

Fifth Annual Conference

March 18, 2019 • Omni Hotel • Los Angeles



Publications and MCLE Conference Programs
for the California Bar since 1989

California Land Use Law & Policy

“Navigating Changes in California Land Use Law, Policy and Planning for 2019 and Beyond”

Trying to stay current on the latest developments in land use law and planning is like chasing a moving target, and in the last several months, the law and regulations in this area have been *very active*.

Housing shortages and affordability remain central to California land use. Efforts to ease the dearth of supply have met with mixed results, but the efforts for change remain robust. Speaking of change, the use of initiatives and referenda to bypass traditional local government land use planning controls, courtesy of your neighbor at the ballot box, has become more and more common. Inclusionary zoning and rent control has met with mixed results at the ballot box but these topics are in flux, and because of California’s housing supply and affordability crisis, they will remain a constant theme in land use law and policy relevant to nearly all practitioners, planners, and other land use professionals.

One set of topics subject to significant tides of change are the newly proposed wetland regulations issued by the federal government and the state of California. The federal government’s pullback will likely mean more California pushback. Mother Nature has certainly complicated matters too. Sea level rise and devastating wildfires are now more relevant than ever to land use law and planning policies. Finally, the newest member to the land use table is recreational cannabis sales. Can this industry thrive while at the same time be subject to stringent land use regulations imposed by both the state and local governments in California?

This comprehensive, practice-oriented conference focusing exclusively on California Land Use Law, Policy and Planning is a streamlined one-day excursion through some of the most important issues facing practitioners today. And to guide you through these issues, we’ve assembled the best and most knowledgeable faculty in the state. This fifth annual conference will allow you to learn from in-the-trenches attorneys and policy-makers who are involved in the cutting-edge issues and cases affecting land use change in the state.

We invite you to join us, participate in our discussions, and interact with the faculty in question and answer sessions after each presentation and at breaks. Be ready, be prepared, be successful in your practice. If you attend only one California MCLE or AICP accredited land use conference this year, make it this one!



Scott Birkey, Esq.
Cox, Castle & Nicholson
San Francisco



Michelle Ouellette, Esq.
Best, Best & Krieger
Riverside

The only California Land Use Law & Policy conference produced by the California-based Publishers of the *California Land Use Law & Policy Reporter* and co-sponsored by many of the state’s top law firms.



Conference Co-Sponsors:



REGISTER TODAY!

800-419-2741

<register@argentco.com>

Monday, March 18

- 7:15 REGISTRATION AND CONTINENTAL BREAKFAST
- 8:00 **Conference Overview with Critical Detail**
Scott Birkey, Esq., Cox Castle & Nicholson, San Francisco, and Michelle Ouellette, Esq., Best Best & Krieger, Riverside
- 8:15 **Inclusionary Zoning, Rent Control, and the Future of Things to Come**
- **The West Hollywood Case and Recent Challenges to Inclusionary Zoning Ordinances**
Gregg Kettles, Esq., Best Best & Krieger, Manhattan Beach
 - **Affordability and Rent Control: What's Next for the Costa Hawkins Rental Housing Act?**
David Smith, Esq., Manatt, Phelps & Phillips, Costa Mesa
- 9:15 **Housing in the Golden State: Too Little, Too Late?**
- **Affordable Housing/Affordability of Housing**
Michele Staples, Esq., Jackson|Tidus, Irvine
 - **Linking Housing with Transportation**
Ron Milam, AICP, PTP, Fehr & Peers, Roseville
- 10:15 BREAK
- 10:30 **Coastal Property Challenges: Desirable Real Estate and Rising Tides**
Stanley Lamport, Esq., Cox, Castle & Nicholson, Los Angeles
- 11:00 **Panel Presentation: Land Use Planning and the Ballot Box—A Case Study in San Diego**
Sigrid Asmundson, Esq. Of Counsel, Best, Best & Krieger, Sacramento
- Leslie FitzGerald, Senior Chief Deputy City Attorney, City of San Diego
- Melissa Ables, Deputy City Attorney, City of San Diego
- 12:00 LUNCH (On Your Own)

