



# NEW LAND-USE CASES

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**Land Use Conference**

University of Texas School of Law CLE

April 23-24, 2020

Austin, Texas via Live Webcast

1

## I. RIPENESS & EXHAUSTION OF ADMIN. REMEDIES

### *Background*

- Two ripeness doctrines
  - State: “final decision”
  - Federal/§1983: “final decision” + no state compensation
- Exhaustion of administrative remedies
- “Jurisdictional” . . . possible dismissal

2

## *City of Houston v. Commons at Lake Houston*

- **Facts:**
  - Development started: GP, plat, plans, construction
  - The new ordinance
  - The email exchange

3

## *City of Houston v. Commons at Lake Houston*

- **Developer: Ordinance makes it “unfeasible”**
  - Inverse condemnation
  - Vested rights

4

## *City of Houston v. Commons at Lake Houston*

- City: It's not ripe

5

## *City of Houston v. Commons at Lake Houston*

- Ruling: It's not ripe

6

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First appeared as part of the conference materials for the

24<sup>th</sup> Annual Land Use Conference session

"New Land-Use Cases Part 1"