LAW 273.1 - LAND-USE LAW

Course Outline

Spring 2010 **Prof. Andrea Peterson**

Casebook: Land Use Controls (3d ed. 2005), by Robert C. Ellickson and Vicki L. Been

Background
Chapter One – The Land Development Process
Chapter Two – Markets and Planners

Chapter Three – Zoning and the Rights of Landowners and Developers

- **A. The Evolution of Zoning**
- **B. Landowners' and Developers' Constitutional Rights as Constraints on Inefficient Zoning Measures**
- **C. Landowners' and Developers' Constitutional Rights as Constraints on Zoning Measures That Impose Unfair Burdens**
- **D. Constraints on Zoning Measures That Threaten Civil Liberties**
- **E. Procedural and Remedial Aspects of Landowners' and Developers' Constitutional Rights**
- **F. Legislative Initiatives to Increase Landowners' and Developers' Rights**

Chapter Four – Zoning Changes and the Rights of Neighbors

- **A. Constraints on Zoning Changes by Administrative Bodies**
- **B. Constraints on Zoning Changes by Legislative Bodies**
- **C. The Procedural Rights of Developers and Their Neighbors**
- **D. Constraints on Land Use Decisions by Neighbors**

Chapter Five – Subdivision Regulations [and] Aesthetic Controls

- **A. Subdivision Regulations**
- **C. Aesthetic Regulation**
- **D. Streamlining the Regulatory Process**

Chapter Seven – Financing the Urban Infrastructure

- **A. Special Assessments**
- **B. Development Exactions**
- **C. Municipal Duties to Provide Services**
- **D. Easing the Financial Pressure on Municipalities**

Chapter Eight – Discriminatory Land Use Controls

- **A. Discrimination Against Racial and Ethnic Minorities**
- **B. Discrimination Against the Poor**
- **C. Discrimination Against Unconventional Households**
- **D. Discrimination Against People with Disabilities**

Chapter Nine – The Regional Obligations of Municipalities

- **A. Obligations to Consider the Negative Spillover Effects of Uses Located Near Municipal Borders**
- **B. Obligations to Consider Regional Needs for Locally Undesirable Land Uses**
- **C. Obligations to Allow (or Provide) Low- and Moderate-Income Housing**
- **D. Municipal Obligations to Accommodate Pressures for Regional Growth**

Land Use and Climate Change