- 1:15 **California is Burning: Land Use Planning in the Face of Wildfire Threats**
- **Development Restrictions Are a Real Necessity**
Christi Hogin, Esq., Best Best & Krieger, Manhattan Beach
 - **Development under Reasonable Circumstances Is Just Fine, Thank You**
Tony Francois, Seior Attorney, Pacific Legal Foundation, San Francisco
- 2:15 **Water Quality Update: The New Federal and State Wetland Regulations**
- **Where Are the Feds Going with the Clean Water Act?**
Scott Birkey, Esq., Cox, Castle & Nicholson, San Francisco
 - **What Is California Doing with Waters of the State?**
Wesley Milband, Esq., Atkinson, Andelson, Loya, Ruud & Romo, Sacramento
- 3:15 BREAK
- 3:30 **The California Supreme Court and CEQA: What the Recent Decisions Tell Us About the Future of CEQA Review**
- **Supreme Court Case Roundup: What's Been Decided and What's Up Next?**
Arthur Coon, Esq., Miller Starr Regalia, Walnut Creek
 - **Using the New Case Law to Your Advantage**
Jonathan Shardlow, Esq., Gresham Savage Nolan and Tilden, San Bernardino
- 4:30 **What's Up with Cannabis? Practical Land Use Law and Planning Concerns and Strategies**
- **Land Use and Related Strategies for Successful Retail Sales**
Hilary Bricken, Esq., Harris Bricken, Los Angeles
 - **Keeping it Safe and Sane in Your Municipality**
Alexander Freedman, Deputy City Attorney, City of Los Angeles
- 5:15 CONFERENCE ADJOURNMENT

Chairs:

Scott Birkey is a land use and natural resources lawyer who handles entitlement, compliance, and litigation matters for residential and commercial developers, educational and health-care institutions, and public agencies throughout California.

Michelle Ouellette is a land use attorney who helps cities, counties, special districts, developers and private sector clients navigate the requirements of the California Environmental Quality Act, the National Environmental Policy Act, and state and federal endangered species laws.

Faculty:

Melissa Ables addresses CEQA, eminent domain, constitutional issues related to the use of land, real estate development, and land use-related decisions by the City Council, the City's Planning Commission, or City staff.

Sigrid Asmundson is a public law attorney providing general and special counsel services to local agencies with a focus on elections law, economic development, affordable housing, land use and state mandates.

Hilary Bricken is a business law attorney representing start-ups, entrepreneurs, and companies—including cannabis businesses—in development including tax law, real estate law, corporate law, and intellectual property rights.

Arthur Coon co-chairs his firm's land use practice group and chairs its appellate practice group where he represents clients in the areas of CEQA, environmental, and land use law.

Leslie FitzGerald is Senior Chief Deputy City Attorney at the San Diego City Attorney's Office where she supervises the Real Property and Land Use Section in the Civil Division.

Anthony Francois is an attorney at a foundation where he defends constitutional property rights from land use and environmental restrictions.

Alexander Freedman is Deputy City Attorney in the Los Angeles City Attorney's Office where he serves as in-house counsel to the Los Angeles Department of Cannabis Regulation and the Los Angeles Cannabis Regulation Commission.

Location and Lodging:

The site of the program is the The Omni, Los Angeles, 251 S. Olive St., Los Angeles, CA 90012. A block of rooms has been reserved at a special negotiated rate of \$209. To register for your room, call 1-800-THE-OMNI (1-800-843-6664), and ask for the "Argent Communications" discount. Space is limited, so register by the February 18, 2019 cut-off date!

Tuition:

Conference tuition is \$695. A discount of \$100 is available for individuals from government agencies, public interest groups, or academia; for current subscribers to the *California Land Use Law & Policy Reporter*; or for each attendee when two or more people from one firm or organization register together.

