

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).
- Village of Euclid, Ohio v. Ambler Realty (holds zoning constitutional) (1926).
- Department of Commerce publishes Standard Zoning Enabling Act.
- Texas adopts its version of SZE (1927).
- Texas Supreme Court upholds State's version of SZE in Lombardo v. City of Dallas (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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"P&Z and BOA: A Comparison Review"