UT LAW CLE 2016 Land Use Fundamentals

P&Z and BOA: A Comparison Review

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Introduction

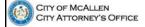
- History of Planning and Zoning Regulations
- Dissect P&Z and ZBOA
 - Purpose
 - Scope of Authority
 - Structure, Commission/Board Conduct, Conflicts of Interest, Quorum and Voting Requirements
 - Due Process and Appeals
- Overlap between P&Z and ZBOA (?)



History of Planning and Zoning Regulations

- What really brought us to study "Land Use" Law?
- Gangs of New York
 1863, "Five Points,"
 highlights emergence
 of "tenement houses."





History of Planning and Zoning Regulations

• Images of Tenement Yards in New York City 1800-1900





History of Planning and Zoning Regulations

- New York City adopts first zoning ordinance (1916).
- <u>Village of Euclid, Ohio v. Ambler Realty</u> (holds zoning constitutional) (1926).
- Department of Commerce publishes Standard Zoning Enabling Act.
- Texas adopts its version of SZEA (1927).
- Texas Supreme Court upholds State's version of SZEA in <u>Lombardo v. City of Dallas</u> (1934).



History of Planning and Zoning Regulations

- What's the end goal?
 - Promote the public health, safety, morals, and welfare of the general public and protect and preserve places of historical, cultural, and architectural importance and significance.

(Chapter 211 of Texas Local Government Code)







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