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Land Use Regulation: Cases & Materals

Daniel P. Selmi, James A. Kushner, Edward H. Ziegler

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This dynamic casebook focuses on the role of the lawyer in land use regulatory matters and the factors that influence land development decisions. It emphasizes the current practice of land use law and cutting-edge urban planning and sustainable development legal and policy issues.

A wealth of materials, perspectives, and insights in a concise casebook that offers:

- **clear and practice-based explanations of the lawyer's role** in land development
- **a panoply of up-to-date materials** from news articles, law reviews, essays, and case profiles that track developments in the field of land use
- **emphasis on recent cases** that convey the dynamic content of land use law
- **discussion of the decision-making process** in land development and the relative decision-making weight of the law, local government, and politics
- **a thorough examination of third-party rights** in land development
- **exploration of ethical issues** that arise in land use decisionmaking
- a **logical structure** that allows instructors to teach the **basic tools of land use regulation** and then **choose to emphasize specific areas of modern land use law**
- a comprehensive **Teacher's Manual**

New in the Third Edition:

- co-author **Edward Ziegler** — nationally recognized expert on zoning, urban planning law, and sustainable development
- **recent takings** cases:
  - ***Chevron***
  - ***San Remo***
  - ***Kelo***
  - State takings legislation, esp., Oregon's Measure 37 and ***MacPherson***
  - ***Hathcock***
  - ***Brevard County***
  - Continuing developments under ***Palazzolo***
  - ***Dolan, Lucas,*** and ***Penn Central***
- updated coverage of **growth management and sustainable development issues**
  - "**Smart Growth**" and "**New Urbanism**"
  - **Growth, sprawl, green development, peak oil,** and **global warming issues**
- **federal law and land use**: the impact of the **Religious Land Use and Institutionalized Persons Act (RLUIPA)**, The **Federal Fair Housing Act** , The **Americans with Disabilities Act**, and the **Telecommunications Act of 1996** on local land use decisions
- **use of negotiated development agreements**
- **current environmental issues:**
  - ***Rapanos*** and the jurisdictional wetlands issue under the **Clean Water Act**
  - Use of land use planning to protect **endangered species**
  - The debate over the **increase in conservation easements**
  - The interplay of **water supply planning** and development approvals

Land Use Regulation: Cases and Materials, Third Edition, is equally well suited for courses in land use and land development as well as planning law classes in the urban planning school curriculum.

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