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13th Annual Oregon Land Use Law
 Dec. 10 & 11, 2009 • World Trade Center • Portland, OR

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- 2 or more (one company) \$545
- Government Employee \$495
- New Assoc./Paralegal \$460
- Student \$347
- Course Materials \$150
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THE SEMINAR GROUP

13th Annual Oregon Land Use Law

**Dec. 10 & 11, 2009
 Portland, OR**

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 ENGINEER: May Qualify



Raising the Bar of Continuing Legal Education

ACCREDITATION

Oregon CLE:
9.0 General Credits
& 1.0 Ethics

OR RE Appraiser:
10.5 Hours

Engineer:
May Qualify



Who Should Attend:

- Attorneys and Legal Staff
- Planners
- Government Officials
- Developers and Builders
- Real Estate Professionals
- Transportation Professionals
- Engineers
- Conservationists
- Anyone Affected by Land Use & Growth

13th Annual Oregon Land Use Law

DEC. 10 & 11, 2009 ♦ WORLD TRADE CENTER ♦ PORTLAND, OR

Oregon is nationally known as a leader in land use planning law and an innovator in crafting statewide and local government land use regulations to allow development while protecting significant natural resources. Our 13th Annual Land Use Law Conference promises once again to examine the cutting edge issues in Oregon Land Use Law presented by a faculty of leading land use attorneys and distinguished Judges of the Court of Appeals. Come hear a review of the significant land use cases decided by the appellate courts in 2009, and learn what changes the 2009 state legislature made to Oregon land use law, including implementation of the "Big Look"; land use law effecting rural land will be explored, including the latest in Measure 49 developments; alternative energy sources are emerging in Oregon and you will learn about some of the land use siting considerations affecting these energy alternatives.

*The **Honorable Tim Sercombe** of the Court of Appeals will discuss land use cases at the Court of Appeals, and former judge of the Court, **Honorable Mary J. Deits**, will discuss mediation of complex land use cases at the appellate level; **Director Richard M. Whitman** of the Department of Land Conservation and Development ("DLCD") will provide us an update of the latest at DLCD and some of the critical issues facing that agency; and as usual, **Steven L. Pfeiffer** will provide his insights on the critical legal issues in Oregon Land Use Law.*

*Don't miss this opportunity to join program chairs **Greg Hathaway** of Davis Wright Tremaine LLP, and **Tim Ramis** of Jordan Schrader Ramis PC, and the outstanding faculty for the 13th Annual Oregon Land Use Law Conference.*

You might also be interested in our
Sustainability & Green Building Seminar on October 23 in Portland.
Sign up for both and get **\$50 off each** for a total of \$100 off!

5 EASY WAYS TO REGISTER

- 1 ONLINE: www.TheSeminarGroup.net
- 2 FAX: 866-435-3444
- 3 EMAIL: info@TheSeminarGroup.net
- 4 PHONE: 206-463-4400 / 800-574-4852
- 5 MAIL: PO Box 523, Vashon, WA 98070

CONFERENCE
SCHEDULE
INSIDE





13th Annual Oregon Land Use Law ~ Portland, OR

Thursday, Dec. 10, 2009

Friday, Dec. 11, 2009

9:00 Introduction and Overview of Day One
Timothy V. Ramis, Program Co-Chair
Jordan Schrader Ramis PC

9:10 2009 Land Use Case Review
A Review of Significant LUBA, Court of Appeals and Supreme Court Cases
Dana L. Krawczuk **Thorkild G. Tingey**
Ball Janik LLP *Ball Janik LLP*

10:15 Break

10:30 2009 Legislative Session Recap
Jon A. Chandler, CEO
Oregon Home Builders Association

11:00 Permitting Strategies, UGB Amendments and New Rules
Christe C. White
Law Offices of Christe White

12:00 Lunch (on your own)

1:00 Vested Rights and Nonconforming Uses
The Basics and the Complexities of Vested Rights and Nonconforming Use Law in Oregon
Steven W. Abel
Stoel Rives LLP

2:00 Issues for Rural Land Use Applications Including Measure 49 Development
Dorothy S. Cofield
Cofield Law Office

2:30 Break

2:45 Ethics Update for Land Use Lawyers
Flat vs. Hourly Fee Issues; Communications with Represented Parties; Conflicts of Interest
Peter R. Jarvis
Hinshaw & Culbertson LLP

