



NEW LAND-USE CASES

James L. Dougherty, Jr.

Attorney at Law, Houston, Texas

Land Use Conference

University of Texas School of Law CLE

April 23-24, 2020

Austin, Texas via Live Webcast

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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

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First appeared as part of the conference materials for the

24th Annual Land Use Conference session

"New Land-Use Cases Part 1"