

LAND USE FUNDAMENTALS Zoning 101

APRIL 3, 2024

BRENDA N. McDONALD, PLLC
BRENDA@BRENDAMCDONALD.NET
PHONE: 972-978-9866

1

1



Be Prepared . . .

2

2

The Basics

3

3

Zoning – What Is It?

The division of a city or area into districts and the prescription and application of different land use regulations in each district. An exercise of the police power that allows cities to regulate the rights of a private individual for the good of the community.



4

4

A Brief History of Zoning

Zoning is a valid exercise of the police power to protect the community's health, safety and welfare.



Village of Euclid v. Ambler Realty Co.
272 U.S. 365 (1926)

5

5

A Brief History of Zoning

- Standard Zoning Enabling Act – 1926
- Texas:
 - *Lombardo v. City of Dallas*, 124 Tex. 1, 73 S.W. 2d 475 (1934)
 - All property is held subject to the police power
 - A proper zoning regulation is not a “taking” for which compensation must be paid
 - Texas Local Government Code – Chapter 211
 - Referenced 400+ times in subsequent cases

6

6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Zoning 101

First appeared as part of the conference materials for the
2024 Land Use Fundamentals session
"Zoning 101"