Tuition includes attendance, program materials, continental breakfast, morning and afternoon refreshment breaks, and a three-month electronic subscription to the *California Land Use Law & Policy Reporter* (a \$215 value).



Christi Hogin practices in the areas of land use, CEQA, coastal and election law and serves as City Attorney for the cities of Lomita, Malibu and Palos Verdes Estates and assistant city attorney to West Hollywood.

Gregg Kettles represents clients in litigation matters, focusing on writs of mandate in the areas of land use regulation, environmental law and local government, and all manner of appeals.

Stanley Lamport is a land use and real estate development attorney whose practice includes representing clients with project acquisition, entitlement strategy, transactional issues, project processing and advocacy, California Environmental Quality Act compliance, and litigation.

Ronald Milam, AICP, PTP is actively involved in big data research, vehicle miles travelled analysis, multi-modal performance measures, and land use/transportation interactions.

Wesley Miliband is a water resources lawyer who represents private and public interest clients focusing on securing and protecting water rights and water supplies including assistance with water transfers and infrastructure necessary to treat, store and deliver water.

Jonathan Shardlow is chair of the firm's land use practice group where he represents landowners, developers and businesses in a wide array of land use litigation and transactional matters including CEQA compliance and litigation.

David Smith counsels land developers, conservation companies, for-profit and nonprofit organizations, and individuals at the intersection of law and government on land use entitlement, real estate development and regulatory compliance.

Michele Staples is a land use and water resources attorney representing agricultural businesses, developers, landowners, water suppliers, and developers in processing and defending entitlements, subdivision mapping, environmental compliance, environmental permitting, water rights, endangered species, and habitat conservation plan proceedings.

Five Ways to Register:

Early registration is encouraged. To register: (1) Go to the conference page, argentco.com/2019CLUconference, and access the online registration from there; (2) Mail the completed registration form on the reverse to: Argent Communications Group, PO Box 1135, Batavia, IL 60510-1135; (3) Complete the registration form and fax to 530-852-0360; (4) email to register@argentco.com; or (5) Call 800-419-2741. Full payment or purchase order is due with registration.

MCLE and AICP Credit:

MCLE accreditation has been requested for this program. Pending MCLE accreditation approval by the State Bar of California for 7.5 hours. For planners, this program will correspond to AICP CM credits of 7.5 hours.

Cancellation Policy:

Full refunds (less a \$50 processing fee) will be made only if notice is received by March 4, 2019. Substitutions are encouraged. Argent Communications Group reserves the right to cancel any program and assumes no responsibility for personal loss.

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REGISTRATION FORM

Yes! Please register the following:

Name: _____

Email (required): _____

Name: _____

Email (required): _____

Name: _____

Email (required): _____

Firm/Agency: _____

Address: _____

City: _____ St: _____ Zip: _____

Phone: _____

TUITION:

- \$695 per person, or
 \$595 each for two or more from the same firm, or
 \$595 government and nonprofit employees, or
 \$495 each for two or more government and nonprofit employees
Promo code: _____

PAYMENT METHOD:

- Check enclosed. Payable to Argent Communications Group
 P.O. attached. OR
 Charge my: Visa MasterCard Exp Date: _____

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Signature (required): _____

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What's covered:

- Inclusionary Zoning, Rent Control, and the Future of Things to Come
- Housing in the Golden State: Too Little, Too Late?
- Coastal Property Development Challenges
- Land Use Planning and the Ballot Box
- California Is Burning: Land Use Planning in the Face of Wildfire Threats
- The New Federal and State Wetland Regulations
- What Recent California Supreme Court Decisions Tell Us About the Future of CEQA Review
- What's Up with Cannabis? Practical Land Use Law and Planning Concerns and Strategies

Who should attend:

- Land Use, Environmental and Municipal Attorneys
- City and County Planners
- Landowners and Developers
- Engineering and Environmental Consultants
- City Council and County Board of Supervisors Members and Staff
- State and Local Agency Representatives
- Public Interest Group and Advocacy Personnel

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