – accredited for one year in both TX and CA are available in "Your Briefcase" 6–8 weeks after the event.

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LD25

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Assistant's Email (optional) _____
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EVENT REGISTRATION

Includes Electronic Course Binder Download (PDF) in "Your Briefcase." Special group registration rates available. Call 512.475.6700.

- Live, In-Person Event Registration \$695 | \$795 after March 26
 Live Webcast Registration \$795

Printed and Shipped Binder with Registration (Shipping Included) – Available for order through Friday, April 11, 2025

Please note that the printed binder will arrive 2–3 weeks after the scheduled webcast. Delivery to P.O. boxes is not permitted. Binders will not be distributed on-site.

- Printed and Shipped Course Binder \$102.84 (\$95*)

Webcast Add-on

Register for the in-person conference and add on the webcast format for attendance flexibility.

- Webcast Add-on \$100

TOTAL EVENT REGISTRATION \$ _____

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Comprehensive binder with papers and slides, available for delivery 4–6 weeks after live event.

- Electronic Post-Course Download (PDF) \$319.34 (\$295*)
 Printed Post-Course Binder \$373.46 (\$345*)

TOTAL POST-CONFERENCE PRODUCTS \$ _____

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- Check (make check payable to The University of Texas at Austin)
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AUSTIN

April 10–11, 2025

CONFERENCE LOCATION



AT&T Conference Center
 The University of Texas at Austin
 1900 University Avenue
 Austin, TX 78705
 877.744.8822 (reservations)

Accommodations & Parking:

The room block at the AT&T Hotel has been exhausted.

Please visit utcle.org/conferences/LD25#venue for a list of nearby hotels and parking information.

KEY DATES

March 26, 2025

Last day for early registration rates

April 4, 2025

Last day for full refund cancellation

April 7, 2025

Last day for partial refund cancellation
 \$50 processing fee applied

April 10, 2025 8:20 a.m., CT
Conference begins

April 11, 2025

Last day to order a printed and shipped course binder with in-person or webcast conference registration.

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REASONS TO ATTEND

The **29th Annual Land Use Conference** offers high-level, detailed coverage of the key issues, strategies, challenges, tools, and opportunities facing municipalities, counties, and developers. It focuses on real-world problems with practical solutions presented by an outstanding faculty, including developers' attorneys, land use planners, local government attorneys, engineers, and state and local regulators.

2025 highlights:

- **Two-part case law updates, including key developments on topics such as zoning, platting, development agreements, and vested rights.**
- **A review of how case law treats nonconforming rights, the takings implications, and the requirements of SB929.**
- **A look at the social and economic population trends in Texas and its effects on services, infrastructure, and natural resources.**
- **A detailed case study of drone operations in urban environments, analyzing how municipalities can develop adaptive regulatory approaches that accommodate beneficial drone uses while protecting community interests.**
- **An overview of the State's recent focus on grid resiliency, the investor-owned utility electric utility resiliency programs recently approved by the Public Utility Commission of Texas, and a discussion on how these initiatives could impact development.**