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Land Use Regulation: Cases And Materials, Fourth Edition (Aspen Casebook)



Synopsis

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. The Fourth Edition introduces a wealth of new cases and materials covering such diverse topics as the rights of religious landowners, recent takings law, the effects of the fiscal crisis on local and municipal land use regulations, regulation of green energy projects and other environmental land-use issues, local zoning to regulate marijuana dispensaries and the continuing ethical challenges in the administration of local land use regulations. Thoroughly updated, the revised Fourth Edition presents: The continuing development of the "public use" question in takings law after *Kelo*, including the legal disputes over when land is sufficiently "blighted" to legally support programs by redevelopment agencies, as in the New York *Goldstein* and *Kaur* decisions, and the Supreme Court's most recent takings decision, *Stop the Beach Renourishment*. The intersection of land use and First Amendment rights, particularly the interplay with the Free Exercise and Establishment Clauses. The steady flow of cases interpreting the rights of religious landowners under the Religious Land Use and Institutionalized Persons Act. The effects of the fiscal crisis on local government land use regulations. The land use effects of "shrinking" cities. Land use regulation of green energy projects, particularly the siting of windmill farms and transmission line corridors. Municipal land use policies that will limit greenhouse gas emissions and implement sustainable development, such as transit-oriented projects. The development of hybrid "public-private" communities that use a combination of common law and public regulations. The effects of using development agreements. The continuing ethical challenges in the administration of local land use regulation. Developments in planning and zoning, such as local zoning to regulate marijuana dispensaries.

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