3:45 Update on the Transportation Planning Rule and Interchange Management Plans
Update on Transportation Planning Rule (TPR) Cases; Interchange Access Management Plans and Case Study of a Redmond, Oregon IAMP
Michael C. Robinson
Perkins Coie LLP

4:15 Perspectives of a Local Decision Maker as Mayor of Lake Oswego
Local Land Use Decisions
Jack D. Hoffman
Mayor - Lake Oswego, OR
Dunn Carney Allen Higgins & Tongue LLP

5:00 Questions and Answers
Members of the Faculty

5:15 Adjourn

9:00 Introduction and Overview of Day Two
Gregory S. Hathaway, Program Co-Chair
Davis Wright Tremaine LLP

9:10 Alternative Energy Siting Considerations ~ The Basics
Types of Key Alternative Energy Facilities You May be Asked to Help Site on Public or Private Land; Key Land Use Considerations for Each Type of Alternative Energy Facility with a Particular Focus on Wind Energy Facility Siting Considerations
Wendie L. Kellington
Law Office of Wendie L. Kellington PC

9:45 Mediating Complex Land Use Cases at the Appellate Level
Hon. Mary J. Deits
Formerly on Oregon Court of Appeals

10:15 Land Use Cases at the Court of Appeals
Hon. Timothy J. Sercombe
Oregon Court of Appeals

10:45 Break

11:00 DLCD Update and Critical Issues
Forest Land Conversion; Urban Reserves; Periodic Review
Richard M. Whitman, Director
Oregon Department of Land Conservation and Development

11:30 Critical Legal Issues in Oregon and Land Use Law
SB1011/Implementation of Urban/Rural Reserves; New Legislation - Transferable Development Rights/Opportunities; ESA and Flood Plain Development Restrictions
Steven L. Pfeiffer
Perkins Coie LLP

12:00 Questions and Answers
Members of the Faculty

12:15 Adjourn

LEARN FROM THE BEST!
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THE SEMINAR GROUP ~ FACULTY

13th Annual Oregon Land Use Law

Gregory S. Hathaway, Program Co-Chair, is a partner with Davis Wright Tremaine LLP and Chair of the Land Use Practice Group. His statewide land use practice focuses on acquiring the necessary land use and regulatory entitlements to develop property. He is listed in *Chambers USA's* "Best Lawyers in Business" and is recognized as an Oregon "Super Lawyer" in real estate and land use law.

Timothy V. Ramis, Program Co-Chair, is a partner with Jordan Schrader Ramis PC. His practice focuses on land use and transportation planning, local government applications, wetland permitting, Land Use Board of Appeals (LUBA) petitions, Court of Appeals and Supreme Court petitions, and legislative drafting. He also serves as City Attorney for the cities of Tigard, Milwaukie, and West Linn, Oregon.

Steven W. Abel is a partner with Stoel Rives LLP where he concentrates his practice in land use, natural resource, and development law. He is listed in *Chambers USA: "America's Leading Lawyers for Business"* and in *The Best Lawyers in America*.

Jon A. Chandler is Chief Executive Officer of the Oregon Home Builders Association which represents nearly 4,300 member firms in every aspect of residential and light commercial development and construction. In addition, he is the lobbyist for the OHBA on land use planning, environmental and natural resource policy, transportation, and issues arising out of the ESA.

Dorothy S. Cofield, Principal/Owner of Cofield Law Office, represents clients in Measure 37 & 49 claims, rural and urban development permits, lot line adjustments, regulatory takings, subdivision applications, wetland permits, transportation issues, zone and plan amendments, urban growth boundary amendments, local hearings and appeals to LUBA and the courts.

Hon. Mary J. Deits was formerly a Plan B Judge with the Oregon Court of Appeals. She retired from the court after serving 18 years, including seven years as the Chief Judge of the court. Prior to this, she worked as an Asst. Attorney General and represented state agencies on land use and other issues.

Jack D. Hoffman is a partner at Dunn Carney Allen Higgins & Tongue LLP specializing in land use, condemnation and general litigation. In addition, he has been actively involved in local and regional land use policies. In 2008, he was elected Mayor of Lake Oswego for a four-year term.

