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