



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

*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.

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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