Peter R. Jarvis is a partner at Hinshaw & Culbertson LLP. He practices primarily in the area of attorney professional

responsibility and risk management. He advises lawyers, law firms and corporate legal departments in legal ethics, risk management and disciplinary defense matters.

Wendie L. Kellington, Law Office of Wendie L. Kellington PC, is known in Oregon and nationally for her expertise in energy and land use law. She advises a U.S. subsidiary to a German wind turbine manufacturing and service company, and other energy and land use clients concerning renewable projects.

Dana L. Krawczuk is an attorney with Ball Janik LLP, where her principal areas of practice are land use law and environmental law. Before joining Ball Janik, she practiced land use and municipal law for 2 1/2 years at another Portland law firm representing several Oregon cities on land use matters.

Steven L. Pfeiffer is a partner in the Real Estate and Land Use Practice at Perkins Coie LLP. He practices land use, natural resource, and real estate development law including development interests including office, retail industry, institutional and resort.

Michael C. Robinson, a partner with Perkins Coie LLP, is a land use attorney who has focused his practice on obtaining land use approvals and highway access permits for commercial and residential builders since 1991. He is listed in *The Best Lawyers in America*, in *Chambers USA* and *Portland's Best Lawyers*.

Hon. Timothy J. Sercombe was appointed to the Oregon Court of Appeals in 2007 by Governor Kulongoski. Prior to this, he practiced law with the firm of Kirkpatrick & Lockhart Preston Gates Ellis. He writes and speaks frequently in the areas of municipal, land use and constitutional law.

Thorkild G. Tingey is an attorney at Ball Janik LLP and a member of the Land Use and Environmental Practice Groups. His practice focuses on state and local land use permitting of development projects in the Portland area and central Oregon.

Christe C. White, Law Offices of Christe White, practices development and land use law, including successful permitting strategies, density transfers and constitutional limitations on exactions. Prior to starting her own firm, she was an attorney with Ball Janik LLP for 13 years.

Richard M. Whitman has served as the Director of the Oregon Department of Land Conservation and Development (DLCD) since January, 2008. Prior to joining DLCD he served as Attorney-in-Charge, Natural Resources Section, Oregon Department of Justice and was previously a partner with Ball Janik LLP.

CONFERENCE INFORMATION

Registration: Please mail or email your registration as soon as possible since enrollment is limited, or you may also register with a credit card via email, online, fax or phone. Walk-in registrations will be accepted subject to space availability. Please call THE SEMINAR GROUP at (206) 463-4400 or (toll free) (800) 574-4852 or fax to (866) 435-3444 or email: info@TheSeminarGroup.net

Tuition: The tuition fee includes attendance at all sessions, coffee breaks, and all course materials. *Full Tuition/Live Webcast:* \$595 per person; *Special Government rate:* \$495 per person; *New Associate/Paralegal rate:* \$460 per person. Student rate: \$347. Make checks payable to: THE SEMINAR GROUP.

Save When Two or More Register: Save \$50 each off of the Full Tuition fee only when two or more register from the same organization at the same time. Multiple discounts do not apply and this discount does not apply to the Live Webcast.

Course Accreditation: This course is approved by the Oregon State Bar for 9.0 general and 1.0 ethics CLE credits (*for attending and webcast*), and by the State of Oregon, Appraiser Certification & Licensure Board for 10.5 Real Estate Appraiser hours (*for attending*

only). May qualify for engineer credit through the Oregon State Board of Examiners for Engineering and Land Surveying. For information or accreditation in other states, please call THE SEMINAR GROUP at (206) 463-4400 or (800) 574-4852.

Substitution/Cancellation: You may substitute another person at any time. We will refund tuition, **less a \$50 cancellation charge**, if we receive your cancellation by **Friday, December 4th, 2009**. *No refunds will be given after this date.*

Course Materials: Each participant will receive a set of course materials, prepared by the speakers especially for this conference, which will be invaluable as a future reference. The course materials alone are available for \$150 which includes shipping and handling.

Homestudy Package: Our complete Homestudy Course, consisting of a full DVD or Audio CD and the Course Materials, is available for \$605. This package may qualify for self-study credit.

Seminar Location: The seminar will be held at The World Trade Center, 121 SW Salmon, Bldg. 2, Portland, Oregon (503) 464-8688. Please call the facility for directions/questions.